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**The President**

**EXECUTIVE ORDER 9239**

AMENDING SUBDIVISION XI OF SCHEDULE A AND REVOKING PARAGRAPH 2 OF SUBDIVISION III OF SCHEDULE B OF THE CIVIL SERVICE RULES

By virtue of the authority vested in me by paragraph Eighth, subdivision SECOND, section 2 of the Civil Service Act (22 Stat. 404), it is ordered as follows:

1. Subdivision XI, Schedule A of the Civil Service Rules is hereby amended by adding thereto the following paragraph:

"15. Bureau of the Census: Special agents employed in collecting cotton statistics."

2. Paragraph 2, Subdivision III of Schedule B of the Civil Service Rules is hereby revoked.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,  
September 8, 1942.

[F. R. Doc. 42-8933; Filed, September 9, 1942; 1:57 p. m.]

**EXECUTIVE ORDER 9240**

**REGULATIONS RELATING TO OVERTIME WAGE COMPENSATION**

WHEREAS many labor organizations have already adopted the patriotic policy of waiving double time wage compensation or other premium pay for work on Saturday, Sunday and holidays, as such, for the duration of the war; and

WHEREAS it is desirable and necessary in the prosecution of the war, and to insure uniformity and fair treatment for those labor organizations, employers, and employees who are conforming to such wage policies that this principle be universally adopted:

NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and the statutes, as President of the United States and as Commander in

Chief of the Army and Navy, it is hereby ordered:

I. That the following principles and regulations shall apply for the duration of the war to the payment of premium and overtime wage compensation on all work relating to the prosecution of the war:

A. No premium wage or extra compensation shall be paid to any employee in the United States, its territories or possessions, for work on Saturday or Sunday except where such work is performed by the employee on the sixth or seventh day worked in his regularly scheduled workweek and as hereinafter provided.

(1) Where because of emergency conditions an employee is required to work for seven consecutive days in any regularly scheduled workweek a premium wage of double time compensation shall be paid for work on the seventh day.

(2) Where required by the provisions of law or employment contracts, not more than time and one-half wage compensation shall be paid for work in excess of eight hours in any day or forty hours in any workweek or for work performed on the sixth day worked in any regularly scheduled workweek.

B. No premium wage or extra compensation shall be paid for work on customary holidays except that time and one-half wage compensation shall be paid for work performed on any of the following holidays only:

- New Year's Day
- Fourth of July
- Labor Day
- Thanksgiving Day
- Christmas Day

and either Memorial Day or one other such holiday of greater local importance.

II. All Federal departments and agencies shall conform the provisions in all existing and future contracts negotiated, executed, or supervised by them to the policies of this order. All such departments and agencies shall immediately open negotiations to alter provisions in

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**THE PRESIDENT**

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existing contracts to conform them to the requirements of this order.

III. Nothing in this order shall be construed as requiring a modification of the principle that every employee should have at least one day of rest in every seven days. The continuous operation of plants and machines in prosecuting the war does not require that employees should work seven consecutive days.

IV. Nothing herein shall be construed as superseding or in conflict with the provisions of the statutes prescribing the compensation, hours of work and other conditions of employment of employees of the United States.

V. All Federal departments and agencies affected by this order shall refer to the Secretary of Labor for determination questions of interpretation and application arising hereunder.

VI. The provisions of this order shall become effective October 1, 1942.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,  
September 9, 1942.

[F. R. Doc. 42-8949; Filed, September 10, 1942;  
10:54 a. m.]

#### Regulations

#### TITLE 9—ANIMALS AND ANIMAL PRODUCTS

##### Chapter I—Agricultural Marketing Administration

#### PART 204—POSTED STOCKYARDS AND LIVE POULTRY MARKETS

##### STATESBORO LIVESTOCK COMMISSION CO. NOTICE UNDER PACKERS AND STOCKYARDS ACT<sup>1</sup> SEPTEMBER 9, 1942.

To F. C. Parker and F. C. Parker, Jr., doing business as Statesboro Livestock Commission Company, Statesboro, Georgia.

Whereas the Statesboro Livestock Commission Company was posted on November 15, 1941, as a stockyard subject to the provisions of the Packers and Stockyards Act, 1921; and

Whereas it appears that the Statesboro Livestock Commission Company is not being operated as a stockyard within the meaning of that term as defined in said Act:

Now, therefore, notice is hereby given that the Statesboro Livestock Commission Company no longer comes within

<sup>1</sup> Modifies list posted stockyards 9 CFR 204.1.

the foregoing definition and the provisions of Title III of said Act.

GROVER B. HILL,  
Assistant Secretary of Agriculture.

[F. R. Doc. 42-8952; Filed, September 10, 1942;  
11:03 a. m.]

#### PART 204—POSTED STOCKYARDS AND LIVE POULTRY MARKETS

##### PLATTE VALLEY SALES COMPANY, NORTH PLATTE, NEBRASKA

##### NOTICE UNDER PACKERS AND STOCKYARDS ACT<sup>1</sup> SEPTEMBER 8, 1942.

Whereas the Platte Valley Sales Company was posted on February 20, 1941, as a stockyard subject to the provisions of the Packers and Stockyards Act, 1921; and

Whereas it now appears that the Platte Valley Sales Company is not being operated as a stockyard within the meaning of that term as defined in said Act:

Now, therefore, notice is hereby given that the Platte Valley Sales Company no longer comes within the foregoing definition and the provisions of Title III of said Act.

GROVER B. HILL,  
Acting Secretary of Agriculture.

[F. R. Doc. 42-8951; Filed, September 10, 1942;  
11:03 a. m.]

#### PART 204—POSTED STOCKYARDS AND LIVE POULTRY MARKETS

##### PLATTE VALLEY SALES COMPANY, NORTH PLATTE, NEBRASKA

##### NOTICE UNDER PACKERS AND STOCKYARDS ACT<sup>1</sup> SEPTEMBER 9, 1942.

Whereas in accordance with the provisions of section 302 (b) of the Packers and Stockyards Act, 1921 (7 U.S.C. § 202 (b)), the Secretary of Agriculture posted the stockyard known as the North Platte Auction Company, North Platte, Nebraska, as being subject to the provisions of said Act; and

Whereas it appears that said stockyard is now known as the Platte Valley Sales Company, and is being operated by the Platte Valley Sales Company:

Now, therefore, it is ordered, That the notice of the posting of said stockyard be, and it hereby is, amended to show that the correct name of the stockyard is the Platte Valley Sales Company, North Platte, Nebraska.

GROVER B. HILL,  
Assistant Secretary of Agriculture.

[F. R. Doc. 42-8950; Filed, September 10, 1942;  
11:03 a. m.]

#### TITLE 24—HOUSING CREDIT

##### Chapter IV—Home Owners' Loan Corporation

[Bulletin No. 106]

##### PART 401—GENERAL

##### SERVICING ACROSS STATE LINES

Amending Part 401, Chapter IV, Title 24 of the Code of Federal Regulations.

Section 401.09 is added, reading as follows:

§ 401.09 *Servicing across state lines.*  
 (a) Where a field employee of the Corporation has been assigned to an official station other than at a Regional Office, the activities of such employee shall ordinarily be limited to the business of the Corporation within the state where his official station is located. Where the business of the Corporation may be more economically and efficiently conducted by permitting employees so stationed to perform incidental service or duties in an adjoining state or region, the crossing of state lines is authorized as follows:

(1) Such an employee may perform incidental duties or service in an adjoining state or region in connection with a property owned or securing indebtedness to the Corporation located within the state where he has his official station, when authorized generally or specially by the Regional Manager.

(2) Such an employee may perform such incidental duties or service in an

adjoining state within the region in connection with a property owned or securing indebtedness to the Corporation located in such adjoining state, when authorized generally or specially by the General Manager. (Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by section 13, 48 Stat. 647; 12 U. S. C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529.)

Effective September 15, 1942.

J. FRANCIS MOORE,  
 Secretary.

[F. R. Doc. 42-8948; filed, September 10, 1942; 10:30 a. m.]

**TITLE 30—MINERAL RESOURCES**

**Chapter III—Bituminous Coal Division**  
 [Docket No. A-1602]

**PART 321—MINIMUM PRICE SCHEDULE,  
 DISTRICT NO. 1**

**ORDER GRANTING TEMPORARY RELIEF, ETC.**

Order granting temporary relief and conditionally providing for final relief in

the matter of the petition of District Board No. 1 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 1.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 1; and it appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

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

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

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows:

Commencing forthwith, § 321.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R-I and R-II and § 321.24 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

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

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

Dated: August 31, 1942.

[SEAL] DAN H. WHEELER,  
 Acting Director.

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

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

**FOR ALL SHIPMENTS EXCEPT TRUCK**

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

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

Mine index No.	Code member	Mine name	Sub-district No.	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3	4	5
3667	Bradley & Pollock (James Bradley)	Stationary	43	Big Vein.	Barton, Md.	C&P	66	(f)	(f)	(f)	(f)	(f)
1705	Brashear, William	Nelson	43	Bak	Morrison, Md.	C&P	66	(f)	(f)	(f)	(f)	(f)
1140	Brashear, William	William Brashear	43	Bak	Morrison, Md.	C&P	66	(f)	(f)	(f)	(f)	(f)
3709	Heckler, B. F. (The "B" Quality Coal Co.)	"B" Quality #6	33	B	Windsor, Pa.	PRR	40	(f)	(f)	(f)	(f)	(f)
3704	King Coal Company	King #1 Strip (S)	20	E	Janesville, Pa.	PRR	45	(f)	(f)	(f)	(f)	(f)
3855	Knisley Coal Company (Harvey Knisley)	Knisley #2	5	E	Knoxdale, Pa.	P&S	119	(f)	(f)	(f)	(f)	(f)
655	Matthews, John H.	Matthews #1	7	D	Grampian, Pa.	PRR	45	(f)	(f)	(f)	(f)	(f)
3204	Matthews, John H.	Matthews #2	7	D	Grampian, Pa.	PRR	45	(f)	(f)	(f)	(f)	(f)
2856	Matthews, John H.	Matthews #3	7	D	Grampian, Pa.	PRR	45	(f)	(f)	(f)	(f)	(f)
2352	Matthews, John H.	Matthews #4	7	D	Grampian, Pa.	PRR	45	(f)	(f)	(f)	(f)	(f)
3827	Matthews, John H.	Matthews #5 (D)	7	D	Grampian, Pa.	PRR	45	(f)	(f)	(f)	(f)	(f)
3630	Matthews, John H.	Matthews #5 (S)	7	D	Grampian, Pa.	PRR	45	(f)	(f)	(f)	(f)	(f)
3705	Maurer, F. R.	Carnwath #6 (S)	13	D	Carnwath, Pa.	PRR	44	(f)	(f)	(f)	(f)	(f)
3706	Maurer, F. R.	Carnwath #7 (S)	13	D	Carnwath, Pa.	PRR	44	(f)	(f)	(f)	(f)	(f)
3616	May, C. M.	C. M. May Coal Co.	40	C'	Casselman, Pa.	NYC	100	(f)	(f)	(f)	(f)	(f)
1054	Rigby & Shaffer Coal Company	Rigby & Shaffer	29	C'	Johnstown, Pa.	B&O	48	(f)	(f)	(f)	(f)	(f)
5676	Rigby & Shaffer Coal Company	Rigby & Shaffer #2	29	E	Johnstown, Pa.	J&S	48	(f)	(f)	(f)	(f)	(f)

†Indicates no classification effective for these size groups.  
 \*Indicates classifications and prices previously established for these size groups.

FOR ALL SHIPMENTS EXCEPT TRUCK  
 § 321.7 *Alphabetical list of code members—Supplement R-II*  
 [Alphabetical listing of code members having railway loading facilities, showing price classifications by size group numbers]

Mine index No.	Code member	Mine name	Sub district No.	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3	4	5
573	Lansberry & Son, Abbie E.	Lansberry #3	8	C	NYC		44	F	F	F	F	F
2335	Lansberry & Son, Abbie E.	Lansberry #6	8	B	NYC		44	F	F	F	F	F
2337	Lansberry & Son, Abbie E.	Lansberry #7	8	C	NYC		44	F	F	F	F	F
875	Snyder Brothers (Hills Snyder)	Trumpey	37	D	B&O		100	(F)	(F)	B	(F)	(F)

Indicates no classification effective for these size groups.  
 Note: The above prices are applicable only via the respective Freight Origin Groups, Shipping Points, and railroads shown for the respective mines. Shipping Points previously assigned to these mines are hereby deleted.

§ 321.24 *General prices—Supplement T—Continued*

FOR TRUCK SHIPMENTS

§ 321.24 *General prices—Supplement T*

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

Code member index name	Mine Index No.	Mine	Subdistrict No.	County	Seam	1	2	3	4	5
Bradley & Podack (James Bradley)	3667	Stationary	43	Allegheny	Big Vein	(F)	(F)	(F)	(F)	(F)
Erich, E. J. (Erich Mining Co.)	3666	Cyclone Mine (S)	2	McKean	Clermont	(F)	(F)	(F)	(F)	(F)
Hecker, B. F. (The "B" Quality Coal Co.)	3766	"B" Quality #6	33	Somerset	B.	(F)	(F)	(F)	(F)	(F)
King Coal Company	3704	King #1 Strip (S)	20	Clearfield	E.	(F)	(F)	(F)	(F)	(F)
Knuseley Coal Company (Harvey Knuseley)	3535	Knuseley #2	5	Jefferson	B.	(F)	(F)	(F)	(F)	(F)
Lombson, L. O.	3687	Muddy Run	9	Clinton	A.	(F)	(F)	(F)	(F)	(F)
Matthews, John H.	3685	Matthews #1	7	Clearfield	E.	(F)	(F)	(F)	(F)	(F)
Matthews, John H.	3584	Matthews #2	7	Clearfield	D.	(F)	(F)	(F)	(F)	(F)
Matthews, John H.	3582	Matthews #3	7	Clearfield	D.	(F)	(F)	(F)	(F)	(F)
Matthews, John H.	3582	Matthews #4	7	Clearfield	D.	(F)	(F)	(F)	(F)	(F)
Matthews, John H.	3582	Matthews #5 (D)	7	Clearfield	D.	(F)	(F)	(F)	(F)	(F)
Matthews, John H.	3582	Matthews #5 (S)	7	Clearfield	D.	(F)	(F)	(F)	(F)	(F)
Maurer, F. R.	3705	Carnwath #6 (S)	13	Clearfield	D.	(F)	(F)	(F)	(F)	(F)

Indicates no classification effective for these size groups.  
 \*Indicates classifications and prices previously established for these size groups.

