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FEDERAL REGISTER

1934

VOLUME 7 NUMBER 200

Washington, Saturday, October 10, 1942

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

**Chapter I—Civil Service Commission
PART 18—WAR SERVICE REGULATIONS**

APPOINTMENT, ETC., AMENDMENTS

Paragraph (d) (1) of § 18.5 *Appointment* issued, as amended, on September 26, 1942 (7 F.R. 7723), is amended to read as follows:

§ 18.5 Appointment. * * *

(d) *Emergency appointment without examination.* (1) In cases of extreme emergency, where positions must be filled without delay, and where time does not permit the securing of prior authority, emergency appointments for not to exceed thirty days may be made without examination and without specific authority of the Commission. This authority shall not apply to positions in Washington, D. C., or to positions in cities where regional offices or branch regional offices of the Commission are located. Such appointments may not be extended beyond the thirty-day period without the express prior approval of the Commission. (E.O. 9063, February 16, 1942, 7 F.R. 1075)

Section 18.6 *Promotion* issued, as amended, on September 26, 1942 (7 F.R. 7723) is amended to read as follows:

§ 18.6 *Promotion.* Employees appointed to indefinite positions under the provisions of these regulations may be promoted within the same department or agency in the same manner and under the same procedures and standards as employees having a classified civil service status. Employees appointed under these regulations to temporary (limited) positions may be promoted within the same department or agency only after prior approval of the Commission has been secured. (E.O. 9063, February 16, 1942, 7 F.R. 1075)

NOTE: For regulations relating to promotion of employees having a classified civil service status, see 5 CFR, Part 11.

Paragraph (a) (1) of § 18.11 *Extent of regulations* issued, as amended, on Sep-

tember 26, 1942 (7 F.R. 7723), is amended to read as follows:

§ 18.11 *Extent of regulations.* (a) The foregoing regulations shall supersede Civil Service Rules III, V, VI, VII, VIII, IX, X (5 CFR, Parts 3, 5, 6, 7, 8, 9, 10) and all provisions of joint regulations inconsistent with these regulations, for all positions except:

(1) Positions in the field service of the postal establishment (except as provided in § 18.9 (j) of this chapter). (E.O. 9063, February 16, 1942, 7 F.R. 1075; E.O. 9243, September 12, 1942, 7 F.R. 7213; Directive No. X, War Manpower Commission, September 14, 1942, 7 F.R. 7298).

By the United States Civil Service Commission.

H. B. MITCHELL,
President.

SEPTEMBER 28, 1942.

[F. R. Doc. 42-10104; Filed, October 9, 1942; 11:05 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter II—Commodity Credit Corporation

[1942 C. C. C. Rice Form 1—Instructions]

PART 233—1942 RICE LOANS

1942 COMMODITY CREDIT CORPORATION RICE LOANS

Commodity Credit Corporation has authorized the making of loans on, and the purchase of eligible paper secured by rice stored on farms or in approved public rice warehouses. These instructions state the requirements of Commodity Credit Corporation with reference to making such loans on rice and the purchase of notes secured by rice.

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Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.25 per month or \$12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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SPECIAL INSTRUCTIONS RELATIVE TO USE OF 1941 RICE FORMS	
233.40	Pending printing and distribution of 1942 rice forms, 1941 rice forms, with the modifications enumerated, shall be used.

AUTHORITY: §§ 233.1 to 233.40, inclusive, issued under Sec. 302, 52 Stat. 43, 55 Stat. 203, 860; 7 U.S.C. 1302, 7 U.S.C. Sup., 1330.

GENERAL INSTRUCTIONS

§ 233.1 *Definitions.* For the purpose of these instructions and the notes and loan agreements or mortgages relating thereto, the following terms shall be construed, respectively, to mean:

(a) *Eligible producer.* An eligible producer shall be any person (including a partnership, association, or corporation) that has an interest as a landowner, landlord, tenant, or sharecropper in the rice produced on a farm on which (1) the acreage planted to rice on the farm is not less than 90 percent of the farm rice acreage allotment or permitted acreage of rice on the farm, as determined under the 1942 Agricultural Conservation Program, or (2) the acreage planted to rice on the farm is less than 90 percent of the farm rice acreage allotment or permitted acreage of rice on the farm, as determined under the 1942 Agricultural Conservation Program, solely because of lack of water.

(b) *Eligible rice.* Eligible rice is rough rice of the classes listed below (1) which grades U. S. No. 6 or better; (2) which has a milling quality of prime, good, medium, fair or ordinary; (3) which was produced in 1942; (4) the beneficial interest in which is, and always has been, in the eligible producer tendering such rice as security for the loan; and (5) which meets the special requirements set out in §§ 233.20, and 233.30 of these instructions:

Edith rough rice (Class II).
Fortuna rough rice (Class III).
Lady Wright rough rice (Class V).
Rexoro rough rice (Class VII).
Nira rough rice (Class IX).
Blue Rose rough rice (Class XI).
Early Prolific rough rice (Class XII).
American Pearl rough rice (Class XIV).
Calady rough rice (Class XV).
Zenith rough rice (Classification pending).

(c) *Eligible storage.* Eligible storage shall include public warehouses and farm storage meeting the requirements prescribed by the Commodity Credit Corporation. Public warehouses must meet the requirements set out in § 233.4 of these instructions. Farm storage shall consist of farm bins and granaries which are of such substantial and permanent construction as to afford safe storage of rice for a period of two years and permit effective fumigation for the destruction of insects and vermin and afford protection against rodents, other animals, thieves, and weather, as determined by the county agricultural conservation committee.

(d) *Lending agency.* A lending agency shall be any bank, or other corporation, partnership, or person making loans in accordance with these instructions, which has entered into the Contract to Purchase (1942 C. C. C. Rice Form E) or any rice cooperative association which has entered into the 1942 Rice Cooperative Association Contract (1942 C. C. C. Rice Form C) and which makes loans in accordance with these instructions and such 1942 Rice Cooperative Association Contract.

(e) *Eligible paper.* For the purposes of the Contract to Purchase (1942 C. C. C. Rice Form E) and the 1942 Rice Cooperative Association Contract (1942 C. C. C. Rice Form C), eligible paper shall

consist of notes executed by eligible producers, secured by chattel mortgages covering or warehouse receipts representing a single variety of eligible rice in existence. Such notes must be dated not earlier than September 1, 1942, nor later than March 1, 1943, and must be executed in accordance with these instructions and, in the case of cooperative associations, in accordance with the 1942 Rice Cooperative Association Contract, with State documentary revenue stamps affixed thereto where required by law. Notes executed by an administrator, executor, or trustee will be acceptable only where valid in law.

§ 233.2 *Areas in which loans will be made.* Loans shall be made on eligible rice stored in approved farm storage and in approved public rice warehouses in the States of Arkansas, Louisiana, Texas, Missouri, and California.

§ 233.3 *Separate loans on each variety of rice.* Each note to be acceptable by the Commodity Credit Corporation must be secured by a chattel mortgage covering or warehouse receipts representing a single variety of eligible rice. Producers will be required to obtain a separate loan and to execute separate loan documents with respect to each variety of eligible rice.