[F. R. Doc. 42-8916; Filed, September 9, 1942; 11:03 a. m.]





cept truck and for truck shipments. Further, no showing is made that petitioner seeks a revision in the price classifications and minimum prices in effect for the coals of Mine Index No. 194 in Size Groups 4, 6, 7, and 8, and no sufficient reason is advanced why such revisions should be made. Accordingly, no relief is granted herein for the coals of the No. 3 Mine, Mine Index No. 194, of C. H. Harper & Sons.

Petitioner proposes price classifications and minimum prices, for both rail and truck shipments, for the coals of the No. 7 Mine, Mine Index No. 134, of D. A. Henderson (Henderson Coal Company) produced by the machine cut method of mining. It appears that price classifications and minimum prices for the coals of Mine Index No. 134, produced by the machine cut method of mining, were originally established pursuant to General Docket No. 15. However, by the Order issued in Docket Nos. A-137, A-208 and A-251 such price classifications and minimum prices were deleted from the schedule and the coals of this mine were reclassified and priced on the basis of the solid shot method of mining. It now appears that the method of producing coal from Mine Index No. 134 is again to be changed and that, in compliance with Order No. 288, Henderson has advised the Division that the coals of that mine will henceforth be produced by the machine cut method of operation. Accordingly, the price classifications and minimum prices set forth in the attached schedules marked Supplement R and Supplement T apply only to the coals of Mine Index No. 134 when such coals are produced by the machine cut method of operation. Further, it appears that price classifications and minimum prices heretofore in effect for the coals of that mine, produced by the solid shot method of operation, should be eliminated from the

minimum price schedules. Petitioner proposes no price classification and minimum price for the coals of Mine Index No. 134 of Henderson in Size Group 12. However, since price classifications and minimum prices for the coals in Size Group 12, produced from other mines presently operating in Production Group 7 in District No. 14, were permanently established by the Order issued in Docket Nos. A-137, A-208 and A-251 on March 28, 1942, 7 F.R. 2703, it is deemed advisable to make the same price classification and minimum prices applicable to the coals of Mine Index No. 134 in that size group. For this reason a price classification and minimum price for the coals of Mine Index No. 134 in Size Group 12 have been set forth in the attached schedules marked Supplement R and Supplement T.

The original petition requests the establishment of a price classification for the coals of the Myrtle R. Mine, Mine Index No. 446, of Myrtle Reginato, in Size Group 20. However, neither the original petition nor the records of this Division indicate that Reginato has shipped, or proposes to ship coals produced from the Myrtle R. Mine, by rail. In addition, the petition fails to set forth data showing the rail shipping point for this mine, the railroad upon which its coal would originate for rail shipment and other pertinent information necessary to the establishment of a price classification for rail shipments. Therefore, in the absence of such necessary information, no price classification is established for the coals of the Myrtle R. Mine, Mine Index No. 446, in Size Group 20, for shipment by rail.

For the No. 2 Mine of the Stewart Smokeless Coal Company, Mine Index No. 104, in Production Group 2, District No. 14, petitioner proposes price classifications and minimum prices in Size

Groups 6, 7 and 8 which do not correspond with those in effect for comparable and analogous coals in the same size groups produced from other mines in Production Group 2 in District No. 14; petitioner's proposal is a classification of "L" for all shipments except truck, and a minimum price of \$4.00 for truck shipments. Other mines in Production Group 2 producing similar coals, have an effective classification of "K" for Size Groups 6, 7 and 8 for all shipments except truck, and a minimum price of \$4.05 per ton for truck shipments. Accordingly, since the original petition herein does not contain facts sufficient to warrant the differentiation in price classifications and minimum prices requested by petitioner, it is deemed advisable to temporarily establish a price classification of "K" for all shipments except truck and a minimum price of \$4.05 per ton for truck shipments in the attached schedules marked Supplement R and Supplement T for the coals of Mine Index No. 104 in Size Groups 6, 7 and 8.

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

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

Dated: August 31, 1942.

[SEAL]

DAN H. WHEELER,  
Acting Director.





TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

PART 622—CLASSIFICATION

[Amendment No. 77, 2d Ed.]

TERMINATION OF DEFERMENT UNDER CERTAIN CIRCUMSTANCES

By authority vested in me as Director of Selective Service under 54 Stat. 885; 50 U.S.C., Sup. 301-318, inclusive; E.O. 8545, 5 F.R. 3779, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend the regulations by adding a new section to be known as § 622.71 to read as follows:

§ 622.71 *Termination of deferment under certain circumstances.* Whenever the Director of Selective Service advises a local board that a deferred registrant or a group of deferred registrants is not supporting or is adversely affecting the war effort or the national health, safety, or interest, the local board shall immediately terminate the deferment of and consider anew the classification of such registrant or registrants.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
Director.

SEPTEMBER 9, 1942.

[F. R. Doc. 42-8934; Filed, September 9, 1942; 3:35 p. m.]

[Order No. 55]

BELTON PROJECT

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Belton Project to be work of national importance, to be known as Civilian Public Service Camp No. 55. Said camp, located at Belton, Flathead County, Montana, will be the base of operations for park and forestry work in Glacier National Park, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and non-combatant military service and have been placed in Class IV-E, may be assigned to said camp in lieu of their induction for military service.

The work to be undertaken by the men assigned to Civilian Public Service Camp

No. 179—2

No. 55 will consist of the construction, improvement and maintenance of park, parkway and recreational facilities, including roads, trails, utilities and park structures, and the restoration, conservation and protection of natural resources by reforestation, erosion control, fire suppression and presuppression, and shall be under the technical direction of the National Park Service of the Department of the Interior insofar as concerns the planning and direction of the work program. The camp, insofar as camp management is concerned, will be under the direction of approved representatives of the National Service Board for Religious Objectors. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,  
Director.

SEPTEMBER 7, 1942.

[F. R. Doc. 42-8935; Filed, September 9, 1942; 3:35 p. m.]

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment No. XXXIV]

PART 802—GENERAL LICENSES

SHIP AND PLANE STORES, ETC.

Subparagraph (1) of paragraph (a) of § 802.13, *Ship and plane stores, supplies and equipment*,<sup>1</sup> is hereby amended to read as follows:

§ 802.13 *Ship and plane stores, supplies and equipment.* (a) \* \* \*

(1) When exportation is made on freight or passenger vessels operating under the control of countries designated by numbers 1 through 81, 88, 89, 90, 91, 96 and 99 in § 802.2(a), or on foreign vessels owned by or chartered to the United States Maritime Commission or the War Shipping Administration, these general licenses authorize the exportation of bunker fuel, ordinary ship stores, sea stores, and supplies for use or consumption on board such vessels during the outgoing voyage and any immediate return voyage scheduled, and also of equipment and spare parts intended for permanent use on such vessels when necessary for their proper operation.

(Sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Public Law 638, 77th Cong.; Order

<sup>1</sup> 7 F.R. 5007, 5745, 6256.

No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951).

F. R. KERR,  
Chief, Export Control Branch,  
Office of Exports.

AUGUST 28, 1942.

[F. R. Doc. 42-8957; Filed September 10, 1942; 11:09 a. m.]

[Amendment No. XXXV]

PART 802—GENERAL LICENSES

RE-EXPORTATION OF MACHINERY OR PARTS

Section 801.15 *Re-exportation of machinery, equipment or parts*<sup>1</sup> is hereby amended to read as follows:

§ 802.15 *Re-exportation of machinery, equipment or parts.* A general license is hereby issued permitting re-exportation to Mexico of:

(a) Machinery or parts of machinery, owned and operated in Mexico, and shipped into the United States for repair purposes;

(b) Replacement parts which are added to such machinery while in the United States; and

(c) Rebuilt parts which are substituted or exchanged for parts of machinery, owned and operated in Mexico, and shipped into the United States for repair purposes.

(Sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Public Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951).

F. R. KERR,  
Chief, Export Control Branch,  
Office of Exports.

SEPTEMBER 2, 1942.

[F. R. Doc. 42-8956; Filed, September 10, 1942; 11:09 a. m.]

[Amendment No. XXXVI]

PART 802—GENERAL LICENSES

INTRANSIT LICENSES

Section 802.9 *General intransit licenses*<sup>2</sup> is hereby amended in the following particulars:

1. Subparagraph (1) of paragraph (b) is amended by adding to the table set forth at the end thereof the following:

<i>Gen. lic. designations</i>	
From British Empire to Unoccupied China.....	GIT-A/UC

2. Paragraph (d) is amended to read as follows:

(d) Intransit shipments of commodities hereafter listed in this paragraph require individual export licenses ex-

<sup>1</sup> 7 F.R. 5081.

<sup>2</sup> 7 F.R. 5004, 5509, 5745.

cept when proceeding under General In-  
transit Licenses GIT-A/A or GIT-Y/Z,  
as set forth in paragraph (b) of this sec-

Commodity

Aircraft parts, equipment and accessories other than those listed  
in the President's Proclamation of April 9, 1942

Commodity	Department of Commerce Schedule B or F No.
Acornite	2209.27
Agar	8135.98
Aluminum	6290, 6294, 6300, 6301, 6302, 6305, 6296
Ammonium nitrate	8385.17
Antimony	6600-F, 6649.01, 6645.01
Asbestos	5451.05
Atropine	8135.01 to 8135.10 Inclusive
Babassu nuts and kernels	1379
Beef and mutton tallow—Includes oleo stock	0857
Beef and mutton tallow (inedible) includes oleo stock	2209.01
Belladonna	0999.98
Beryllium, metal, salts and compounds	8135.11
Bristles	6649.05, 6645.05, 8396.20
Caffein	1379, 1449.98
Cadmium	2249.01, 2220.01
Cashew nuts, kernels, nut oil and nut shell oil	6620-F, 6649.18, 6645.18
Castor beans and oil	6645.20, 6649.20
Cerium, metal, salts and compounds	2209.03, 2207-F
Chromium, metal, salts and compounds	6649.25, 6645.25
Cinchona bark or other bark from which quinine may be ex- tracted	1420, 2230
Cobalt, metal, salts and compounds	8119.05
Coconut oil	0819
Cod-liver oil	1379
Cod oil	1645.30, 6649.30
Columbium metals, salts and compounds	2220.30
Copper	6401, 6412, 6413
Copper, metal	4309
Cork	5419, 5409.90, 6294, 6645.98
Corundum	3004
Cotton linters, munitions or chemical grades only (grades 3-6 according to Department of Agriculture Classification)	2231, 1425
Cottonseed oil, crude & refined	5960.10, 5960.15
Cryolite	2209.05
Cube (timbo or barbasco) root	2209.07
Derris root and tuba or tube root	5409.10, 5991-F, 7485.12, 5990.05
Diamonds, industrial, include tools incorporating industrial dia- monds	2209.09
Digitalis seeds and compounds	2209.98
Ergot	6213.03
Ferromanganese	3399.01
Flax	2220.03
Flaxseed (linseed)	6178.90
Gauges, precision	8314
Glycerine, crude and refined	5472.01, 5472.03, 5472.98
Graphite or plumbago, crystalline flake, crystalline lump, chip, or dust, except of Mexican origin	2220.20
Hemp and Hempseed	0201, 0206, 0207, 0230, 0250.03, 0250.05, 0250.10, 0250.98
Hides and skins	

Commodity—Continued

Commodity	Department of Commerce Schedule B or F No.
Homatropine	8127.93, 8180.03
Horse mane and tail hair	3693.5
Hyoscine (Scopolamine)	8127.96, 8180.19
Hyoscyamus (Henbane)	8124.13, 8127.94, 8180.13
Istle or tampico fiber	3405-F
Jewel bearings	5990.98
Jute, fiber, yarn, cordage, twine and empty bags	3224, 3211, 3499.20, 3229.05
Kapok, fiber	3403-F
Kyanite and sillimanite	5960.98
Lead	6645.35, 6507
Leather, sole and belting, except offal	0324, 0330
Lenses for precision instruments	9147, 9149.99
Magnesium metal	6638, 6691.05
Manila fibers, hep and cordage	3414, 3499.30
Mercury metal (Virgin, redistilled, or old)	6635
Mesothorium	8396.91
Mica	5510, 5513-F
Molybdenum, metal, salts and compounds	6649.45, 6636, 6691.05
Muru nuts and kernels	1379
Neat's foot oil	0803
Nickel metal, salts and compounds	6545.03, 6545.01
Nutgall	2209.98
Nux vomica	2209.15
Optical glass, except ophthalmic	2249.05
Optical glass, except ophthalmic	5230.05
Ouroicury (uricury) oil, kernels and nuts	1379, 2249.98
Palm oil, kernels, nuts, and kernel oil	2249.25, 1449.03, 2220.20
Peanut (ground nut) oil	2249.03, 1431
Perilla seed & oil	2220.20, 2249.05
Plasmochin	8135.98
Platinum group metals, salts and compounds	6920, 6922.05, 6922.09
Pyrethrum	2208-F
Psyllium seeds	2209.19
Quartz crystals	5120-F, 5960.01, 5960.02, 5960.03, 5960.06, 5960.08
Quinine	8127.5
Radium	8397.75, 8135.15
Rapeseed & rapeseed oil	2220.20, 2249.05, 1449.04
Rennet	0099
Resins, natural	2180, 2185, 2125, 2188.05, 2189.95
Rubber, rubber seed and seed oil	2011 to 2099.98, inclusive
Rutile	2220.98, 2249.98, 6645.70
Seed lac	2189.05
Sesame seed	2234
Shark oil and shark-liver oil	8119.05
Shearlings, sheep	0250.98
Shellac	2185, 2189.05
Sisal	3419.09, 3401-F, 3499.09
Silk	3702-F, 3710, 3711, 3720.98, 3720.01, 3720.05, 3798.01
Sitka spruce	4019.05
Sodium nitrate	8509.19
Sperm oil, crude & refined	0809.05
Spices (include pepper, nutmeg, cloves, cassia, etc.)	1526, 1533, 1535, 1538, 1542, 1545, 1549
Strontium, metal, salts and compounds	8397.81, 8397.82, 8397.83, 8397.84, 8397.85, 8397.86, 8397.87

Commodity—Continued	Department of Commerce Schedule B or F No.
Strychnine.....	8135.17
Sunflower seeds and oil (edible and denatured).....	2220.20, 2249.98
Tannic acid.....	8303.98
Tantalum, metal, salts and compounds.....	6645.60, 6649.60
Tea.....	1521
Teakwood.....	4005-F, 4195-F
Technical Data.....	
Theobromine.....	8135.18
Theophylline.....	8135.19
Titanium, metal, salts and compounds.....	6649.70, 6645.70
Tin, metal, salts and compounds.....	6565.01, 6565.02, 6565.03, 6565.07, 6565.08
Toluol.....	8011
Tools incorporating industrial diamonds.....	6178.91, 5409.05, 7455.03, 6155.05, 6156.05
Tucun nuts and kernels.....	1379
Tung oil.....	2249.10
Tungsten, metal, salts and compounds.....	6645.80, 6639
Uranium.....	6645.85, 6649.85
Vanadium, metal, salts and compounds.....	6649.90, 6637
Wool, unmfgd. and semi-mfgd.....	3511-F, 3523-F, 3529-F, 3626, 3628, 3633, 3609, 3622, 3649-F, 3623-F
Wool grease.....	0858.05, 0858.98
Whale oil.....	0809.05
Zinc, metal.....	6570, 6571
Zirconium, metal, salts and compounds.....	6645.95, 6649.95

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of September 1942.

D. M. NELSON,  
Chairman.

[F. R. Doc. 42-8969; Filed, September 10, 1942;  
11:58 a. m.]

Subchapter B—Director General for Operations

PART 1010—SUSPENSION ORDERS

[Suspension Order S-95]

HERBERT S. KOHLBUSH

Herbert S. Kohlbush is the lessee and operator of an oil well known as Kohlbush No. 10 at Huntington Beach, California. Subsequent to December 23, 1941, and at a time when he was fully aware of the restrictions contained in Conservation Order M-68,<sup>1</sup> Kohlbush used material in the drilling of this oil well although such well does not conform to a uniform well-spacing pattern of not more than one single well to each 40 surface acres and was "spudded" subsequent to December 23, 1941. Kohlbush's use of material in the drilling of this well constituted a wilful violation of Conservation Order M-68 which has impeded and hampered the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered:*

§ 1010.95 *Suspension Order S-95.* (a) Herbert S. Kohlbush, his successors and assigns, shall not produce any oil from the well known as Kohlbush No. 10, located at Huntington Beach, California, for a total of 60 days during the 90-day period immediately succeeding the effective date of this order.

(b) Beginning 90 days after the effective date of this order, Herbert S. Kohlbush, his successors and assigns, shall not operate the well known as Kohlbush No. 10, located at Huntington Beach, California, except in accordance with conditions prescribed by the Director General for Operations.

(c) Nothing contained in this order shall be deemed to relieve Herbert S. Kohlbush from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect September 14, 1942, and shall continue in effect until revoked.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th

<sup>1</sup> 6 F.R. 6687; 7 F.R. 281, 601, 903, 1088, 1089, 3806, 4760.

This amendment shall become effective September 15, 1942.

(Sec. 6, 54 Stat. 714, Public Law 75, 77th Cong., Public Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

F. R. KERR,  
Chief, Export Control Branch,  
Office of Exports.

SEPTEMBER 3, 1942.

[F. R. Doc. 42-8955; Filed, September 10, 1942;  
11:09 a. m.]

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 905—SPECIFICATIONS

[Directive 8]

NATIONAL EMERGENCY SPECIFICATIONS FOR THE DESIGN, FABRICATION AND ERECTION OF STRUCTURAL STEEL FOR BUILDINGS

Pursuant to the authority vested in me by Executive Orders No. 9024 of January 16, 1942,<sup>1</sup> No. 9040 of January 24, 1942,<sup>2</sup> and No. 9125 of April 7, 1942,<sup>3</sup> and pursuant to the policy stated in the Joint Directive of the War Production Board and the War and Navy Departments dated May 20, 1942, and the Army and Navy Munitions Board "List of Prohibited Items for Construction Work," dated April 1, 1942, as revised June 29, 1942, the following policy is prescribed (1) for the War Production Board and for the Army, Navy, Maritime Commission, Reconstruction Finance Corporation, National Housing Agency, and (2) for all other Departments and Agencies in respect to war construction and the financing of war construction.

§ 905.1 *National emergency specifications for the design, fabrication and erection of structural steel for buildings—*

*Adoption of specifications.* (a) National emergency specifications for the design, fabrication and erection of structural steel for buildings issued by the War Production Board September 10, 1942, shall apply to and shall govern the designing, fabrication and erection of structural steel for all buildings which are constructed by, or the construction of which is financed by, or the construction of which must be approved by any of such departments or agencies, the contracts for which are placed after a date sixty days after the issuance of this directive. Such departments or agencies, however, are empowered to put this directive into immediate effect wherever possible.

(b) With respect to any such contracts already placed by any of said departments or agencies or entered into prior to a date sixty days after the issuance of this directive, the department or agency concerned shall review the contract promptly and shall change to said emergency specifications unless such change will result in any substantial delay in the war effort.

(c) The agency undertaking or approving the construction shall obtain from the person in responsible charge of the design of each such building a certificate to the effect that said specifications have been complied with, and that the building has been designed to secure the greatest savings of steel practical through continuity in design and through welded fabrication. In cases where Forms PD-200 and PD-200A must be filed with the War Production Board in order to obtain authorization to begin construction of such building, such certificate shall be filed with said forms.

(d) Authority to depart from the provisions of this directive may, upon specific request, be granted by the Director General for Operations of the War Production Board, or by such person or persons as he may designate for this purpose.

<sup>1</sup> 7 F.R. 329.

<sup>2</sup> 7 F.R. 527.

<sup>3</sup> 7 F.R. 2719.

Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 9th day of September 1942.

AMORY HOUGHTON,  
Director General for Operations.

[F. R. Doc. 42-8932; Filed, September 9, 1942;  
1:26 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-96]

CHESTER F. DOLLEY

Chester F. Dolley is the lessee and operator of an oil well known as Girten Well No. 1, located at Torrance, California. Subsequent to December 23, 1941, and at a time when he was fully aware of the restrictions contained in Conservation Order M-68,<sup>1</sup> Dolley used material in the drilling of this oil well although such well does not conform to a uniform well-spacing pattern of not more than one single well to each 40 surface acres and was "spudded" subsequent to December 23, 1941. Dolley's use of material in the drilling of this well constituted a wilful violation of Conservation Order M-68 which has impeded and hampered the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, it is hereby ordered:

§ 1010.96 *Suspension Order S-96.* (a) Chester F. Dolley, his successors and assigns, shall not produce any oil from the well known as Girten Well No. 1, located at Torrance, California, for a total of 60 days during the 90-day period immediately succeeding the effective date of this order.

(b) Beginning 90 days after the effective date of this order, Chester F. Dolley, his successors and assigns, shall not operate the well known as Girten Well No. 1, located at Torrance, California, except in accordance with conditions prescribed by the Director General for Operations.

(c) Nothing contained in this order shall be deemed to relieve Chester F. Dolley from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect September 14, 1942, and shall continue in effect until revoked.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 9th day of September 1942.

AMORY HOUGHTON,  
Director General for Operations.

[F. R. Doc. 42-8931; Filed, September 9, 1942;  
1:26 p. m.]

<sup>1</sup> 6 F.R. 6687; 7 F.R. 281, 601, 903, 1088, 1089, 8806, 4760.

PART 997—PRODUCTION AND DELIVERY OF MACHINE TOOLS

[Amendment 2 to General Preference Order E-1-b]

DISTRIBUTION AMONG SERVICE PURCHASERS

General Preference Order E-1-b (§ 977.2)<sup>1</sup> is hereby further amended by changing paragraphs (e) (1), (e) (5), and (h) (1) thereof so as to read as follows:

§ 997.2 *General Preference Order E-1-b.* \* \* \*

(e) *Distribution of 75 per cent of production among Service purchasers.* (1) Service purchasers are hereby subdivided into seven groups consisting of the following, and their respective prime contractors and subcontractors: Bureau of Ships (Navy), Bureau of Ordnance (Navy), Ordnance Department (Army), Air Services, Miscellaneous Branches and Bureaus, the Maritime Commission, and the Signal Corps. The fourth group, designated "Air Services," includes the Army Air Forces and the Navy Bureau of Aeronautics and their respective prime contractors and subcontractors. The fifth group, designated "Miscellaneous Branches and Bureaus," includes the Quartermaster Corps, the Corps of Engineers, the Army Medical Department, the Chemical Warfare Service, the Bureau of Yards and Docks, the Marine Corps, and the Transportation Service of the Services of Supply, and their respective prime contractors and subcontractors.

(5) If a producer does not have on hand on the first day of the fourth month preceding the month of delivery, rated purchase orders from the Bureau of Ships (Navy) group equal to that group's quota of a size of a given type of tool for that month, the producer shall schedule purchase orders received from the Bureau of Ordnance (Navy) group for the balance of the Bureau of Ships (Navy) group quota of that size and type for delivery during that month. Similarly, if the producer does not have orders on hand from the Bureau of Ordnance (Navy) group equal to its quota, he shall schedule purchase orders received from the Bureau of Ships (Navy) group for the balance of the Bureau of Ordnance (Navy) group's quota.

If a producer does not have on hand on the first day of the fourth month preceding the month of delivery, rated purchase orders from the Bureau of Ships group plus the Bureau of Ordnance group equal to their combined quotas of a size of a given type of tool for that month, or if he does not have on hand on such date rated purchase orders from any other single group of Service purchasers equal to that group's quota of a size of a given type of tool for that month, the producer shall schedule purchase orders received from members of other groups of Service purchasers for that size and type for delivery during that month. Where members of two or more other groups have placed purchase orders aggregating more than such unordered bal-

ance of the combined quotas of the Bureau of Ships and Bureau of Ordnance, or of any other single group's quota, the producer must first schedule the purchase orders of those purchasers who are members of the group having the greatest ratio of:

(i) Unfilled purchase orders, specifying required delivery dates in said month of delivery and in preceding months, but not scheduled for delivery in said months to;

(ii) The number of tools to which said group is entitled under its quota,

until that ratio has been reduced to or below the ratio of another group or groups, after which the producer shall schedule the purchase orders of members of the group or groups which then have the greatest ratio, and shall continue to schedule in this manner until the unordered balance has been entirely distributed. Where several groups have the same ratio, and there are not sufficient undistributed tools to schedule one for each group, preference shall be given to the groups having the lower percentage quotas.

(h) *Necessity for preference ratings.* (1) Except in the case of purchase orders of foreign purchasers, no purchase order for any machine tool shall be given priority standing in production schedules, or shall be sold or delivered, unless a preference rating of A-10 or higher has been assigned thereto by a Preference Rating Certificate PD-1A, by a Preference Rating Certificate PD-3A, by a preference rating certificate in the PD-408 series, or by Preference Rating Order No. P-19-h. Delivery of the preference rating certificate itself to the producer is not required, but each purchase order must contain the proper endorsement thereon prescribed by Priorities Regulation No. 3, as amended from time to time. In addition, there must be included in this endorsement or set forth on the purchase order in a separate endorsement:

(i) The urgency standing of the purchaser, if any;

(ii) The required delivery date of the tool;

(iii) A statement as to whether the purchaser is a "Service purchaser," a "foreign purchaser," or an "other purchaser," and

(iv) In the case of Service purchasers, the Supply Arm or Bureau of the Army or Navy, or the Maritime Commission, which placed the prime contract, the number of the prime contract, and the name of the prime contractors;

(v) In the case of foreign purchasers, the foreign country for which the tool is purchased; and

(vi) In the case of other purchasers, a statement as to the product or production program for which the tool is to be used.

If the endorsement on any purchase order of a Service purchaser received after the effective date of this order does not specify the urgency standing of such purchaser, and the name of such purchaser does not appear with an urgency standing on the list, hereinafter described, then such purchase order shall

<sup>1</sup> 7 F.R. 3231, 3660, 4615, 5903, 6212, 6383.

be treated as one without any urgency standing.

The foregoing amendment of paragraphs (e) (1) and (e) (5) shall not affect deliveries of machine tools which have been scheduled for the months of September and October 1942, pursuant to General Preference Order No. E-1-b, as originally issued, but shall affect deliveries in November 1942 and subsequent months.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 9th day of September 1942.

AMORY HOUGHTON,  
Director General for Operations.

[F. R. Doc. 42-8938; Filed, September 9, 1942;  
4:41 p. m.]

#### PART 1171—ELEVATORS

[Amendment 2 to General Conservation Order L-89]

Paragraph (d) of § 1171.1 *General Conservation Order L-89*<sup>1</sup> is amended to read as follows:

(d) *Restrictions on use of materials.* No non-ferrous metals, or stainless or alloy steel may be used in the construction of the car enclosure, hoistway doors, car or landing thresholds, face plates of operating or signal fixtures, or for other than functional parts of the lighting fixtures. No cork or cork products, except cork tile, and no rubber tile (reclaimed or otherwise) may be installed on the platform, or as a wainscot in the elevator car.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of September 1942.

AMORY HOUGHTON,  
Director General for Operations.

[F. R. Doc. 42-8968; Filed, September 10, 1942;  
11:54 a. m.]