§ 233.4 *Public warehouses.* Commodity Credit Corporation will accept only non-secured negotiable warehouse receipts representing a single variety of rice pledged as collateral to notes on 1942 C. C. C. Rice Form B, issued by any public rice warehouse which is approved by the Commodity Credit Corporation (see 1942 C. C. C. Rice Forms 2 and 2a) and with respect to which the warehouseman has executed the Rice Warehouse Agreement (1942 C. C. C. Rice Form 3), or with respect to which rice there has been executed a 1942 Rice Cooperative Association Contract, Supplement No. 1, (1942 C. C. A. Rice Form C, Supplement No. 1). Warehousemen desiring approval should communicate with the regional director of the Commodity Credit Corporation serving the area in which the warehouse is located. A list of the approved warehouses and their locations will be available at the offices of such regional directors or any State or county agricultural conservation committee office in the areas in which rice is produced. Each approved public rice warehouse will be required to enter into the Rice Warehouse Agreement and to furnish a bond in accordance with 1942 C. C. C. Rice Form 2. All rice pledged as security for any one note must be in the same warehouse, and each producer must arrange for the storage of rice in an approved warehouse.

§ 233.5 *Warehouse receipts.* Warehouse receipts must not include insurance, must be dated on or prior to the date of the related note, must be issued to and in the name of the producer and endorsed by him in blank so as to vest title in the holder, and must be issued by an approved warehouse. Commodity Credit Corporation will not accept warehouse receipts indicating any lien for charges prior to unloading in or delivery

to the warehouse issuing such receipts. Liens for storage charges will be recognized by Commodity Credit Corporation from September 1, 1942. Such receipts must set out in their written or printed terms the number of bushels, the gross weight, and variety of the rice represented thereby, and, in addition, if stored in bags, the number of bags of rice; must set out or be accompanied by certificates issued by the Agricultural Marketing Administration of the United States Department of Agriculture stating the variety, grade, milling quality, percentage of moisture, and dockage (if any) of the rice represented thereby: *Provided, however,* That, in the case of any loans made by any rice cooperative association in accordance with the 1942 Rice Cooperative Association Contract (1942 C. C. C. Rice Form C), such information may be shown as provided in such contract; and must set out all other facts and statements required to be stated in the written or printed terms of a negotiable warehouse receipt by section 2 of the Uniform Warehouse Receipts Act.

§ 233.6 *Farm storage.* In accordance with regulations issued by the Secretary of Agriculture, the State and county agricultural conservation committees will inspect and approve farm storage facilities and will arrange for measuring, weighing, sampling, grading, and sealing the rice collateral in approved structures. Chattel mortgages securing notes on 1942 C. C. C. Rice Form A must cover a single variety of rice and must be executed, signed, and recorded or filed in accordance with the applicable State law. Producers may obtain information and assistance from the county agricultural conservation committees in regard to the execution and filing of such chattel mortgages. Where the borrower is a tenant farmer and the rice collateral is stored on the farm, the expiration date of the lease shall be given in section 1 (d) of the chattel mortgage. If the expiration date of the lease is prior to June 30, 1943, or, in the case of rice stored in California, September 30, 1943, the borrower must secure from the owner and any other interested parties, consent that the rice collateral may remain in the described storage structure(s) for a period of sixty days beyond the maturity date of the note without charge except as provided in these instructions. The consent agreement is set forth in the chattel mortgage. Each producer must designate in section 1 (b) of the chattel mortgage a shipping point reasonably convenient for delivery of the rice as determined by the county committee. Notes and chattel mortgages will not be acceptable if they provide a shipping point other than the normal shipping point customarily used by the producers in the area in which the rice was produced. A separate note and chattel mortgage must be submitted for rice stored on each quarter section of land and, as stated above, each such chattel mortgage must cover only a single variety of rice.

A farm-storage allowance of 5 cents per bushel will be earned by the producer under the following conditions:

(a) If the rice is delivered to Commodity Credit Corporation on or after June 30, 1943, for Arkansas, Louisiana, Texas, and Missouri, or July 31, 1943, for California, or

(b) If, pursuant to demand of the Corporation for the repayment of the loan, the rice is delivered to the Corporation prior to June 30, 1943, for Arkansas, Louisiana, Texas, and Missouri, or July 31, 1943, for California, provided such demand for repayment was not due to any fraudulent representation on the part of the producer, or the rice was damaged, threatened with damage, abandoned, or otherwise impaired.

If, pursuant to demand by the Corporation for repayment of the loan, or with the consent and approval of the Corporation, mortgaged rice is delivered prior to June 30, 1943, for Arkansas, Louisiana, Texas, and Missouri, or July 31, 1943, for California, because the rice was damaged, threatened with damage, or otherwise impaired, a storage payment computed at the following rates shall be earned by the producer provided he has not made any misrepresentation in connection with the loan:

	Southern States	California
4 cents per bushel if delivered during the month of.	June 1943....	July 1943.
3½ cents per bushel if delivered during the month of.	May 1943....	June 1943.
3 cents per bushel if delivered during the month of.	April 1943....	May 1943.
2 cents per bushel if delivered during the month of.	March 1943....	April 1943.
1 cent per bushel if delivered prior to	Feb. 1, 1943....	March 1943.

Any deficiencies in quantity or quality of the mortgaged rice delivered to the Corporation, unless paid by the producer, will be set off against any credits due the producer or any payments due the producer under any agricultural program administered by the Secretary of Agriculture.

§ 233.7 *Liens.* The rice collateral must be free and clear of all liens except in favor of the lienholders listed in the space provided therefor in 1942 C. C. C. Rice Form AA or B, or on the separate C. C. C. Form AB. The names of the holders of all existing liens on the pledged or mortgaged rice, such as landlords, laborers, threshers, or mortgagees, must be listed as prescribed herein. The waiver and consent to mortgage or pledge contained in the mortgage or loan agreement, or in C. C. C. Form AB, must be signed personally by all lienholders listed or by their duly authorized agents or, if corporations, by the designated officer thereof authorized to execute such instruments. The producer may designate on the note (1942 C. C. C. Rice Form A), or on the note and loan agreement (1942 C. C. C. Rice Form B), persons, other than himself, to whom the proceeds of the note will be remitted. Producers should read carefully all real estate and other mortgages previously given by them in order to be sure that the rice tendered for loan is not covered thereby. Any fraudulent representation of fact

made in the execution of the note and mortgage or loan agreement, and related forms, shall render the producer personally liable for the amount of the loan and subject to the provisions of the United States Criminal Code.

§ 233.8 *Insurance*—(a) *Warehouse storage*. Insurance will be carried for the account of the Commodity Credit Corporation on the pledged rice stored in approved public warehouses against the perils of fire, lightning, windstorm, tornado, cyclone, and hail. Where producers redeem pledged rice on or before the maturity date of the loan a proportionate share of the cost of such insurance will be included in the amount of redemption paid by the producer.

(b) *Farm storage*. Commodity Credit Corporation will not require producers to insure their 1942 farm-stored rice placed under loan. In case of a total loss of collateral resulting from an external cause, with the exception of a loss caused by conversion, negligence, or vermin, the Commodity Credit Corporation will mark the note "paid" and return it to the borrower. In case of a partial loss of collateral resulting from an external cause, with the exception of a loss caused by conversion, negligence, or vermin, the note will be credited at the loan value, plus interest for the number of bushels on which the loss occurred. No loss will be assumed if it is determined that there is fraudulent representation on the part of the borrower in connection with the loan. Producers may insure their equities, however, if any, at their own expense.