#### PART 3063—FOOTWEAR

[Conservation Order M-217]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of shoe manufacturing material for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3063.1 *Conservation Order M-217—*

(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

<sup>1</sup> 7 F.R. 5272, 5940.

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

(1) "Put into process" means the first cutting of leather or fabric in the manufacture of footwear.

(2) "Footwear" includes house slippers but does not include foot covering designed to be worn over shoes.

(3) "Work shoes" means any shoes or boots with unlined quarters which are designed to be worn at any form of work requiring specially heavy or substantially made footwear.

(4) "Horizontal quarter seams" means seams on quarters running in a predominantly horizontal direction (i. e. parallel to the sole).

(5) "Design and construction" of footwear means the make-up of the footwear in every detail, so that any two items of footwear of the same design and construction are necessarily identical, except in size; but does not refer to the means whereby the footwear is manufactured.

(c) *Curtailment in the use of materials and colors in the manufacture of footwear.* (1) After October 31, 1942, no person shall manufacture, or put into process any leather or fabric for the manufacture of, any footwear with:

(i) Leather seam laps gauging over ½ inch in width.

(ii) Horizontal quarter seams, on lined low quarter shoes.

(iii) Wing or shield tips on men's shoes and boys' shoes over size 6, or wing tips or long shield tips on women's, girls', misses', youths', little gents' and children's shoes and boys' shoes of size 6 and under.

(iv) Full overlay tips or full overlay foxings, except on work shoes.

(v) Woven leather vamps or quarters.

(vi) Quarter collars, except on unlined shoes and padded sole house slippers with cloth uppers.

(vii) Leather bows, except those made out of pieces of scrap too small in area to obtain therefrom a vamp or quarter.

(viii) Outside taps, on footwear other than men's high shoes, unless the middle sole is of synthetic composition material.

(ix) Leather slip soles other than those cut from bellies or offal.

(x) More than one full leather sole, in goodyear welt footwear other than work shoes.

(xi) Full breasted heels, except on hand-turned footwear.

(xii) Welting in excess of ½ inch in width and 5/32 inch in thickness in shoes other than work shoes, or welting in excess of 9/16 inch in width and 5/32 inch in thickness in work shoes.

(xiii) Straps, buckles, knife pockets or decorative stitching on boots or work shoes.

(xiv) Men's one piece uppers (i. e., vamp and quarter cut in one piece and seamed up the back).

(xv) Extension heel seats, except in stitchdown and prewelt shoes.

(xvi) Metal nail heads for studs or any metal for decorative purposes.

(xvii) Any stitching thread made from reserved Egyptian cotton (as defined in Conservation Order M-117) or reserved American extra staple cotton (as defined

in Conservation Order M-197<sup>1</sup>) for any decorative or any non-functional purpose.

(2) After September 10, 1942, no person shall use in the manufacture of any footwear any steel shanks of any gauge except:

18 gauge— .045 minimum, 50 carbon steel.  
21 gauge— .032 minimum, 50 carbon steel.  
19 gauge— .040 minimum, low carbon or basic steel.

unless such shanks were in said person's inventory on September 10, 1942, or were subsequently acquired from a producer of steel shanks who had, prior to September 10, 1942, rolled steel plate for shanks of a different gauge.

(3) After October 31, 1942, no person shall manufacture, or put into process any leather or fabric for the manufacture of, leather boots of any kind except blucher high cut laced boots or cowboy utility boots.

(4) After September 12, 1942, no person shall put into process any leathers or fabrics for the manufacture of footwear of more than one color (subject to unavoidable deviations in shade normally experienced in finishing leathers or dyeing fabrics). This restriction shall apply to the color of stitching, lacing and bindings, but shall not apply to the color of linings and soles.

(5) After October 15, 1942, no person shall use in the manufacture of footwear any leather or fabric except leather or fabric finished or dyed in accordance with paragraph (f) below: *Provided, however,* That nothing herein contained shall prevent any person from using any leather finished prior to October 16, 1942, or fabric dyed prior to September 13, 1942, if he furnishes the Director General for Operations with a certificate reading as follows:

We have used in the manufacture of footwear (description of leather or fabric and quantity used).

This leather (or fabric) was finished (or dyed) prior to October 16, 1942 (or September 13, 1942).

(d) *Restriction on styling.* After September 10, 1942, no person shall manufacture or put into process any leather or fabric for the manufacture of any footwear of a design and construction not utilized by him between September 1, 1940, and September 10, 1942, except footwear made with dies and lasts on order prior to September 10, 1942: *Provided, however,* That changes of design and construction are authorized to the extent necessary to remove tips, foxings, quarter collars, bows, excessively broad welting, metal nail heads, decorative metal, straps, buckles, pockets, decorative stitching, overlay tips, overlay foxings, steel shanks, full breasted heels, additional colors or excessively broad seam laps in order to conform to paragraph (c) above or to modify sole construction as required by said paragraph.

The Director General for Operations may make exceptions to this paragraph in favor of patterns or designs which will conserve leather or other materials.

<sup>1</sup> F.R. 5644, 6961.

(e) *Exceptions to paragraphs (c) and (d) above.* The foregoing prohibitions and restrictions of this order shall not apply to:

(1) Footwear the soles of which are made wholly from materials other than leather or rubber (which may, however, utilize leather for hinges or for tabs, heel inserts or other nonskid or sound-proofing features covering not more than 25% of the area of the bottom of the sole).

(2) Special types of footwear made for the physically deformed or maimed.

(3) Football, baseball, hockey, skating, bowling, track, and ski shoes and other similar footwear designed for use in active participation in sports which require specially constructed footwear for such use.

(4) Footwear forming part of historical or other costumes for theatrical productions.

(f) *Restrictions on tanning of upper leather and on dyeing fabrics for footwear.* (1) After October 15, 1942, no person shall finish any leather for use as upper leather except in the following colors (subject to unavoidable deviations in shade normally experienced in finishing leathers):

Black.

White.

Turftan, Army russet, and town brown, as appearing on the fall 1942 color card of the Textile Color Card Association of the United States, Inc.

Bluejacket blue, as appearing on the spring 1942 color card of the Textile Color Card Association of the United States, Inc.

(2) After September 12, 1942, no person shall color any leather or dye any fabric for use in shoe uppers except in the colors mentioned in paragraph (f) (1) above (subject to unavoidable deviations in shade normally experienced in tanning and dyeing).

(3) The restrictions in this paragraph shall not apply to the dyeing of fabrics for use in padded sole house slippers, or the tanning or finishing of leather for formal evening slippers in gold or silver.

(g) *General exceptions.* The prohibitions and restrictions of this order shall not apply to footwear to be delivered to, or for the account of, the Army or Navy of the United States, the United States Maritime Commission, The Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development and the War Shipping Administration; or to, or for the account of, the government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom including its Dominions, Crown Colonies and Protectorates, and Yugoslavia; or on any contract or purchase order placed by any agency of the United States Government for footwear to be delivered to, or for the account of, the Government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to

the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(h) *Restrictions relating to sales and deliveries.* (1) No person shall sell or deliver any new footwear, the leather or fabric for which was put into process on or after October 31, 1942, unless such footwear is manufactured in conformity with this order.

(2) No tanner or sole cutter shall deliver any leather to any shoe manufacturer if he knows or has reason to believe said leather is to be used in violation of the terms of this order.

(3) The prohibitions and restrictions of this paragraph shall not apply to:

(i) Deliveries of footwear or leather by, or to, any person having temporary custody thereof for the sole purpose of transportation or public warehousing.

(ii) Any bank, banker or trust company affecting or participating in a sale or delivery of footwear or leather solely by reason of the presentation, collection, or redemption of an instrument, whether negotiable or otherwise.

(4) In making sales or delivery of any footwear, no person shall make discriminatory cuts in quantity or quality between former customers who meet such person's regularly established prices, terms and credit requirements, or between former customers and his own consumption of said footwear. Reduction in sales or deliveries proportionate with any curtailment in supply available for non-military use shall not constitute a discriminatory cut.

(i) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of shoe manufacturing material conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board, by letter or telegram, Reference M-217, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(j) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production and sales.

(k) *Reports.* Each person affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by said Board from time to time.

(l) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Branch, Washington, D. C., Ref.: M-217.

(m) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any depart-

ment or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of September 1942.

AMORY HOUGHTON,

Director General for Operations.

[F. R. Doc. 42-8967; Filed, September 10, 1942; 11:54 a. m.]

#### PART 3085—IMPORTED LONG STAPLE RAW COTTON

[General Conservation Order M-236]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of imported long staple raw cotton for use in the manufacture of fabrics and thread and other items for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3085.1 *General Conservation Order M-236—(a) Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(b) *Definition.* For the purposes of this order "imported long staple raw cotton" means any imported raw cotton with staple length of from 1 $\frac{1}{8}$ " to 12 $\frac{1}{32}$ ", inclusive, whether imported before or after the effective date of this order.

(c) *Restrictions on entry and withdrawal of imported long staple raw cotton.* No person shall, after September 19, 1942, enter through the United States Bureau of Customs for consumption, or withdraw from the bonded custody of the United States Bureau of Customs (bonded warehouse), any imported long staple raw cotton unless and until the entry or withdrawal shall have been authorized by the Director General for Operations on Form PD-644, notwithstanding any preference rating certificate or other authorization held by the person desiring to import the said imported long staple raw cotton. A copy of the authorization on Form PD-644 must be filed with the entry or withdrawal and no imported long staple raw cotton shall be entered or withdrawn in excess of the amount authorized in the approval of the application.

(d) *Applications for authorization for entry and withdrawal from customs.* All applications for authorizations for the entry for consumption or for the withdrawal from the bonded custody of the

United States Bureau of Customs for consumption shall be made in triplicate on Form PD-644. They should be signed by the manufacturing concern desiring to use the imported long staple raw cotton. Applications may be filed by the manufacturing concern or by any person designated on the application as authorized to arrange for the entry or withdrawal of the imported long staple raw cotton on behalf of the manufacturing concern.

(e) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of imported long staple raw cotton conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board by letter or telegram, Reference M-236, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(f) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(g) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by said Board from time to time.

(h) *Communications to the War Production Board.* All communications concerning this order, or any reports required to be filed hereunder, shall, unless otherwise directed, be in writing and be addressed to War Production Board, Textile, Clothing and Leather Branch, Washington, D. C., Reference M-236.

(i) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 10th day of September 1942.

AMORY HOUGHTON,

Director General for Operations.

[F. R. Doc. 42-8966; Filed, September 10, 1942; 11:54 a. m.]

## Chapter XI—Office of Price Administration

### PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Amendment 1 to Maximum Price Regulation 149<sup>1</sup>]

#### MECHANICAL RUBBER GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

A new paragraph (e) is added to § 1315.21 and a new § 1315.33a is added, as set forth below.

§ 1315.21 *Maximum manufacturers' prices for mechanical rubber goods.* \* \* \*

(e) (1) Anything in this § 1315.21 to the contrary notwithstanding, any manufacturer of covered rubber thread may contract with the Defense Supplies Corporation that if his maximum price for covered rubber thread is changed to an adjusted maximum price pursuant to the provisions of subparagraph (2) of this paragraph, his selling price for covered rubber thread will be changed to such adjusted maximum price.

(2) Any manufacturer of covered rubber thread who believes that the maximum price for covered rubber thread established by this Maximum Price Regulation No. 149 impedes or threatens to impede the flow of that commodity to Defense Supplies Corporation may within thirty days after he contracts to sell covered rubber thread to the Defense Supplies Corporation petition for an adjustment of the maximum price established for that sale by this Maximum Price Regulation No. 149. Such petition shall be filed in the form and manner, and shall be acted upon, as set forth in §§ 1300.402 to 1300.404 inclusive, §§ 1300.407 and 1300.412 of Procedural Regulation No. 6<sup>2</sup> issued by the Office of Price Administration, except that the manufacturer shall file actual costs of production of the covered rubber thread in question, or, if actual cost data are not available, an estimate of the costs of producing the covered rubber thread in question may be filed.

§ 1315.33a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1315.21 (e); 1315.33a) to Maximum Price Regulation No. 149 shall become effective September 9, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 9th day of September 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-8945; Filed, September 9, 1942; 4:58 p. m.]

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 3998.

<sup>2</sup> 7 F.R. 5087.

### PART 1341—CANNED AND PRESERVED FOODS [Correction to Maximum Price Regulation 212<sup>1</sup>]

#### FROZEN FRUITS, BERRIES, AND VEGETABLES AT WHOLESALE AND RETAIL

Section 1341.253 (a) (2) is corrected by striking out the word "dozen" and substituting the word "package."

§ 1341.269 *Effective dates of amendments.* (a) Correction (§ 1341.253 (a) (2) to Maximum Price Regulation No. 212 shall become effective September 9, 1942. (Pub. Law 421, 77th Cong.)

Issued this 9th day of September 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-8943; Filed, September 9, 1942; 4:56 p. m.]

### PART 1372—SEASONAL COMMODITIES

[Amendment 2 to Maximum Price Regulation 210<sup>2</sup>]

#### RETAIL AND WHOLESALE PRICES FOR FALL AND WINTER SEASONAL COMMODITIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Section 1372.101 (c), and that portion of § 1372.106 (a) preceding subparagraph (1), are amended to read as set forth below:

§ 1372.101 *Applicability of this Maximum Price Regulation No. 210.* \* \* \*

(c) *Purpose of this regulation.* This regulation establishes maximum prices for the particular fall and winter seasonal commodities which are listed in Appendix A (§ 1372.112). On and after August 31, 1942, regardless of any contract or other obligation, no person is permitted to sell any of the listed commodities, at wholesale or at retail, at a price higher than the maximum price permitted by this regulation. However, this regulation permits any person who determined the maximum price of a listed commodity under the General Maximum Price Regulation and offered it for sale at that price before August 31, to sell it prior to September 16, 1942, either at that price or at a price determined under this regulation. No person is permitted to buy or receive any of these commodities in the course of trade or business at prices higher than the maximum price.