§ 233.9 *Approval of loans by member of county agricultural conservation committee*. The 1942 C. C. C. Rice Forms A and B (with the exception of 1942 C. C. C. Rice Form B, evidencing loans made by cooperative associations on the basis of association weights and grades pursuant to the 1942 Rice Cooperative Association Contract) must be approved in the space provided therefor on the forms A and B by a member of the county agricultural conservation committee for the county in which farm-stored rice is stored and the county in which warehoused rice was produced. The date of the approval must not be prior to the date of the execution by the producer of the applicable form. A member of the county agricultural conservation committee for the county in which the rice was produced must certify that any producer obtaining a loan on 1942 C. C. C. Rice Form B on the basis of association weights and grades pursuant to the 1942 Rice Cooperative Association Contract is an eligible producer as defined herein.

(a) The member of the county committee signing in the space provided on the 1942 Producer's Note (1942 C. C. C. Rice Form A), certifies for and on behalf of the county committee, to the committee's best knowledge and belief: (1) that the rice securing the note and the storage structure(s) in which the rice is stored have been inspected and sealed; (2) that the quantity, variety, grade, milling quality, and the loan value of the rice have been determined in accordance with regulations of the Secretary of Agriculture and the requirements of the

Commodity Credit Corporation; (3) that the representations set forth in the chattel mortgage are true and complete; (4) that the chattel mortgage covering the rice has been properly executed and will be duly and properly filed for record in accordance with the requirements of the applicable State law; (5) that, in the event any person whose signature appears on the form has signed in a representative or fiduciary capacity, the committee has determined that such representative or fiduciary has authority so to act, and, if the committee did not have personal knowledge of the authority of the representative or fiduciary, that it has required such person to show the committee documentary evidence of his authority; (6) that the original or duplicate copy of the chattel mortgage, bearing receipt of the county recording official, will be held by the committee; (7) that all lienholders have executed the lienholders' waiver and consent to mortgage; and (8) that, where necessary, consents for storage have been granted.

(b) The member of the county committee signing in the space provided on the 1942 Rice Producer's Note and Loan Agreement (1942 C. C. C. Rice Form B), certifies for and on behalf of the county committee, to the committee's best knowledge and belief: (1) that the quantity, variety, grade, milling quality, and the loan value of the rice represented by the warehouse receipts securing the note have been determined in accordance with regulations of the Secretary of Agriculture and the requirements of the Commodity Credit Corporation; (2) that the representations set forth in the note and loan agreement are true and complete; (3) that the note and loan agreement has been properly executed; (4) that, in the event any person whose signature appears on the form has signed in a representative or fiduciary capacity, the committee has determined that such representative or fiduciary has authority so to act, and, if the committee did not have personal knowledge of the authority of the representative or fiduciary, that it has required such person to show the committee documentary evidence of his authority; and (5) that all lienholders have executed the lienholders' waiver and consent to pledge.

§ 233.10 *Source and preparation of documents*. Forms will be obtainable from the appropriate county agricultural conservation committees in the States designated in § 233.2 hereof and from the offices of the regional directors of the Commodity Credit Corporation at New Orleans, Louisiana, and Portland, Oregon. All 1942 C. C. C. rice forms must be appropriately filled in and executed with ink, typewriter, or indelible pencil, and no documents containing additions, alterations, or erasures will be accepted by the Commodity Credit Corporation, unless initialed by the producer. In order to meet the costs of the county committees in servicing loan papers and assisting producers, county agricultural conservation committees will collect a service fee for all loans except loans made by cooperative associations on 1942 C. C. C. Rice Form B, pursuant to the

1942 Rice Cooperative Association Contract.

§ 233.11 *Source of loans*. It is contemplated that loans will ordinarily be obtained from banks, cooperative associations, and other local lending agencies which, in turn, may sell the paper evidencing such loans to Commodity Credit Corporation. Producers may also obtain loans directly from Commodity Credit Corporation. Notes evidencing direct loans shall be made payable to Commodity Credit Corporation and shall be delivered or sent to the regional director serving the area in which the rice is stored. Documents for such direct loans tendered by mail, in person, or otherwise must be delivered or postmarked not later than March 1, 1943. Upon delivery of all necessary documents properly executed and upon approval of the loan by the regional director, payment will be made pursuant to the directions of the producer contained in the note.

§ 233.12 *Purchase of loans*. Commodity Credit Corporation will purchase, without recourse, eligible paper, as defined in these instructions, only from lending agencies which have executed and delivered to the office of the regional director to which notes are submitted, a Contract to Purchase (1942 C. C. C. Rice Form E) or, in the case of cooperative associations, a 1942 Rice Cooperative Association Contract (1942 C. C. C. Rice Form C). These forms will be obtainable only from such regional director.

Notes and chattel mortgages and notes and loan agreements held by lending agencies must be tendered to the appropriate regional director of the Commodity Credit Corporation for purchase within the period prescribed in any demand made by the Commodity Credit Corporation for the tender of such notes and related mortgages or loan agreements. The purchase price to be paid by Commodity Credit Corporation for notes accepted will be the face amount of such notes, plus accrued interest at the rate of 1½ percent per annum from the respective dates of the notes to the date of payment of the purchase price. Lending agencies are required, under their contracts with Commodity, to report weekly on 1942 C. C. C. Rice Form F or, in the case of cooperative associations, on 1942 C. C. C. Rice Form G, all collections and repayments on producers' notes held by them, and to remit with such reports to the regional director of Commodity Credit Corporation, an amount equivalent to 1½ percent per annum on the principal amount collected or repaid from the date of disbursement of the note to the date of payment.

§ 233.13 *Release of collateral*. A producer may obtain the return of his notes and the release of rice securing such notes upon his request in writing addressed to the payee of the note (either the lending agency or the Commodity Credit Corporation, as the case may be), and upon his payment to the holder of the note of the principal amount due thereon, plus accrued interest. If the payee of the producer's note is the Com-

modity Credit Corporation, the producer should address his request to the regional director of the Commodity Credit Corporation serving the area. Upon receipt of such a written request by the regional director, the producer's note, with warehouse receipts (if any) securing the note, will be transmitted to an approved bank with instructions to deliver such documents to the producer or his agent upon the payment of the principal amount of the note, plus accrued interest. The bank to which the note is sent will be instructed to return the note to the Commodity Credit Corporation if payment is not made by the producer within 15 days. All charges and expenses of the collecting bank incident to the collection of the note will be payable by the producer. Upon payment of notes secured by farm-stored rice, county agricultural conservation committees will release the chattel mortgages of record, either by the filing of an instrument of release or by a margin release on the county records.

In submitting a written request for the release of farm-stored rice, the producer must identify to the lending agency or the regional director, the seal number(s) of the bin(s) of rice securing the loan to be repaid. No partial repayments of loans will be permitted and the Commodity Credit Corporation will, in no event, allow a partial release of the rice securing any one loan. Upon receipt of such a request, the producer's note will be forwarded to an approved bank, as stated above, to be released to the producer against the payment of the total amount loaned, plus accrued interest.

In submitting a request for the release of warehouse-stored rice, the lending agency or the regional director should be informed of the warehouse receipts numbers applicable to such rice. Each request for release must cover all the rice pledged as collateral for any one loan.

In the case of notes on 1942 C. C. C. Rice Forms A and B which have not been purchased from lending agencies by the Commodity Credit Corporation, such lending agencies will also permit repayments and releases as provided above. The lending agency should remit to the regional director, in accordance with the terms of the Contract to Purchase (1942 C. C. C. Rice Form E) or, in the case of cooperative associations, the 1942 Rice Cooperative Association Contract (1942 C. C. C. Rice Form C), an amount equal to 1½ percent interest per annum on the face amount of the notes repaid from the date of the disbursement of the note to the date of repayment.

SPECIAL INSTRUCTIONS APPLICABLE TO ARKANSAS, LOUISIANA, TEXAS, AND MISSOURI

§ 233.20 *Eligible rice.* Eligible rice shall be rice of the varieties described in § 233.1 (b) of these instructions. However, in Arkansas, Louisiana, Texas, and Missouri, rice grading "damp" or having a moisture content in excess of 14.5 percent, or which is weevily, musty, or of sample grade, shall not be eligible for a loan.

§ 233.21 *Amount of loans.* Rice of the varieties produced in Arkansas, Louisiana,

Texas, and Missouri shall have the following loan values:

LOAN VALUES IN CENTS PER BUSHEL FOR ROUGH RICE BY VARIETY, GRADE, AND MILLING QUALITY

Variety and milling quality	U. S. Grade No. 1	U. S. Grade No. 2	U. S. Grade No. 3	U. S. Grade No. 4	U. S. Grade No. 5	U. S. Grade No. 6
	Cents per bushel					
Blue Rose:						
Prime	111	108	105	102	99	96
Good	108	105	102	99	96	92
Medium	105	102	99	96	92	89
Fair	102	99	96	92	89	86
Ordinary	99	96	92	89	86	83
Rexoro:						
Prime	125	122	119	115	112	108
Good	122	119	115	112	108	104
Medium	119	115	112	108	104	101
Fair	115	112	108	104	101	97
Ordinary	112	108	104	101	97	94
Nira:						
Prime	122	119	115	112	109	106
Good	119	115	112	109	106	101
Medium	115	112	109	106	101	98
Fair	112	109	106	101	98	95
Ordinary	109	106	101	98	95	91
Edith:						
Prime	113	110	107	104	101	98
Good	110	107	104	101	98	94
Medium	107	104	101	98	94	91
Fair	104	101	98	94	91	88
Ordinary	101	98	94	91	88	85
Fortuna:						
Prime	110	107	104	101	98	95
Good	107	104	101	98	95	91
Medium	104	101	98	95	91	88
Fair	101	98	95	91	88	85
Ordinary	98	95	91	88	85	82
Lady Wright:						
Prime	105	103	100	97	94	91
Good	103	100	97	94	91	87
Medium	100	97	94	91	87	85
Fair	97	94	91	87	85	82
Ordinary	94	91	87	85	82	79
Zenith and American Pearl:						
Prime	98	95	92	90	87	84
Good	95	92	90	87	84	81
Medium	92	90	87	84	81	78
Fair	90	87	84	81	78	76
Ordinary	87	84	81	78	76	73
Early Prolific:						
Prime	95	93	90	88	85	83
Good	93	90	88	85	83	79
Medium	90	88	85	83	79	77
Fair	88	85	83	79	77	74
Ordinary	85	83	79	77	74	71

§ 233.22 *Determination of quantity of rice.* All quantity determinations shall be stated in bushels. Loans shall be made at values expressed in cents per bushel. One bushel weighs 45 pounds. One barrel weighs 162 pounds and is equivalent to 3.6 bushels. When determined by measurement, one bushel shall equal 1.25 cubic feet of rice testing 45 pounds per bushel. In determining the quantity of rice by measurement, fractional pounds of the bushel test weight for rice testing less than 45 pounds per bushel will be disregarded and the quantity determined by measurement will be the following percentages of the quantity determined for 45-pound rice:

	Percent
For rice testing 45 pounds or over	100
For rice testing 44 pounds or over, but less than 45 pounds	98
For rice testing 43 pounds or over, but less than 44 pounds	96
For rice testing 42 pounds or over, but less than 43 pounds	93
For rice testing 41 pounds or over, but less than 42 pounds	91
For rice testing 40 pounds or over, but less than 41 pounds	89

§ 233.23 *Maturity and interest rate.* Notes secured by rice stored on farms and

in public warehouses in Arkansas, Louisiana, Texas, and Missouri shall mature on demand, or June 30, 1943, whichever is earlier. All loans shall bear interest at the rate of 3 percent per annum.

§ 233.24 *The office of the regional director of Commodity Credit Corporation.* The address of the regional director of the Commodity Credit Corporation serving the States of Arkansas, Louisiana, Texas, and Missouri is the Masonic Temple Building, New Orleans, Louisiana.

SPECIAL INSTRUCTIONS APPLICABLE TO CALIFORNIA

§ 233.30 *Eligible rice.* Eligible rice shall be rice of the following varieties as described in § 233.1 (b) of these instructions: Blue Rose, Rexoro, American Pearl and Calady. However, in California, rice having a moisture content in excess of 16 percent, or which is weevily, musty, or of sample grade, shall not be eligible for a loan.

§ 233.31 *Amount of loans.* Rice of the Blue Rose, Rexoro, American Pearl, and Calady varieties produced in California, basis San Francisco, straight 50 pounds extra fancy, shall have the following loan values:

Grade and Moisture	[Cents per bushel]			
	Blue Rose	Rexoro	American Pearl	Calady
U. S. Grades #1, 2, and 3:				
Straight	105	119	107	115
Over 14½% but not more than 16% moisture	95	109		
Over 15% but not more than 16% moisture			97	105
U. S. Grade #4:				
Straight	101	115	103	111
Over 14½% but not more than 16% moisture	91	105		
Over 15% but not more than 16% moisture			93	101
U. S. Grade #5:				
Straight	96	110	98	106
Over 14½% but not more than 16% moisture	86	100		
Over 15% but not more than 16% moisture			88	96
U. S. Grade #6:				
Straight	92	106	94	10
Over 14½% but not more than 16% moisture	82	96		
Over 15% but not more than 16% moisture			84	92

A premium of three-quarters of 1 cent will be added to the loan value of any grade for each whole pound in excess of 50 pounds extra fancy. A deduction of three-quarters of 1 cent from the loan value of each grade will be made for each whole pound by which the rice falls below 50 pounds extra fancy.