§ 1372.106 *Relation between Maximum Price Regulation No. 210 and the General Maximum Price Regulation.* (a) Maximum prices which were determined before August 31, 1942, will not apply to fall and winter seasonal commodities listed in Appendix A when sold or deliv-

<sup>1</sup> 7 F.R. 6831.

<sup>2</sup> 7 F.R. 6789.

ered at wholesale or at retail on or after September 16, 1942. Prior to September 16, any person who determined the maximum price for any listed commodity under the General Maximum Price Regulation, and offered it for sale at that price before August 31, 1942, may sell it either at that price or at a price determined under this regulation.

The following sections of the General Maximum Price Regulation are made a part of this regulation, and the seller must comply with them:

§ 1372.111a *Effective dates of amendments.* \* \* \*

(b) Amendment No. 2 (§§1372.101 (c) and 1372.106 (a)) is effective as of August 31, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 9th day of September 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-8944; Filed, September 9, 1942; 4:58 p. m.]

PART 1380—HOUSEHOLD AND SERVICE  
INDUSTRY MACHINES

[Amendment 4 to Revised Price Schedule 102.]

HOUSEHOLD MECHANICAL REFRIGERATORS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and filed with the Division of the Federal Register.\*

Sections 1380.51 and 1380.55 are hereby amended to read as follows, and four new paragraphs (f) (g) (h) and (i) are added to § 1380.58.

§ 1380.51 *Maximum prices for household mechanical refrigerators.* On and after September 9, 1942, regardless of the terms of any contract of sale or purchase, or other commitment, no manufacturer shall sell, offer to sell, deliver, or transfer any model of household mechanical refrigerator at a price higher than the maximum price, which is the base price plus such additions thereto as are specified in paragraph (d) below.

(a) *Base price of manufacturer's brand household mechanical refrigerators.* (1) In the case of all manufacturers who have had price lists on 1942 models approved by the Office of Price Administration, the base price, exclusive of federal excise tax, for any model of household mechanical refrigerator sold under the manufacturer's brand during the two-month period ended February 2, 1942, shall be the net price quoted to the same general class of purchasers for such model in the manufacturer's price list in effect on February 2, 1942.

(2) In the case of all other manufacturers, the base price, exclusive of federal excise tax, for any model manufactured for sale under the manufacturer's brand during the two-month period ended February 2, 1942, shall be the net

price quoted to the same general class of purchaser for the most comparable model in the most recent 1941 price list, until a new price list has been approved by the Office of Price Administration.

(b) *Base price of private brand household mechanical refrigerator.* The base price, exclusive of federal excise tax, for any model of household mechanical refrigerator sold under a brand other than the manufacturer's brand during the two-month period ended February 2, 1942, shall be the highest price, exclusive of federal excise tax, specified for such model in a contract with a purchaser of the same general class in effect on February 2, 1942.

(c) *Base price of new models.* The base price for any 1942 model not manufactured or offered for sale before February 2, 1942, and for any other model not offered for sale by the manufacturer in the two-month period ended February 2, 1942, shall be the price approved in writing by the Office of Price Administration after the submission to it of a report in accordance with § 1380.54 (c), and no sale, offer to sell, delivery or transfer of such model shall be made until such approval shall have been given.

(d) *Additions which may be made to the base price in determining the maximum price.* The maximum price for the sale by a manufacturer of any model of household mechanical refrigerator shall not exceed the sum of the following items:

(1) The base price as set forth in paragraphs (a), (b) or (c) of this section, less any amount charged on account of cooperative advertising.

(2) (i) If the sale is to a wholesale consumer or to a distributor or dealer purchasing the refrigerator for resale to a wholesale consumer, an amount equal to 1% of the manufacturer's price f. o. b. the manufacturer's plant for each month or fraction thereof that elapsed between February 14, 1942, or the date on which the refrigerator was ready for delivery by the manufacturer, whichever is later, and September 13, 1942.

(ii) If the sale is to a distributor or to a dealer purchasing the refrigerator for eventual resale to an ultimate consumer, an amount equal to four-fifths of the amount which may be charged under subparagraph 2 (i) of this § 1380.51 (d).

(iii) If the sale is to an ultimate consumer, no amount may be added under this subparagraph (2) of § 1380.51 (d).

(iv) The amount which may be added for any portion of the inventory held by the manufacturer for the period between February 14, 1942, and September 13, 1942, may, at the option of the manufacturer, be calculated as follows: The total number of days that all refrigerators involved in the calculation have been ready for delivery up to September 13, 1942, shall be divided by the total number of refrigerators involved in the calculation. The resulting average of days during which the refrigerators involved have been ready for delivery up to September 13, 1942, may be assessed at the rate specified in subparagraphs 2 (i) and 2 (ii) of this § 1380.51 (d) for each month

or fraction thereof against each refrigerator.

(3) The federal excise tax, unless the manufacturer is not obliged to pay the tax.

(4) The amount paid or to be paid by the manufacturer (i) on account of transportation of the refrigerator from manufacturer's point of shipment to destination, except any amount already included in the base price on that account, (ii) on account of uncrating, installation, and inspection of the refrigerator, (iii) on account of the one-year service contract, if that service is requested by the purchaser, but the amount to be added on such account shall in no event exceed \$4.50.

(5) If the number of refrigerators to be delivered by the manufacturer to the purchaser requires a less than carload shipment, an amount equal to 2% of the base price of the refrigerator.

(6) If the refrigerator is sold to an agency of the United States which does not require the warranty customarily afforded by the manufacturer, the maximum price shall be reduced by the amount charged for the warranty by the manufacturer on February 2, 1942.

§ 1380.55 *Records and information to buyers.* (a) Every manufacturer making sales of household mechanical refrigerators on or after February 9, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than one year, complete and accurate records of each such sale showing the date of billing, the name and address of the buyer, the name, number or other designation and the price received for each household mechanical refrigerator, the quantity of each household mechanical refrigerator sold, and discounts and allowance of any nature given.

(b) Every manufacturer who makes a charge to a dealer upon the sale of a household mechanical refrigerator on account of the amount which may be added pursuant to the provisions of § 1380.51 (d) (2) (ii) shall separately indicate the amount so charged on the invoice or bill of sale, together with a statement in the following form, and showing the proper amount in the blank:

The warehousing charge shown on this invoice (\$.....) is added to the price charged with the permission of the Office of Price Administration contained in § 1380.51 (d) (2) (ii) of Revised Price Schedule 102. This amount represents your proportionate share of the increased warehousing costs which have been accrued because of the War Production Board action freezing new refrigerator stocks. We have already absorbed our proportion of the extra warehousing costs. Maximum Price Regulation No. 110 which establishes your ceiling for the retail sale of this refrigerator does not allow you to add this increased cost to the ceiling price.

§ 1380.58 *Definitions.* When used in Price Schedule No. 102, the terms:

(f) "Ultimate consumer" means a person who purchases a household mechanical refrigerator for use in his own home.

\*Copies may be obtained from the Office of Price Administration.

17 F. R. 1401, 1836, 2132, 2794, 3125, 4310.



(g) "Wholesale consumer" means a person who purchases for use, rather than resale, but who is not an "ultimate consumer", as defined in paragraph (f) of this § 1380.58.

(h) "Dealer" means any person other than a manufacturer or distributor, engaged in the business of selling household mechanical refrigerators to persons purchasing for use, rather than resale.

(i) "Distributor" means any person other than a manufacturer or dealer, who, prior to February 14, 1942, was engaged in the business of selling household mechanical refrigerators to dealers, or any division, department or branch of a manufacturer, which, prior to February 14, 1942, was thus engaged.

§ 1380.60 *Effective dates of amendments.*

(d) Amendment No. 4 (§§ 1380.51, 1380.55, 1380.58 (f) (g) (h) (i)) to Revised Price Schedule No. 102 shall become effective September 9, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 9th day of September 1942.

LEON HENDERSON,  
*Administrator.*

[F. R. Doc. 42-8941; Filed, September 9, 1942; 4:57 p. m.]

PART 1380—HOUSEHOLD AND SERVICE INDUSTRY MACHINES

[Amendment 4 to Maximum Price Regulation 110<sup>1</sup>]

RESALE OF NEW HOUSEHOLD MECHANICAL REFRIGERATORS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and filed with the Division of the Federal Register.\*

The text of § 1380.106, subparagraphs (3) and (4) in § 1380.109 (a) and the text of paragraphs (a) and (b) in § 1380.110, are amended to read as set forth below, and two new subparagraphs (13) and (14) are added in § 1380.109:

§ 1380.106 *Information to be furnished buyers.* (a) Every dealer shall post in a conspicuous place on the premises where refrigerators are offered for sale a legible notice setting forth the make, model number and maximum price under Maximum Price Regulation No. 110 of every model of refrigerator offered for sale on such premises.

(b) Any person subject to the provisions of this section may mark or post maximum prices for commodities for which maximum prices are established by this regulation, either in accordance with the provisions of this section or with the provisions of § 1499.13 (a) of the General Maximum Price Regulation.

(c) Every distributor who makes a charge to a dealer upon the sale of a household mechanical refrigerator on account of the amount which may be added pursuant to the provisions of § 1380.110 (b) (2) (iii) shall separately

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F. R. 2311, 2543, 2761, 4107.

indicate the amount so charged on the invoice or bill of sale, together with a statement in the following form, and showing the proper amount in the blank:

The warehousing charge shown on this invoice (\$.....) is added to the base price charged, with the permission of the Office of Price Administration contained in § 1380.110 (b) (2) (iii) of Maximum Price Regulation No. 110. This amount represents your proportionate share of the increased warehousing costs which have accrued because of the War Production Board action freezing new refrigerator stocks. We have already absorbed our proportion of extra warehousing costs. Maximum Price Regulation No. 110, which established your ceiling price for the retail sale of this refrigerator, does not allow you to add this increased cost to the ceiling price.

§ 1380.109 *Definitions.* (a)

(3) "Dealer" means any person other than a manufacturer or distributor, engaged in the business of selling household mechanical refrigerators to persons purchasing for use, rather than resale.

(4) "Distributor" means any person other than a manufacturer or dealer, who, prior to February 14, 1942, was engaged in the business of selling household mechanical refrigerators to dealers, or any division, department or branch of a manufacturer, which, prior to February 14, 1942, was thus engaged.

(13) "Ultimate consumer" means a person who purchases a household mechanical refrigerator for use in his own home.

(14) "Wholesale consumer" means a person who purchases for use, rather than resale, but who is not an "ultimate consumer", as defined in subparagraph (13) of this § 1380.109 (a).

§ 1380.110 *Appendix A: Maximum prices for the resale of household mechanical refrigerators—* (a) *Maximum prices for sales by dealers—* (1) *Models having recommended list prices.* The maximum cash price for the sale by dealers of the following models shall be the prices listed in this subparagraph. Prices on all models include delivery, installation, servicing, and a five-year warranty by the seller. Except as otherwise indicated with respect to certain 1941 models, all prices include the Federal excise tax, but do not include State or local taxes imposed at the point of sale. The limits of the numbered zones are those established by the manufacturer as of February 2, 1942.

(2) *Other models.* The maximum cash price, exclusive of state or local sales taxes, for the sale by dealers of any model not set forth in subparagraph (1) but offered for sale by the dealer on February 2, 1942, shall be the highest net price in effect, by the dealer's price list or other regular quotation, to consumers on February 2, 1942.

(b) *Maximum prices for sales by distributors to dealers and to other persons.* The maximum price for the sale by a distributor of any model or household mechanical refrigerator shall not exceed the sum of the following amounts:

(1) The base price, which (i) in the case of sales to dealers, shall be the net

price which will yield the distributor the same percentage of the total dollar margin between the manufacturer's price to him, and the dealer's resale price to consumers, as he received during the period October 1, 1941, to October 15, 1941, for the sale of the same or the most comparable model to the same general class of dealer, or (ii) in the case of sales to other persons shall be the highest net price in effect to the same general class of purchaser during the two month period ending February 2, 1942. In the case of a sale to a purchaser who does not fall within any class for whom a price was in effect during the two-month period ending February 2, 1942, the base price shall be the manufacturer's price to the distributor, together with the cost of transportation from the manufacturer to the distributor, plus a mark-up of 20% of such price.

(2) (i) If the sale is to a wholesale consumer or to a dealer for resale to a wholesale consumer, an amount equal to 1% of the manufacturer's price to the distributor, f. o. b. the manufacturer's plant, for each month or fraction thereof that elapsed between February 14, 1942, or the date on which the refrigerator was ready for delivery by the manufacturer, whichever is later, and September 13, 1942.

(ii) If the sale is to an ultimate consumer, no amount may be added under this subparagraph (2) of § 1380.110 (b).

(iii) If the sale is to a dealer for resale to an ultimate consumer:

(a) And the refrigerator was acquired by the distributor prior to the effective date of this amendment, an amount equal to three-quarters of the amount which may be added under paragraph (b) (2) (i) of this § 1380.110.

(b) And the refrigerator was acquired by the distributor subsequent to the effective date of this amendment, an amount equal to three-fifths of the amount which may be added under paragraph (b) (2) (i) of this § 1380.110.

(3) The Federal excise tax.

§ 1380.112 *Effective dates of amendments.*

(d) Amendment No. 4 (§§ 1380.106, 1380.109 (a) (3), (a) (4), (a) (13), (a) (14) and 1380.110 (a), 1380.110 (b)) to Maximum Price Regulation No. 110 shall become effective the 9th day of September, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 9th day of September 1942.

LEON HENDERSON,  
*Administrator.*

[F. R. Doc. 42-8940; Filed, September 9, 1942; 4:56 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 9 to Revised Supplementary Regulation 4 to General Maximum Price Regulation<sup>1</sup>]

AGRICULTURAL LIMING MATERIALS

A statement of the considerations involved in the issuance of this amend-

<sup>1</sup> 7 F. R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5565, 5684, 5783, 6007, 6058, 6081, 6216.