§ 233.32 *Determination of quantity of rice.* All quantity determinations shall be stated in bushels. Loans shall be made at values expressed in cents per bushel. Each determination of weight and quantity shall be based on rough rice, free of dockage. One bushel weighs 45 pounds. One barrel weighs 162 pounds and is equivalent to 3.6 bushels. When determined by measurement, one bushel

shall equal 1.25 cubic feet of rice testing 45 pounds per bushel. In determining the quantity of rice by measurement, fractional pounds of the bushel test weight for rice testing less than 45 pounds per bushel will be disregarded and the quantity determined by measurement will be the following percentages of the quantity determined for 45-pound rice:

	Percent
For rice testing 45 pounds or over.....	100
For rice testing 44 pounds or over, but less than 45 pounds.....	98
For rice testing 43 pounds or over, but less than 44 pounds.....	96
For rice testing 42 pounds or over, but less than 43 pounds.....	93
For rice testing 41 pounds or over, but less than 42 pounds.....	91
For rice testing 40 pounds or over, but less than 41 pounds.....	89

§ 233.33 *Maturity and interest rate.* Notes secured by rice stored on farms and in public warehouses in California shall mature on demand, or July 31, 1943, whichever is earlier. All loans shall bear interest at the rate of 3 percent per annum.

§ 233.34 *The office of the regional director of Commodity Credit Corporation.* The address of the regional director of the Commodity Credit Corporation serving the State of California is 304 Artisans Building, 225 Southwest Broadway, Portland, Oregon.

SPECIAL INSTRUCTIONS RELATIVE TO USE OF 1941 RICE FORMS

§ 233.40 *Pending printing and distribution of 1942 rice forms, 1941 rice forms, with the modifications enumerated, shall be used.* Pending the necessity for the printing and distribution of a supply of 1942 rice forms, use shall be made of the existing supply of 1941 rice forms. The following changes shall be made on each 1941 rice form utilized in the administration of the 1942 Rice Program:

- 1941 C. C. C. Rice Form 2: Strike "1941" wherever it appears and insert "1942."
- Instructions for Filing Application for Approval of Warehouse for the Storage of Rice under the 1941 Rice Loan Program. Strike second and third sentences and the word "however" in the fourth sentence in section IV, Insurance Requirements. Strike "\$5,000" and insert "\$2,500" in fifth line of first paragraph of section II, Financial Requirements. Strike "\$2,000" and insert "\$1,000" in first line, "\$3,000" and insert "\$1,500" in second line, "\$4,000" and insert "\$2,000" in fourth line, "\$5,000" and insert "\$2,500" in sixth line, "\$50,000" and insert "\$25,000" in eighth line, on page 2.
- 1941 C. C. C. Rice Form 2a: Application for Approval of Warehouse. Strike "1941" wherever it appears and insert "1942."
- 1941 C. C. C. Rice Form 3. Strike "1941" wherever it appears and insert "1942."
- 1941 C. C. C. Rice Form 3 California Supplement 1: Supplement 1 to Rice Warehouse Agreement Under the Act (Applicable to all Warehouses in California).

ment 1 to Rice Warehouse Agreement Under the Act (Applicable to all Warehouses in California).

- 1941 C. C. C. Rice Form 3a: Warehouseman's Bond for Rice Warehouse Agreement. Strike "1941" wherever it appears and insert "1942."
- 1941 C. C. C. Rice Form A: 1941 Rice Producer's Note. Strike "1941" wherever it appears and insert "1942." Strike date "April 30, 1942" wherever it appears and insert "June 30, 1943" for Arkansas, Louisiana, Texas, and Missouri, or "July 31, 1943" for California.
- 1941 C. C. C. Rice Form AA: 1941 Chattel Mortgage. Strike "1941" wherever it appears and insert "1942."
- C. C. C. Form AB: Lien Waiver. No change.
- 1941 C. C. C. Rice Form B: 1941 Rice Producer's Note and Loan Agreement (For Rice Stored in Public Warehouse). Strike "1941" wherever it appears and insert "1942." Strike date "April 30, 1942" wherever it appears and insert "June 30, 1943" for Arkansas, Louisiana, Texas, and Missouri, or "July 31, 1943" for California.
- 1941 C. C. C. Rice Form C: 1941 Rice Cooperative Association Contract. Strike "1941" wherever it appears and insert "1942."
- Exhibit A, Schedule of Loan Rates (Based on Association Weights and Grades). New schedule issued.
- Exhibit B, Schedule of Loan Rates (Based on Official Weights and Grades). New schedule issued.
- 1942 C. C. C. Rice Form C — Supplement No. 1. New form issued.
- 1941 C. C. C. Rice Form D: 1941 Rice Cooperative Association Bond. Strike "1941" wherever it appears and insert "1942."
- 1941 C. C. C. Rice Form E: Contract to Purchase. Strike date "April 30, 1942" wherever it appears and insert "June 30, 1943." Strike date "July 31, 1942" wherever it appears and insert "July 31, 1943."
- 1941 C. C. C. Rice Form F: Schedule of Repayments of Loans. Strike "1941" wherever it appears and insert "1942."
- 1941 C. C. C. Rice Form G: Strike "1941" wherever it appears and insert "1942."

Schedule of Repayments of Association Loans.

1940 C. C. C. Form D: Lending Agency's Letter of Transmittal of Loans. No change.

No. 1—Regional Directors Instructions. Strike "1941" wherever it appears and insert "1942."

- Strike "Certificate of Insurance—Grain in Farm Storage," and "Certificate of Insurance—Grain in Public Storage," in section 2, Forms.
- Strike the last clause in paragraph 6 (a) on page 4—"and the Certificate of Insurance—Grain in Public Storage, in the case of loans on rice in public storage."
- Strike the second and third sentence in the first paragraph of section 8, Approved Loans.
- Strike the second sentence in the first paragraph and the second paragraph of section 9, Other Disbursements.
- Strike the word "Insurance" in the first line and the words "insurance companies or against" in the second line of the first paragraph of section 11, Insurance and Warehouse Claims.
- Strike all of subparagraph C, Secondary Insurance.
- No. 1 (10-22-41) —Instructions to the Custodian. Strike "1941" wherever it appears and insert "1942."
- Strike "Certificate of Insurance—Rice in Farm Storage," and "Certificate of Insurance—Rice in Public Storage," lines 6 and 7 on page 2.
- Strike words "to which shall be firmly attached the Certificate of Insurance" in third and fourth lines of paragraph 5 on page 2.
- Insert at the end of the first sentence of paragraph 3 on page 2 the following: "or is purchased from a rice cooperative association which has executed a 1942 C. C. C. Rice Form C, Supplement No. 1."
- Insert next before semicolon in line 8, paragraph 5, page 2, the following: "or with respect to which rice there has been executed a 1942 Rice Cooperative Association Contract, Supplement No. 1, (1942 C. C. C. Rice Form C, Supplement No. 1)."
- Strike date "March 1, 1942" and insert "March 1, 1943" and strike date "April 30, 1942" and insert "June 30, 1943" in paragraph 1 (a) on page 3.
- Strike date "March 1, 1942" and insert "March 1, 1943," and strike date "July 21, 1942" and insert "July 31, 1943," in paragraph 1 (b) on page 3.

1941 C. C. C. Rice Loan Procedure — Lending Agencies: Purchase of Producer's Loans.

Strike "1941" wherever it appears and insert "1942." Strike "(ii) The prescribed Certificate of Insurance—Grain in Public Storage;" in paragraph 5 (b).

Strike "(iii) The prescribed Certificate of Insurance—Grain in Public Storage" in paragraph 5 (c).

Strike "(iii) The prescribed Certificate of Insurance—Grain in Public Storage" in paragraph 7 (b).

Strike "(iv) The prescribed Certificate of Insurance—Grain in Public Storage" in paragraph 7 (c).

Dated: September 9, 1942.

[SEAL]

J. B. HUTSON,
President.

[F. R. Doc. 42-10089; Filed, October 8, 1942;
4:16 p. m.]

TITLE 7—AGRICULTURE

Chapter VII—Sugar Agency

PART 802—SUGAR DETERMINATIONS

LOUISIANA SUGARCANE; PRICES FOR 1942 CROP

Determination of fair and reasonable prices for the 1942 crop of Louisiana sugarcane for sugar, pursuant to the Sugar Act of 1937, as amended.

Whereas section 301 (d) of the Sugar Act of 1937, as amended, provides, as one of the conditions for payment to producers of sugar beets and sugarcane, as follows:

That the producer on the farm who is also, directly or indirectly, a processor of sugar beets or sugarcane, as may be determined by the Secretary, shall have paid, or contracted to pay under either purchase or toll agreements, for any sugar beets or sugarcane grown by other producers and processed by him at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due notice and opportunity for public hearing.

Whereas the Secretary of Agriculture held public hearings for the purpose of receiving evidence likely to be of assistance to him in determining fair and reasonable prices for the 1942 crop of Louisiana sugarcane for sugar:

Now, therefore, I, Grover B. Hill, Assistant Secretary of Agriculture, after investigation and consideration of the evidence obtained at the aforesaid hearings and all other information before me, do hereby make the following determination:

§ 802.221 *Louisiana sugarcane for sugar*—(a) *Fair and reasonable prices for the 1942 crop.* Fair and reasonable prices for the 1942 crop of Louisiana sugarcane shall be (when the price of 96° raw sugar, duty-paid basis, is 3.50 cents per pound) not less than \$1.00 per

ton of standard sugarcane for each 1 cent of the average price per pound of raw sugar determined in accordance with whichever of the following options is agreed upon: (1) the average of the weekly quotations of 96° raw sugar, duty-paid basis, on the Louisiana Sugar and Rice Exchange and the Cane Products Trade Association Exchange for the week in which such sugarcane is delivered; or (2) the simple average of the weekly quotations of 96° raw sugar, duty-paid basis on the Louisiana Sugar and Rice Exchange and the Cane Products Trade Association Exchange for the weeks from Friday, October 9, 1942 (or the Friday within the first marketing week of actual trading) to April 1, 1943, except that, if such quotations do not give full effect to orders or regulations of the Federal Government pertaining to the establishment of a price for 96° raw sugar, duty-paid basis, at New Orleans, Louisiana, the Chief of the Sugar Agency may substitute such prices as will give effect to any such Federal orders or regulations: *Provided, however,*

(i) That for each decline of $\frac{1}{4}$ cent in the price of 1 pound of 96° raw sugar, duty-paid basis, below 3.50 cents per pound, the price of standard sugarcane shall be reduced by not more than 3 per centum, with intervening prices in proportion, unless the price of sugar falls below 2.75 cents per pound, in which case no further reduction shall be made;

(ii) That for an advance of $\frac{1}{4}$ cent in the price of 1 pound of 96° raw sugar, duty-paid basis, above 3.50 cents per pound, the price of standard sugarcane shall be increased by not less than 3 per centum, with intervening prices in proportion, unless the price of raw sugar exceeds 3.75 cents per pound, in which case settlement shall be made on the basis of \$1.03 for each 1 cent of the price;

(iii) That the premiums paid for sugarcane of the 1942 crop containing more sucrose in the normal juice than that defined as standard sugarcane shall be not less than those paid during the 1941 crop year;

(iv) That the discounts applicable to sugarcane of the 1942 crop containing less sucrose in the normal juice than that defined as standard sugarcane shall be not greater than those applied in connection with the 1941 crop; and

(v) That, in the event any agency of the Federal Government shall, through any orders or regulations require modification of the normal marketing practices, then the price basis for settlement shall be determined by reference to the results of such orders or regulations and upon approval by the Chief of the Sugar Agency.

(b) *Definitions and general provisions.*

(1) On each ton of Louisiana sugarcane there shall be paid a molasses bonus, such bonus to be computed by taking $\frac{1}{2}$ of the excess, if any, of the average price per gallon of blackstrap molasses, as quoted by the agencies set out above for the period there specified, over 8 cents, and multiplying the product by $6\frac{1}{2}$ (a figure representing the state average recoveries of blackstrap molasses for the three-year period, 1938-1940).

(2) Deductions based upon decreased boiling house efficiency may be made for frozen sugarcane accepted by the processor (it being understood that cane shall not be considered as frozen even after being subjected to freezing temperature unless and until there is evidence of damage having taken place because of the freeze) at a rate not in excess of 3.775 per centum of the payment, computed without regard to the molasses bonus, for each 0.25 cc. of acidity above 2.25 cc. but not in excess of 4.50 cc. (analyzed in accordance with the established methods of the area, with intervening fractions computed to the nearest multiple of 0.05 cc.).

(3) Standard sugarcane shall be sugarcane containing no more sucrose in the normal juice than was defined as standard sugarcane by the processor in his sugarcane purchase contract, or contracts, verbal or written, used in the year 1941.

(4) Costs, such as hoisting and weighing of sugarcane, shall be absorbed by the processor, except in those instances in which the processor did not bear such costs in 1941; but nothing in this subparagraph shall be construed as prohibiting negotiations with respect to the level of such costs, subject, upon appeal, to review by the Secretary of Agriculture or his authorized agent, in the event of changes alleged to be unfair to either the producer or the processor.

(5) Where the only available practicable means of transportation are rail facilities and the distance to the nearest factory is in excess of 50 miles, the cost of transportation may, by mutual consent of the interested parties, and subject, upon appeal, to review by the Secretary of Agriculture or his authorized agent, be shared by the processor and the producer.

(6) The processor shall not, through any subterfuge or device whatsoever, reduce the returns from the 1942 crop of Louisiana sugarcane to the producer below those determined above. (Sec. 301, 50 Stat. 910; 7 U.S.C. 1940 ed. 1131)

Done at Washington, D. C., this 8th day of October 1942. Witness my hand and seal of the Department of Agriculture.

[SEAL]

GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 42-10113; Filed, October 9, 1942;
11:17 a. m.]

Chapter VIII—Sugar Agency

PART 802—SUGAR DETERMINATION

FAIR PRICES FOR 1942 CROP OF HAWAIIAN SUGARCANE

Determination of fair and reasonable prices for the 1942 crop of Hawaiian sugarcane, pursuant to the Sugar Act of 1937, as amended.

Pursuant to section 301 (d) of the Sugar Act of 1937, as amended, the following determination is hereby issued:

§ 802.32e *Fair prices for the 1942 crop of Hawaiian sugarcane.* The prices heretofore agreed upon for the 1942 crop of

Hawaiian sugarcane between the several processors in Hawaii and the producers of such sugarcane are fair and reasonable, and the payment of such prices shall be deemed to meet the requirements of subsection (d) of section 301 of the Sugar Act of 1937, as amended, with respect to such crop: *Provided, however*, That the processor shall not be deemed to have met such requirements if, through any subterfuge or device whatsoever, the returns from the 1942 crop of Hawaiian sugarcane to the producer are reduced below those determined above.