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

In section 1499.29, new paragraphs (e) and (f) are added, as set forth below:

§1499.29 *Exceptions for sales and deliveries to the United States or any agency thereof of certain commodities and in certain transactions and for certain other commodities, sales and deliveries.*

(e) (1) Any person who has entered into or proposes to enter into a contract with Agricultural Adjustment Agency for the sale of agricultural liming materials and whose maximum price established by the General Maximum Price Regulation is below the general level of prices prevailing during March, 1942 for agricultural liming materials, and who is unable, without substantial hardship, as a result, to enter into a contract with Agricultural Adjustment Agency unless appropriate relief is granted may file an application for adjustment of his maximum prices in the manner hereinafter provided.

(2) After an application has been filed and until such time as an order is issued denying the application, the applicant may enter into, or offer to enter into contracts with Agricultural Adjustment Agency and may make deliveries and perform services at the prices requested in the application. If an order is issued denying the application in whole or in part, the contract price shall be revised downward in accordance with the terms of the order. In the event that an order is issued within 30 days after the receipt of an application by the Office of Price Administration it may direct the applicant to make appropriate refund to Agricultural Adjustment Agency. An order issued more than 30 days after the receipt of an application by the Office of Price Administration shall have no retroactive effect and shall be applicable only to sales, deliveries or services made or rendered after the issuance thereof.

(3) In no event shall a person pursuant to the permission granted by this section sell or offer to sell agricultural liming materials or services pertaining to the delivery and transportation of agricultural liming materials, at a price which shall exceed the sum of the following:

(i) Seller's cost of producing such agricultural liming materials or rendering such services at the time of the submission of his application for adjustment, plus.

(ii) Seller's dollar and cents margin over the cost of producing the same materials or the cost of rendering the same services at the date of seller's last offer of such materials accepted by Agricultural Adjustment Agency or in the event that Agricultural Adjustment Agency did not accept such offer made by the seller, then at the date of seller's last offer of such materials to Agricultural Adjustment Agency.

(4) The application shall be made on Form OPA 4SR:1 set out in Appendix A.

\*Copies may be obtained from Office of Price Administration.

A copy of such form may be obtained from any field office of the Office of Price Administration or any office of Agricultural Adjustment Agency at which bids are submitted pertaining to agricultural liming materials, or may be copied by the applicant from Appendix A. The applicant must declare that his maximum price established by the General Maximum Price Regulation is below the general level of prices prevailing during March 1942 for agricultural liming materials and that he will be unable to enter into a contract with the Agricultural Adjustment Agency, without substantial hardship, unless appropriate relief is granted.

(5) An original and two copies of the application shall be filed with the local Office of Agricultural Adjustment Agency to which applicant's bid for the sale, delivery or transportation of agricultural liming materials has been submitted. Agricultural Adjustment Agency shall within ten days after contracting for the sale, delivery or transportation of agricultural liming materials at a price for which approval of the Office of Price Administration has been sought by an application for adjustment, transmit an original and one copy of such application to the Office of Price Administration in Washington, D. C., together with a report certifying that the contract was made under circumstances which would have made it unfair or impossible to secure the materials or services at applicable maximum prices and that the contract was necessary in order to prevent undue impairment of the program of the Agency. The report shall also set forth:

(i) The name and address of the seller.  
(ii) The date and term of the contract.

(iii) Description of the materials or services contracted for, including the quantity or extent thereof.

(iv) The price at which an award was made.

(v) A brief statement of any facts or circumstances corroborating seller's claim that his maximum price under the General Maximum Price Regulation is below the general level of prices prevailing in March 1942, and that the hardship resulting to him prevents his bidding or entering into a contract with Agricultural Adjustment Agency.

(vi) If a higher bid by another seller will have to be accepted by the Agency in the event the application is denied, the price contained in such higher bid.

(6) Any applicant whose application for adjustment is denied in whole or in part by the Administrator may, within sixty days after the issuance of the Administrator's order finally denying such application, file a protest against such order in accordance with the provisions of Procedural Regulation No. 1.<sup>2</sup>

(7) Any person who is requested by Agricultural Adjustment Agency to contract or offer to contract for the sale of agricultural liming materials on a different basis than that upon which his maximum price for such sale has been established by the General Maximum Price

<sup>2</sup> 7 F.R. 971, 3663.

Regulation, may adjust his maximum price in accordance with the value of the commodity or services which is added or withdrawn (e. g., selling "f. o. b. plant" rather than "delivered to the farm", "delivered in bulk" rather than "delivered in bags", and "spread on the farm" rather than "delivered to the farm").

(8) As used in this paragraph (e), the term:

(i) "Agricultural liming materials" means the various grades and kinds of materials containing calcium and magnesium compounds, which are effectively used in neutralizing soil acidity.

(ii) "Agricultural Adjustment Agency" means Agricultural Adjustment Agency of the United States Department of Agriculture, or any successor thereof.

(iii) "Contract" means any contract, award, purchase order, open market purchase or other agreement between a seller of agricultural liming materials and Agricultural Adjustment Agency or the Division of Purchase, Sales and Traffic of the United States Department of Agriculture acting on behalf of Agricultural Adjustment Agency.

(f) *Appendix A: Application for Adjustment.*

UNITED STATES OF AMERICA

Form OPA-4SR:1

*Application for Adjustment of Maximum Price Chargeable to Agricultural Adjustment Agency for Agricultural Liming Materials, Pursuant to Amendment No. 9 to Revised Supplementary Regulation No. 4 to the General Maximum Price Regulation*

-----, hereby  
(Applicant)

makes application to the Office of Price Administration for adjustment of the maximum price established for the applicant by the General Maximum Price Regulation to the extent that such maximum price is applicable to the sale of agricultural liming materials to Agricultural Adjustment Agency.

The following facts are furnished to the Office of Price Administration in support of this application:

(1) Name and address of the applicant (producer or authorized agent):

-----  
(2) Location of the plant (a separate application must be filed for each plant and each proposed contract):

-----  
(3) Description of material which is subject of this application for adjustment:

Kind: -----  
Analysis: ----- % Carbonates  
or ----- % Oxides.  
Fineness: ----- % through 10-  
mesh sieve.  
----- % through 100-mesh  
sieve.

Moisture Content: ----- %.  
(4) Quantity of material involved in this application: ----- tons.

(5) Total deliveries (whether f. o. b. plant, loaded on cars, loaded on trucks, or delivered at farm) of agricultural liming materials by applicant during the 12 months immediately preceding the month in which his bid is being submitted ----- tons. Total value -----

(6) Tonnage of such deliveries sold (a) to Agricultural Adjustment Agency -----  
(b) to other purchasers -----  
during the 12 months immediately preceding the month in which his bid is being submitted.



## PART 1499—COMMODITIES AND SERVICES

[Order 26 Under § 1499.18 (c) of the General Maximum Price Regulation—Docket GF3-633]

MISSOURI FLOWER AND FEATHER CO.—L. B. PRICE MERCANTILE CO.

## Correction

The figure "#628" in the thirteenth line of the document beginning in the third column of page 6794 of the issue for Friday, August 28, 1942, should read "#528."

## PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS

[Amendment 2 to Maximum Price Regulation 140<sup>1</sup>]

## SANITARY NAPKINS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

A new paragraph (a) (7) is added to § 1347.159, as set forth below:

§ 1347.159 *Definitions.* (a) When used in this Maximum Price Regulation No. 140, the term:

(7) "Delivered" with respect to manufactures means delivery to the purchaser where the carrier makes store-door delivery and to the city of destination where this service is not performed by the carrier; with respect to wholesalers, delivered means delivery within the limits of the free delivery zone recognized by the wholesaler during March 1942; and with respect to retailers, delivered means that the goods are received by the customer, except that on mail order sales, postage, when incurred, may be added to these maximum prices.

§ 1347.160a *Effective dates of amendment.* \* \* \*

(b) Amendment No. 2 (§ 1347.159 (a) (7)) to Maximum Price Regulation No. 140 shall become effective the 16th day of September 1942.

(Pub. Law 421, 77th Cong.)

Issued this 10th day of September 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-8961; Filed, September 10, 1942; 11:42 a. m.]

## PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Under § 1499.3 (b) of the General Maximum Price Regulation—Order 65]

## SETTLE LUMBER COMPANY

The Settle Lumber Company of Hyattsville, Maryland, has made application

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 3410, 5563.

<sup>2</sup> 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216.

under § 1499.3 (b) of the General Maximum Price Regulation<sup>2</sup> for specific authorization to determine the maximum prices for a commodity and services in connection therewith which cannot be priced under § 1499.2 thereof. Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\* For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 it is ordered:

§ 1499.279 *Approval of maximum prices for mixed oak and white oak railroad cross ties delivered and distributed along the railroad right-of-way.* (a) The Settle Lumber Company, Hyattsville, Maryland, may sell and the McGraw Construction Company, Mechanicsville, Maryland, may buy mixed oak and white oak railroad cross ties, delivered and distributed along the right-of-way of the railroad line now being constructed by the McGraw Construction Company from Brandywine, Maryland, to Cedar Point, Maryland, at prices not in excess of the following:

*Mixed oak cross ties*

Size:	Maximum Prices
5-----	\$1.87
4-----	1.77
3-----	1.62

*White oak cross ties*

Size:	Maximum prices
5-----	\$2.02
4-----	1.92
3-----	1.77

(b) This Order No. 65 may be revoked or amended at any time.

(c) This Order No. 65 (§ 1499.279) shall become effective September 11, 1942. (Pub. Law 421, 77th Cong.)

Issued this 10th day of September 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-8962; Filed, September 10, 1942; 11:42 a. m.]

## TITLE 36—PARKS AND FORESTS

## Chapter II—Forest Service

## PART 251—LAND USES

## SPECIAL USE PERMITS, ETC.

By virtue of the authority vested in the Secretary of Agriculture by the act of June 4, 1897 (30 Stat. 35; 16 U.S.C. 551), the act of February 1, 1905 (33 Stat. 628; 16 U.S.C. 472), and the acts herein-after cited, Regulations L-1 to L-11, inclusive, of the rules and regulations governing the occupancy, use, protection, and administration of the national forests, which constitute §§ 251.1 to 251.11, inclusive, Part 251, Chapter II, Title 36, Code of Federal Regulations, are revoked, and the following regulations are made and published in lieu thereof:

## Sec.

- 251.1 Special use permits; general conditions.  
251.2 Free special use permits.  
251.3 Charge for special use permits.  
251.4 Prospecting and mining permits.  
251.5 Permits for roads and trails.  
251.6 Exchange of use of privately-owned lands for use of national forest lands.  
251.7 Home and industry sites in Alaska.  
251.8 Permit for community improvements.  
251.9 Management of municipal watersheds.

AUTHORITY: §§ 251.1 to 251.9 incl. (with the exceptions noted in the text) issued under sec. 1, 30 Stat. 35, 33 Stat. 628; 16 U.S.C. 551, 472.

§ 251.1 *Special use permits; general conditions* (Reg. U-10). All uses of national forest lands, improvements, and resources, including the uses authorized by the act of March 4, 1915 (38 Stat. 1101; 16 U.S.C. 497), and excepting those provided for in the regulations governing the disposal of timber and the grazing of livestock or specifically authorized by acts of Congress, shall be designated "special uses," and shall be authorized by "Special Use Permits."

The temporary use or occupancy of national forest lands by individuals for camping, picnicking, hiking, fishing, hunting, riding, and similar purposes, may be allowed without a special use permit; provided, permits may be required for such uses when in the judgment of the Chief of the Forest Service the public interest or the protection of the national forest requires the issuance of permits.

Special use permits shall be issued by the Chief of the Forest Service or, upon authorization from him, by the regional forester, forest supervisor, or forest ranger, except as herein provided, and shall be in such form and contain such terms, stipulations, conditions and agreements as may be required by the regulations of the Secretary of Agriculture and the instructions of the Chief of the Forest Service.

Special use permittees shall comply with all State and Federal laws and all regulations of the Secretary of Agriculture relating to the national forests and shall conduct themselves in an orderly manner.

A special use permit may be terminated with the consent of the permittee, or because of nonpayment of fees, by the officer by whom it was issued or his successor, but may be revoked or cancelled only by the Secretary of Agriculture or by an officer of the Forest Service superior in rank to the one by whom it was issued, except that a term permit may be revoked only for breach of its terms or violation of law or regulation. Appeals from action relating to special use permits may be made as provided in § 211.2 (Reg. A-10) of this chapter.

A special use permit may be transferred with the approval of the issuing forest officer, his successor or superior. Special use permits authorizing the operation of public service enterprises, such as hotels and resorts, shall require that the permittee charge reasonable rates and furnish such services as may be necessary in the public interest.

Special use permits for the excavation of antiquities under the act of June 8,

1906 (34 Stat. 225; 16 U.S.C. 432), and leases of land under the act of February 28, 1899 (30 Stat. 908; 16 U.S.C. 495), shall be granted only by the Secretary of Agriculture.

Rights-of-way for electric power transmission, telephone, and telegraph lines granted under the act of March 4, 1911 (36 Stat. 1253; 16 U.S.C. 523), shall be subject to the condition that the grantee execute such stipulations as may be required by the regional forester for the protection of the national forests, pay such charges, furnish such facilities, and permit such reasonable use of its poles and lines for official purposes as may be required by the regional forester.

Nothing herein shall be construed to prohibit the temporary occupancy of national forest lands without permit for the protection of life or property in emergencies, provided a special use permit for such use be obtained at the earliest opportunity.

§ 251.2 *Free special use permits* (Reg. U-11). The Chief of the Forest Service may authorize the issuance of special use permits without charge when the use is (1) by a governmental agency, (2) of a public or semi-public nature, (3) for noncommercial purposes, (4) in connection with an authorized utilization of national forest resources, (5) of benefit to the Government in the administration of the national forests, or for similar purposes compatible with the public interest, and when authorized and directed so to be issued by acts of Congress.

§ 251.3 *Charge for special use permits* (Reg. U-12). Special use permits, except as provided in § 251.2 (Reg. U-11) of this chapter, or specifically authorized by the Secretary of Agriculture, shall require the payment of a fee or charge commensurate with the value of the use authorized by the permit, the amount of which shall be prescribed by the Chief of the Forest Service.

Special use permits involving government-owned buildings or improvements and facilities which require caretakers' services, or the furnishing of special services such as water, electric lights, and clean-up, may require the payment of an additional fee or charge to cover the costs of such services.

§ 251.4 *Prospecting and mining permits* (Reg. U-13). Special use permits pursuant to the act of March 4, 1917 (39 Stat. 1150; 16 U.S.C. 520), for the prospecting and mining of mineral resources, except oil and gas, on land acquired under the act of March 1, 1911 (36 Stat. 961; 16 U.S.C. 513 ff), or the act of June 7, 1924 (43 Stat. 653; 16 U.S.C. 569), or the act of March 3, 1925 (43 Stat. 1215; 16 U.S.C. 516), may be issued to citizens of the United States, or corporations organized and existing under the laws of the United States or any State thereof: *Provided*, That the use of the land for prospecting and mining shall not be incompatible with the purposes for which the lands are being administered.

Prospecting and mining permits shall not exceed 20 years' duration and shall provide for an annual rental payable in

advance of not less than 25¢ per acre and a royalty of not less than 2% of the value of the minerals after having been brought to the surface of the ground: *Provided*, That after production begins the annual advance rentals shall be credited on the royalty payments for the year and similarly for each year thereafter. The permit shall also require annual advance deposits, in addition to the advance rental payments, in an amount to be determined by the issuing forest officer, against which royalty payments may be charged as they become due.

Prospecting may, in the discretion of the forest supervisor, be carried on without permit where no structures are to be erected and no substantial excavation or disturbances of the surface will be made. However, no exclusive rights may be acquired without a special use permit.

§ 251.5 *Permits for roads and trails* (Reg. U-14). Rights-of-way over national forest land for State or county highways or roads which are a part of an approved system of public roads shall be 132 feet in width in the case of Federal Aid and State highways and 66 feet in width in the case of county and community roads or other roads of a secondary character. The center line of the highway or road shall be the center line of the right-of-way except where otherwise provided by the permit. Rights-of-way in excess of 132 feet in width may be authorized only with the specific approval of the regional forester. National forest lands on which a highway or road right-of-way is located shall continue to be administered by the Forest Service but their use for highway or road purposes shall be dominant, and no use or occupancy thereof for other purposes shall be authorized unless concurred in by the appropriate State or county official, except that in the event agreement cannot be reached regarding such other use or occupancy as is essential to the proper use and management of national forests, the matter shall be submitted to the Secretary of Agriculture for decision. Direction and caution signs shall be erected and maintained by the State or county highway department. Information signs shall be approved by the Forest Service prior to erection.

Approval by the Secretary of Agriculture of a forest highway construction program shall constitute authorization for the occupancy of national forest lands for the highways included in such construction program, but where a special use permit for a project included within a forest highway program is desired by a State or county to meet legal or fiscal requirements, or for the execution of road contracts, a permit shall be issued by the regional forester and shall contain such stipulations as may be necessary to protect national forest interests.

Special use permits from the regional forester shall be required for a highway or road which is not a part of a forest highway approved by the Secretary of Agriculture. Application for a permit to construct such a highway or road shall be filed with the forest supervisor and shall be accompanied by a plat showing the location of the proposed

highway or road. The forest supervisor will determine the effect of the proposed highway or road upon the national forest, and the changes in location or other features that may be necessary to safeguard the national forests, and he shall transmit the plat and his report to the regional forester for approval or rejection.

Trails may be constructed without permit upon consent and under the supervision of a forest officer, except that in the national forests in Alaska such consent and supervision will not be required.

No toll shall be charged for the use of roads or trails over national forest lands, and they shall be open to free public use unless otherwise authorized by the Chief of the Forest Service. Roads built at private expense may be temporarily closed to public use by order of the regional forester if their unrestricted use endangers public safety and property or interferes with the primary purpose for which they were built.

Roads across national forest lands which are not parts of State or county highway systems and which are constructed and maintained wholly at the expense of the Federal Government and its private cooperators may be designated by the regional forester as "special service" roads, and public use of such roads may be prohibited or regulated by the regional forester when necessary to the public interest.

§ 251.6 *Exchange of use of privately-owned lands for use of national forest lands* (Reg. U-15). Owners or lessees of privately-owned lands within or adjacent to national forests, upon waiving their rights to the exclusive use of the land and allowing it to remain open to livestock authorized to graze on national forest lands, or to other recognized public uses, may be granted a special use permit without charge, authorizing the enclosure and use of a specific area of national forest land of which the public service value is not in excess of that of the privately-owned land, when such exchange will be advantageous to the administration of the national forests.

An application for a permit authorizing the enclosure of national forest lands shall be accompanied by a certificate of title showing the ownership and description of the privately-owned land, and if such application is by a lessee, by a copy of the lease also. The application shall describe the national forest land it is desired to occupy.

§ 251.7 *Home and industry sites in Alaska* (Reg. U-16). A special use permittee who has constructed upon national forest lands within the Territory of Alaska permanent and substantial improvements for purposes of trade, manufacture, or other productive industry, in connection with which there are reasonable prospects for the establishment of a permanent industry, or who has occupied the land (not exceeding 5 acres) as a homestead or headquarters, in a habitable house, not less than 5 months each year for 3 years, may apply to the Secretary of Agriculture for the elimination from the national forest of

the land so occupied in order that it may be entered by the applicant under the provisions of section 10 of the act of May 14, 1898, as amended (48 U.S.C. 461-462). Upon determination, after investigation, that permanent and substantial improvements designed for trade, manufacture, or other productive industry exceeding in value the estimated value of the lands for national forest purposes have been lawfully constructed with reasonable prospects of establishing a permanent industry, or that the land has been so occupied as a homestead or headquarters, the Secretary of Agriculture will recommend the elimination of the land, not exceeding a total of 80 acres for an industry site or 5 acres for a homestead, from the national forest.

§ 251.8 *Permit for community improvements* (Reg. U-17). Special use permittees who occupy national forest lands for summer homes or other residential purposes not connected with timber sales, grazing permits, or water power developments, and who have organized an association which has been recognized under the provisions of § 211.1 (Reg. A-9) of this chapter, may be issued permits authorizing the construction and maintenance of improvements or facilities which contribute to their common welfare. Such permits shall be issued by the regional forester and may require that the total costs of the construction and maintenance of the improvements and facilities shall be paid by the association and that all persons authorized to occupy the area for summer homes or residential purposes and who share in the benefits from the improvements or facilities shall pay to the association their pro rata share of such costs.

Special use permits for the use of improvements and facilities constructed by the Government in the development of a group residential site may be issued to associations of permittees on the condition that they be operated and maintained by the association and the costs of operation and maintenance prorated among the persons who share in the benefits from the improvements and facilities, as provided in the above paragraph.

§ 251.9 *Management of municipal watersheds* (Reg. U-18). When necessary for the protection of water supplies of towns, cities, or irrigation districts the Chief of the Forest Service will enter into formal agreements with the properly authorized officials of the town, city, irrigation district, or private corporation, or with the owners of privately owned lands within the watershed to restrict the use of the national forest lands from which the water supplies are derived. The kinds of uses to be restricted, the nature and extent of the restrictions, the special protective measures which may be necessary or desirable, the assistance to be given the Forest Service in the enforcement thereof by the town, city, district, private corporation, or owner of land and the payments, if any, which shall be made to compensate the United States for losses of revenue resulting from the

restrictions will all be clearly and specifically defined in the agreement.

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed, in the City of Washington, this 9th day of September 1942.

PAUL H. APPLEBY,  
Acting Secretary of Agriculture.

[F. R. Doc. 42-8953; Filed, September 10, 1942;  
11:03 a. m.]

## TITLE 46—SHIPPING

### Chapter IV—War Shipping Administration

[General Order No. 8, Supp. 5]

#### PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

##### Correction

Paragraph one; § 302.64 (7 F.R., Page 7014, Sept. 4, 1942) should read as follows:

§ 302.64 *Basic rates*. Effective as of the date of delivery of the vessel to the War Shipping Administration under requisition, the charter rates on all vessels engaged in the coastwise transportation of coal, except excluded vessels referred to in § 302.66 hereof, shall be as follows:

\* \* \* \* \*

By Order of the War Shipping Administrator.

[SEAL] W. C. PEET, JR.,  
Secretary.

[F. R. Doc. 42-8937; Filed, September 9, 1942;  
3:54 p. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter I—Interstate Commerce Commission

#### PART 120—ANNUAL, SPECIAL OR PRACTICAL REPORTS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 31st day of August, 1942.

In the matters of annual reports from steam railway companies and the corresponding section of the Code of Federal Regulations, the Commission orders:

That the Commission's order dated December 18th, 1941, (7 F.R. 226) be modified as follows:

1. By the cancellation of that portion of paragraph (f) (2) preceding subparagraph (i) thereof and the substitution of the following therefor:

§ 120.11a *Supplement to form prescribed for large and medium steam roads.* \* \* \* \* \*

(f) \* \* \* \* \*

(2) All intercompany items within the consolidated group, except (a) transactions between noncontrolled lessor companies and (b) investments of such com-

panies in securities of other companies included in the consolidated group, over which the respondent has no control, shall be eliminated from the net assets and liabilities as stated on the books of account. The amounts of such eliminations shall be entered in the eliminations column on Schedule A, and the net totals after eliminations entered in the column provided therefor on that schedule. Differences arising from such eliminations shall be variously disposed of as follows:

2. By the cancellation of Schedules A, B, C, D, E, and F and the substitution of the attached schedules A, B, C, D, E, and F therefor which are hereby approved and made a part of this order.<sup>1</sup>

3. By the cancellation of the phrase in the explanatory note reading as follows:

and Schedule F, Detail of Interest of Stockholders of Respondent and of Minority Stockholders of Subsidiaries in the Voting Capital Stock and in the Total Surplus of Subsidiary Companies

and the substitution of the following therefor:

and Schedule F, Detail of Interest of Stockholders of Respondent and of Stockholders of Subsidiaries Other than Respondent in the Voting Capital Stock and in the Total Surplus of Subsidiary Companies.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 42-8959; Filed, September 10, 1942;  
11:34 a. m.]

## Notices

### TREASURY DEPARTMENT.

Fiscal Service; Bureau of the Public Debt.

[1942 Dept. Circ. 691]

#### 0.65 PERCENT TREASURY CERTIFICATES OF INDEBTEDNESS OF SERIES C-1943

SEPTEMBER 10, 1942.

##### I. OFFERING OF CERTIFICATES

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par and accrued interest, from the people of the United States for certificates of indebtedness of the United States, designated 0.65 percent Treasury Certificates of Indebtedness of Series C-1943. The amount of the offering is \$1,500,000,000, or thereabouts.

##### II. DESCRIPTION OF CERTIFICATES

1. The certificates will be dated September 21, 1942, and will bear interest from that date at the rate of 0.65 percent per annum, payable on an annual basis at the maturity of the certificates. They will mature May 1, 1943, and will not be subject to call for redemption prior to maturity.

2. The income derived from the certificates shall be subject to all Federal taxes, now or hereafter imposed. The

<sup>1</sup> Filed as part of the original document.

certificates shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The certificates will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes and will not bear the circulation privilege.

4. Bearer certificates with one interest coupon attached will be issued in denominations of \$1,000, \$5,000, \$10,000 and \$100,000. The certificates will not be issued in registered form.

5. The certificates will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States certificates.

### III. SUBSCRIPTION AND ALLOTMENT

1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Subscribers must agree not to sell or otherwise dispose of their subscriptions, or of the securities which may be allotted thereon, prior to the closing of the subscription books. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Others than banking institutions will not be permitted to enter subscriptions except for their own account. Subscriptions from banks and trust companies for their own account will be received without deposit. Subscriptions from all others must be accompanied by payment of 5 percent of the amount of certificates applied for.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of certificates applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, subscriptions for amounts up to and including \$25,000 will be allotted in full. The basis of the allotment on all other subscriptions will be publicly announced, and allotment notices will be sent out promptly upon allotment.

### IV. PAYMENT

1. Payment at par and accrued interest, if any, for certificates allotted hereunder must be made or completed on or before September 21, 1942, or on later allotment. In every case where payment is not so completed, the payment with application up to 5 percent of the amount of certificates applied for shall, upon declaration made by the Secretary of the Treasury in his discretion, be forfeited to the United States. Any qualified depository will be permitted to make payment by credit for certificates allotted to it for itself and its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve Bank of its District.

### V. GENERAL PROVISIONS

1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective districts, to issue allotment notices, to receive payment for certificates allotted, to make delivery of certificates on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive certificates.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, Jr.,  
Secretary of the Treasury.

[F. R. Doc. 42-8964; Filed, September 10, 1942;  
11:52 a. m.]

[1942 Dept. Circ. 694]

### 1 1/4 PERCENT TREASURY NOTES OF SERIES C-1945

SEPTEMBER 10, 1942.

#### I. OFFERING OF NOTES

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par and accrued interest, from the people of the United States for notes of the United States, designated 1 1/4 percent Treasury Notes of Series C-1945. The amount of the offering is \$1,500,000,000, or thereabouts.

#### II. DESCRIPTION OF NOTES

1. The notes will be dated September 25, 1942, and will bear interest from that date at the rate of 1 1/4 percent per annum, payable on a semiannual basis on March 15 and September 15 in each year until the principal amount becomes payable. They will mature March 15, 1945, and will not be subject to call for redemption prior to maturity.

2. The income derived from the notes shall be subject to all Federal taxes, now or hereafter imposed. The notes shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The notes will be accepted at par during such time and under such rules and regulations as shall be prescribed or approved by the Secretary of the Treasury in payment of income and profits taxes payable at the maturity of the notes.

4. The notes will be acceptable to secure deposits of public moneys, but will not bear the circulation privilege.

5. Bearer notes with interest coupons attached will be issued in denominations of \$100, \$500, \$1,000, \$5,000, \$10,000, and

\$100,000. The notes will not be issued in registered form.