(Sec. 301 (d), 50 Stat. 910; 7 U.S.C. 1940 ed. 1131).

Done at Washington, D. C., this 8th day of October, 1942. Witness my hand and seal of the Department of Agriculture.

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

[F. R. Doc. 42-10086; Filed October 8, 1942; 4:16 p. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter II—Agricultural Marketing Administration

PART 204—POSTED STOCKYARDS AND LIVE POULTRY MARKETS

MONTEVIDEO LIVE STOCK SALES, INC., MONTEVIDEO, MINNESOTA

NOTICE UNDER PACKERS AND STOCKYARDS ACT¹

OCTOBER 8, 1942.

Whereas the Montevideo Live Stock Sales, Inc., was posted on December 11, 1940, as a stockyard subject to the provisions of the Packers and Stockyards Act, 1921; and

Whereas it now appears that the Montevideo Live Stock Sales, Inc., 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 Montevideo Live Stock Sales, Inc., no longer comes within the foregoing definition and the provisions of Title III of said Act.

[SEAL] THOMAS J. FLAVIN,
Assistant to the
Secretary of Agriculture.²

[F. R. Doc. 42-10087; Filed, October 8, 1942; 4:17 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Amendment 97-0]

PART 97—RULES OF PRACTICE GOVERNING SUSPENSION AND REVOCATION PROCEEDINGS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 1st day of October 1942.

¹ Modifies list posted stockyards 9 CFR 204.1.

² Acting Pursuant to Authority Delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81, 7 F.R. 2656).

Acting pursuant to sections 205 (a) and 609 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective October 1, 1942, the Civil Air Regulations are amended as follows:

By adding a new part to read as follows:

Part 97—Rules of practice governing suspension and revocation proceedings.

Sec.

- 97.10 Initiation of proceedings.
- 97.11 Filing of complaint.
- 97.12 Service of the complaint.
- 97.13 Answer.
- 97.14 Hearing; requests and designation.
- 97.15 Notice of hearing.
- 97.16 Submission without hearing or appearance.
- 97.17 Amendment of pleadings.
- 97.18 Examiner's report; exceptions; oral argument.
- 97.19 Limitation of actions.

AUTHORITY: §§ 97.10 to 97.19, inclusive, issued under sec. 205 (a), 52 Stat. 984, 49 U.S.C. Sup. V 425; sec. 609, 52 Stat. 1011, 49 U.S.C. Sup. V 559.

§ 97.10 *Initiation of proceedings.* A proceeding may be initiated by the Administrator of Civil Aeronautics by filing with the Board a complaint which shall be complete in itself so as fully to set forth the alleged violations of the Civil Air Regulations and other acts complained of. The complaint shall pray that the Board shall either suspend or revoke the respondent's certificate.

§ 97.11 *Filing of complaint.* An original and nine copies of the complaint, either printed or typewritten, shall be filed with the Board.

§ 97.12 *Service of the complaint.* When a complaint is filed, as prescribed in § 97.11, the General Counsel's Office of the Civil Aeronautics Board shall send a copy thereof, by registered mail, return receipt requested, to the respondent, together with a copy of these rules of practice. The complaint will be deemed served upon the respondent on the date specified on the post office return receipt.

§ 97.13 *Answer.* After service upon him of the complaint, the respondent shall have ten days within which to answer in writing the charges set forth therein. Such answer shall be deemed filed as of the date of mailing to the Civil Aeronautics Board. Failure to answer any of the charges within the prescribed ten-day period shall be deemed an admission of the charges not answered. Upon good cause shown, the Board may in its discretion grant additional time within which to answer.

§ 97.14 *Hearing; requests and designation.* Appropriate forms for requesting or waiving hearing shall be sent respondent with the copy of the complaint. Respondent shall have ten days from the date of service of the complaint upon him in which to request a hearing. Failure to make such request within the prescribed time shall be deemed a waiver of respondent's right to hearing.

§ 97.15 *Notice of hearing.* When a hearing has been requested, the General Counsel's Office of the Civil Aeronautics Board shall give the respondent adequate

notice of the date and place where such hearing will be held.

§ 97.16 *Submission without hearing or appearance.* Where hearing has been waived by respondent, the Board shall make its decision on the basis of whatever data is submitted to it by the complainant and the respondent.

§ 97.17 *Amendment of pleadings.* Either party to the proceeding may amend his pleadings, as of course, at any time more than five days prior to the date of hearing. After that time amendment shall be allowed at the discretion of the Board or its designated examiner.

§ 97.18 *Examiner's report; exceptions; oral argument.* After the hearing the examiner, on the basis of the evidence submitted, shall prepare a report and recommendation to the Board. The General Counsel's Office of the Civil Aeronautics Board shall serve, by registered mail, a copy of this report and recommendation upon respondent and his counsel, if any. A copy shall also be served upon complainant. The parties to the proceeding shall have five days, or such additional time as the examiner may specify, after the date of service of such report and recommendation, within which to file exceptions thereto. If either complainant or respondent desires to argue his exceptions before the Board orally, request for such argument shall be made at the time of filing the exceptions.

§ 97.19 *Limitation of actions.* The Board shall summarily dismiss any allegations in a complaint filed with it which charges a violation of the Civil Air Regulations or other act occurring more than six months prior to the date of filing the complaint, unless the complainant shall show good cause for the delay.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-10099; Filed, October 9, 1942; 9:55 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1627]

PART 330—MINIMUM PRICE SCHEDULE, DISTRICT NO. 10

ORDER AMENDING ORDER, ETC.

Memorandum opinion and order amending order granting temporary and conditionally final relief in the matter of the petition of District Board No. 10 for the establishment of a price exception for the resultant sludge coal produced by Mine Index No. 87.

In a Memorandum Opinion and Order issued September 18, 1942, 7 F. R. 7485, in the above-entitled matter the Schedules of Effective Minimum Prices for District No. 10 For All Shipments Except Truck and For Truck Shipments were amended to include the following price instruction:

At Mine Index No. 87 the resultant coal which passes through dewatering screens with openings not larger than 1 mm., or the

equivalent thereof, after the production of washed coal in other sizes, may be sold at a price not less than 75 cents per net ton; *Provided, however*, That this price shall not apply to said resultant product if it has been mechanically or thermally dried; and *Further provided*, That there shall be filed with District Board No. 10 and the Bituminous Coal Division at Washington, D. C., within 10 days after any such sale a complete description of such sale as is required by the Marketing Rules and Regulations of the Division, Order No. 313, and any other order of the Division. The filing required herein shall be in addition to that required for filing with the field office.

Upon reconsideration of the allegations of the original petition in this matter, it appears that in the normal course of the preparation at this mine, this resultant coal will pass through a centrifugal dryer which will remove a portion of its moisture. The price exception established in the Memorandum Opinion and Order issued September 18, 1942, in the above-entitled matter, inadvertently provided, however, that the effective minimum price therein established for the resultant coals of Mine Index No. 87 was not to be applicable to such coal if it had been mechanically or thermally dried. It appears appropriate, therefore, that this inadvertence should be corrected.