6. The notes will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States notes.

### III. SUBSCRIPTION AND ALLOTMENT

1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Subscribers must agree not to sell or otherwise dispose of their subscriptions, or of the securities which may be allotted thereon, prior to the closing of the subscription books. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Others than banking institutions will not be permitted to enter subscriptions except for their own account. Subscriptions from banks and trust companies for their own account will be received without deposit. Subscriptions from all others must be accompanied by payment of 5 percent of the amount of notes applied for.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of notes applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, subscriptions for amounts up to and including \$25,000 will be allotted in full. The basis of the allotment on all other subscriptions will be publicly announced, and allotment notices will be sent out promptly upon allotment.

### IV. PAYMENT

1. Payment at par and accrued interest, if any, for notes allotted hereunder must be made or completed on or before September 25, 1942, or on later allotment. In every case where payment is not so completed, the payment with application up to 5 percent of the amount of notes applied for shall, upon declaration made by the Secretary of the Treasury in his discretion, be forfeited to the United States. Any qualified depository will be permitted to make payment by credit for notes allotted to it for itself and its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve Bank of its district.

### V. GENERAL PROVISIONS

1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective districts, to issue allotment notices, to receive payment for notes allotted, to make delivery of notes on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive notes.

2. The Secretary of the Treasury may at any time, or from time to time, pre-

scribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, Jr.,  
Secretary of the Treasury.

[F. R. Doc. 42-8965; Filed, September 10, 1942;  
11:52 a. m.]

## DEPARTMENT OF THE INTERIOR.

### General Land Office.

[Public Land Order 30]

#### FLORIDA

#### WITHDRAWING PUBLIC LANDS IN CERTAIN AREAS FOR USE OF THE NAVY DEPARTMENT FOR NAVAL PURPOSES

By virtue of the authority vested in the President, and pursuant to Executive Order No. 9146 of April 24, 1942,<sup>1</sup> it is ordered as follows:

All public lands within the following-described areas are hereby withdrawn, subject to valid existing rights, from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the Navy Department in connection with the construction of magazines and runways for the Naval Air Station at Key West, Florida:

#### TALLAHASSEE MERIDIAN

##### PARCEL "A"

Beginning at the southeast corner of the area in the vicinity of Key West, Florida, reserved for use of the Navy Department by Executive Order No. 4060, dated August 11, 1924; the approximate geographic position is in latitude 24°34'06" N., and longitude 81°46'57" W., as shown on Coast and Geodetic Survey Chart No. 584.

From said initial point, by metes and bounds,

East, 3,800 feet;  
N. 63°30' E., 4,482 feet;  
North, 10,000 feet;  
West, 7,811 feet;

South, 12,000 feet, along the east boundary of the area reserved by Executive Order No. 4060, August 11, 1924, to the place of beginning.

The tract as described contains an area of 2,060 acres, located in what would be, if public land surveys were extended thereover, all or parts of secs. 20, 21, 22, 27, 28, 29, 32, 33, and 34, T. 67 S., R. 25 E.

##### PARCEL "B"

Beginning at a point on the south boundary of the area in the vicinity of Key West, Florida, reserved for use of the Navy Department by Executive Order No. 4060, dated August 11, 1924; the approximate geographic position is in latitude 24°34'06" N., and longitude 81°47'51" W., as shown on Coast and Geodetic Survey Chart No. 584.

From said initial point, by metes and bounds,

South, 500 feet;  
East, 1,000 feet;

North, 500 feet to the south boundary of the area reserved by Executive Order No. 4060;

West, 1,000 feet, along the south boundary of the area reserved by Executive Order No. 4060 to the place of beginning.

The tract as described contains an area of 11.47 acres, located in what would be, if pub-

lic land surveys were extended thereover, sec. 31, T. 67 S., R. 25 E.

This order shall take precedence over but shall not rescind or revoke the temporary withdrawal for classification and other purposes made by Executive Order No. 6964 of February 5, 1935, as amended, so far as such order affects any lands in the above-described areas.

HAROLD L. ICKES,  
Secretary of the Interior.

AUGUST 14, 1942.

[F. R. Doc. 42-8947; Filed, September 10, 1942;  
9:45 a. m.]

## DEPARTMENT OF LABOR.

### Wage and Hour Division.

#### LEARNER EMPLOYMENT CERTIFICATES

##### NOTICE OF ISSUANCE

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 as amended June 25, 1942, 7 F.R. 4723), 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).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

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

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

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

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

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

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

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

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

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

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the determination and

order or regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective September 10, 1942. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

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

#### Apparel

Gold Neckwear Mfg. Co., 1111 Commerce St., Dallas, Texas; Neckties; 5 learners (T); September 10, 1943.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-lined Garments Divisions of the Apparel Industry

Burnley Shirt Corp., 502 22nd Ave., Meridian, Mississippi; Cotton dress shirts; 10 percent (T); September 10, 1943.

Chock-Horowitz Co., Hay St. & Ridge Ave., York, Pennsylvania; Pajamas & navy middies; 10 percent (T); September 10, 1943.

D & D Shirt Co., 1801 Newport Ave., Northampton, Pennsylvania; Men's shirts; 10 percent (T); September 10, 1943.

Holbrook Corp., 34 Meadow St., New Britain, Connecticut; Men's shirts, (sport, regular & army officers'); 10 percent (T); September 10, 1943.

The Snow & Baker Co., Whitefield, New Hampshire; Overalls, dungarees, jumpers; 6 learners (T); September 10, 1943.

Southland Mfg. Co., Mobile & Grady Sts., Montgomery, Alabama; Cotton work shirts, flannel shirts; 10 percent (T); September 10, 1943.

Whitehouse Mfg. Co., 322 East Colfax Ave., South Bend, Indiana; Washable service apparel; 10 percent (T); September 10, 1943.

#### Glove

Northern Glove & Mitten Co., 1514 Morrow St., Green Bay, Wisconsin; Work gloves; 5 learners (T); September 10, 1943.

Wells Lamont Smith Corp., Edina, Missouri; Work gloves; 50 learners (E); March 10, 1943.

Signed at New York, N. Y., this 8th day of September 1942.

MERLE D. VINCENT,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 42-8930; Filed, September 9, 1942;  
1:31 p. m.]

## BOARD OF ECONOMIC WARFARE.

[License Denial 1]

SIGMUND SCHLESINGER AND PRIMUS CO.

ORDER DENYING LICENSING PRIVILEGES

Pursuant to Part 807 of the regulations adopted under section 6 of the Act

<sup>1</sup> 7 F.R. 3067.



of July 2, 1940, as amended, the Chief of the Trade Intelligence Division of the Export Control Branch, Office of Exports, has charged Sigmund Schlesinger and The Primus Company with certain violations of Proclamation 2497<sup>1</sup> authorizing a proclaimed list of certain blocked nationals and controlling certain exports issued in part under the authority of said section. The respondents have filed a written answer to the charges above set forth.

The Compliance Commissioner, duly designated under § 807.1<sup>2</sup> of the aforesaid regulations, has reviewed the record and filed his findings of fact and recommendations in the matter. The following facts have been found:

Sigmund Schlesinger is the sole owner of The Primus Company, an unincorporated business engaged in buying, selling, importing and exporting umbrella handles, umbrella silks, canes and accessories at 35 West 33rd Street, New York City. The Primus Company made five shipments of goods to customers of Werner Gurcke y Cia., a partnership located at Apartado 219, San Jose, Costa Rica, subsequent to December 3, 1941, on which date the latter firm had been placed on the aforesaid Proclaimed List of Certain Blocked Nationals. As part of these transactions, Sigmund Schlesinger and The Primus Company paid commissions amounting to \$253.20 to Starr Pait Bruce, wife and partner of Werner Gurcke. Payment of these commissions was made with knowledge that Starr Pait Bruce was a partner of Werner Gurcke.

The Compliance Commissioner has found that these exportations, and the payment of commissions in connection therewith, were exportations indirectly to or on behalf of a blocked national and as such constituted violations of section 3 of the aforesaid Proclamation 2497.

Upon consideration of the record, findings of fact, and all recommendations in the matter, *It is hereby ordered*, That:

(1) All export licenses heretofore issued to Sigmund Schlesinger or The Primus Company for exportations as yet not consummated are hereby revoked, and

(2) Until February 9, 1943, Sigmund Schlesinger and The Primus Company and any person acting on behalf of either of them are denied the privilege of obtaining individual export licenses and the use of any general or unlimited export licenses for any exportations whatsoever from the United States.

The respondents may appeal in writing to the Assistant Director in charge of the Office of Exports provided the appeal is taken within ten days after receipt of this order. (Sec. 6, 54 Stat. 714,

<sup>1</sup> 6 F.R. 3555.

<sup>2</sup> 7 F.R. 5018.

Public Law 75, 77th Cong.; Public Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951.)

F. R. KERR,  
Chief, Export Control Branch,  
Office of Exports.

SEPTEMBER 9, 1942.

[F. R. Doc. 42-8958; Filed, September 10, 1942;  
11:07 a. m.]

#### NATIONAL HOUSING AGENCY.

Federal Public Housing Authority.

##### EVIDENCES OF INDEBTEDNESS OF PUBLIC HOUSING AGENCIES

AUTHORIZATION OF S. J. ELSON AND CARLETON F. SHARPE TO EXECUTE DOCUMENTS

SEPTEMBER 9, 1942.

Pursuant to the authority vested in me by section 12 of Executive Order 9070,<sup>1</sup> S. J. Elson, Director of Finance and Accounts Division, and Carleton F. Sharpe, Director of Region V, are severally authorized to execute, as agent of the Federal Public Housing Authority, affidavits of chattel mortgage and any other certificates, affidavits or documents necessary or desirable in connection with the recording of any evidences of indebtedness issued by public housing agencies created under the laws of the State of Ohio and held by the Federal Public Housing Authority.

HERBERT EMMERICH,  
Commissioner.

[F. R. Doc. 42-8946; Filed, September 10, 1942;  
9:45 a. m.]

#### OFFICE OF PRICE ADMINISTRATION.

[Order 42 Under Maximum Price Regulation 120<sup>2</sup>—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120-94]

WHITWELL COAL CORPORATION

ORDER GRANTING ADJUSTMENT

On June 15, 1942 Whitwell Coal Corporation, with offices at Tracy City, Tennessee, filed a petition for adjustment or exception pursuant to § 1340.207 of Maximum Price Regulation No. 120. Due consideration has been given to the petition and an Opinion in support of this Order No. 42 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the Opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation

<sup>1</sup> 7 F.R. 1529.

<sup>2</sup> 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6272, 6472, 6325, 6524.

No. 1,<sup>3</sup> issued by the Office of Price Administration, *it is hereby ordered*, That:

(a) The Whitwell Coal Corporation may sell and deliver, and agree, offer, solicit, and attempt to sell and deliver for shipment by rail the bituminous coal described in paragraph (b), at a price not in excess of that stated therein. Any person may buy and receive, and agree, offer, solicit and attempt to buy and receive such bituminous coal, so shipped, at such price from the Whitwell Coal Corporation.

(b) Size Group 7 coal produced by the Whitwell Coal Corporation at its Whitco Mine,<sup>4</sup> Mine Index No. 98, located in Sub-district No. 3 of District No. 13, may be sold at a price not to exceed \$2.80 per net ton, for shipment by rail, f. o. b. the mine.

(c) This Order No. 42 may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340-208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) This Order No. 42 shall become effective on September 11, 1942.

Issued this 10th day of September 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-8960; Filed September 10, 1942;  
11:42 a. m.]

[Order 14 Under Maximum Price Regulation 148—Dressed Hogs and Wholesale Pork Cuts—Docket 3148-71]

P. D. GWALTNEY, JR., AND CO., INC.

ORDER GRANTING PETITION FOR ADJUSTMENT

##### Correction

The maximum price regulation mentioned in paragraph (c) in the middle column of page 7022 of the issue for Friday, September 4, 1942, should read "148" instead of "14."

#### WAR SHIPPING ADMINISTRATION.

NOTICE OF DEPOSITS ON ACCOUNT OF JUST COMPENSATION FOR REQUISITIONED FINNISH VESSELS

Notice is hereby given that pursuant to section 1 of the Act approved June 6, 1941 (Pub. Law 101, 77th Cong.), authorizing the acquisition by the United States of foreign vessels and the making of just compensation therefor, the United States Maritime Commission, on September 5, 1942, deposited with the

<sup>3</sup> 7 F.R. 971, 3663.

<sup>4</sup> The records of the Bituminous Coal Division indicate that the name of Mine Index No. 98 is the "Daus" Mine, whereas petitioner refers to it as the Whitco Mine.

Treasurer of the United States payments on account of just compensation for the respective Finnish vessels listed below, in the amounts set forth opposite the name of each vessel, the final determination of such compensation in each case not yet having been made:

Name of vessel	Amount of deposit
Olivia.....	\$20,000
Yamasee Ex Siamaa.....	15,000
Granville Ex Wipunen.....	15,000
Bushranger Ex Marisa Thorden....	15,000

Name of vessel—Con.	Amount of deposit
Arclight Ex Kuurtanes.....	\$15,000
Chenango Ex Kurikka.....	15,000
Tambour Ex Fidra.....	15,000
Puchero Ex Delaware.....	15,000
Thunderer Ex Amazon Ex Mathilda Thorsen.....	15,000
Trojan Ex Advance.....	15,000
Pompoon Ex Atlas II.....	7,000
Rosemont Ex Aurora.....	15,000
Desert Light Ex Pandia.....	15,000
Nimba Ex Asta.....	14,000
Scapa Flow Ex Anja.....	15,000
Potomac Ex Aagot.....	20,000

The attention of interested parties is invited to the provisions of said section 1 concerning claims against the vessels subsisting at the time they were requisitioned.

By Order of the War Shipping Administrator.

[SEAL]

W. C. PEET, Jr.,  
Secretary.

SEPTEMBER 8, 1942.

[F. R. Doc. 42-8936; Filed, September 9, 1942;  
3:54 p. m.]