Now, therefore, it is ordered, That the Memorandum Opinion and Order issued September 18, 1942, 7 F.R. 7485, § 330.8 (*Price instructions and exceptions—(b) Price exceptions*) and § 330.21 (*Price instructions and exceptions—(b) Price exceptions*), in the above-entitled matter be, and the same hereby is, amended by deleting therefrom the following words: "*Provided, however*, That this price shall not apply to said resultant product if it has been mechanically or thermally dried; and *Further*."

It is further ordered, That applications to stay, terminate, or modify the temporary relief granted in the Memorandum Opinion and Order issued September 18, 1942, as amended by this Order 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 such relief as amended by this Order shall become final sixty (60) days from the date of this Order unless it shall be otherwise ordered and that jurisdiction be, and it hereby is, reserved by the Director subsequently to modify or revoke the price exception herein established.

Dated: October 7, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42-10057; Filed, October 8, 1942; 12:16 a. m.]

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control
[Amendment XLVI]

PART 804—INDIVIDUAL LICENSES

CERTIFICATES OF NECESSITY; IRON AND STEEL

Paragraph (b) of § 804.8 *Certificates of Necessity* is hereby amended in the following particulars:

1. The paragraph preceding the list of commodities that have been placed under allocation is amended to read as follows:

(b) Applications for licenses to export to the countries listed in paragraph (a) of this section commodities which have been allocated for export will not be considered unless accompanied by a Certificate of Necessity or unless there appears on the license application a statement setting forth reasons why a Certificate of Necessity was not secured, sufficient to justify the waiving of this requirement, or unless the application is in connection with a project or a mine, oil or smelting serial case: *Provided*, That it shall not be necessary to file a Certificate of Necessity covering a shipment the value of which is \$25.00 or less. The following commodities have been placed under allocation:

2. In the list of commodities that have been placed under allocation, the iron and steel items are deleted and the following substituted therefor:

Commodities	Department of Commerce Schedule B numbers		
Iron and steel:			
Pig iron-----	6007.		
In g o t s ,	6016.01,	6016.03,	6016.05,
B l o o m s ,	6016.07,	6016.09,	6017.01,
e t c .	6017.03,	6017.05,	6017.07,
	6017.09.		
Concrete re-	6022.		
in f o r c e -			
m e n t			
b a r s			
a n d			
r o d s .	6020, 6021, 6023, 6025, 6026,		
	6029.		
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	6031.98.		
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(b l a c k) .	6037.11,	6037.15,	6037.19,
	6037.51,	6037.55,	6037.59,
	6037.91,	6037.95,	6037.98,
	6038.11,	6038.15,	6038.17,
	6038.19,	6038.51,	6038.55,
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	6038.98.		
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S t r u c -	6045, 6046, 6047, 6050.		
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T u b u l a r			
p r o d u c t s :			

Commodities Department of Commerce
Schedule B numbers—Con.

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unscrewed	6068.98.		
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W e l d e d	6061, 6063, 6070, 6071, 6072,		
(steel)	6073, 6077.05.		
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S e a m l e s s	6060, 6062, 6064.		
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P i p e f i t -	6065, 6077.98.		
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Plain-----	6081, 6082.		
B a r b e d	6083.		
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Other wire	6085, 6086.1, 6086.9, 6087.1,		
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	6108.01, 6108.05.		

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

Dated: October 7, 1942.

A. N. ZIEGLER,
Acting Chief, Export Control Branch,
Office of Exports.

[F. R. Doc. 42-10098; Filed, October 9, 1942; 9:34 a. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1010—SUSPENSION ORDERS

[Suspension Order S-89]

E. T. SEGUIN

E. T. Seguin, Montpelier, Vermont, is engaged in the business of distributing gasoline to certain service stations and garages in or near Montpelier and to other smaller stations in neighboring towns. He is a supplier as defined in Limitation Order L-70.¹ Without any justification therefor E. T. Seguin made deliveries of gasoline substantially in excess of the proper quotas under Limitation Order L-70 to fifteen of these stations during April, 1942, and to twenty-six of these stations during May, 1942. Nine of these stations received over-deliveries in excess of 1,000 gallons during one or the other of these months. During this period the business was not managed by E. T. Seguin personally, but by one of his employees for whose actions he was responsible.

¹ 7 F.R. 5552, 6419.

The delivery by E. T. Seguin to these service stations of gasoline substantially in excess of their monthly quotas constituted a wilful violation of Limitation Order L-70 which has hampered and impeded the war effort of the United States. In view of the foregoing,

It is hereby ordered:

§ 1010.89 *Suspension order S-89.* (a) E. T. Seguin, his successors and assigns, shall not deliver or cause to be delivered, directly or indirectly, in any calendar month, to any of the nine service stations listed below, any motor fuel, as the same is defined in Limitation Order L-70, in excess of 25 per cent of the Normal Gallonage of such service station for such month computed in accordance with the provisions of Limitation Order L-70 without the benefit of any adjustments under paragraph (e) of that order:

Harold W. Billings, Morisville, Vermont; Charles D. Caustic, Plainfield, Vermont; Leon B. Andrus, doing business as Leon's Service Station, Johnson, Vermont; Fred T. Seguin, doing business as Seguin's Service Station, Montpelier, Vermont; Clarence E. Baker, doing business as Bakers' Filling Station, Northfield, Vermont; Mathew Bean, doing business as Bean's Service Station, Northfield, Vermont; Ned and Margaret Flint, doing business as Flint Service Station, South Barre, Vermont; George G. Manning, Randolph, Vermont; George D. Slayton, doing business as Slayton Motor Sales, Hardwick, Vermont.

(b) Nothing contained in this order shall be deemed to relieve E. T. Seguin 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 in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall remain in effect during the calendar months of October, November, and December, 1942.

(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 8th day of October 1942.

ERNEST KANZLER,

Director General for Operations.

[F. R. Doc. 42-10078; Filed, October 8, 1942; 3:35 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-111]

CURTIS EQUIPMENT CORPORATION

Curtis Equipment Corporation, 419 Lafayette Street, New York, New York, is a manufacturer of kitchen and restaurant equipment. In connection with such manufacture the company uses chrome steel, the use and delivery of which is restricted by Supplementary Order M-21-d.¹ On or about March 9,

1942, an unrated purchase order was placed with the company for certain restaurant equipment. The company immediately began to fabricate chrome steel to fill this order and shortly thereafter filed an application with the War Production Board for the issuance of a preference rating in connection therewith. Despite the fact that the company was familiar with the restrictions contained in Supplementary Order M-21-d, it completed the manufacture of the restaurant equipment which had been ordered, using therefor approximately 750 pounds of chrome steel in wilful violation of the order.

This violation of Supplementary Order M-21-d committed by Curtis Equipment Corporation has hampered and impeded the war effort of the United States by diverting chrome steel to uses unauthorized by the War Production Board. In view of the foregoing facts, *It is hereby ordered that:*

§ 1010.111 *Suspension Order S-111.* (a) Deliveries of material to Curtis Equipment Corporation, its successors and assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(b) No allocation shall be made to Curtis Equipment Corporation, its successors and assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) Curtis Equipment Corporation, its successors and assigns, shall accept no deliveries from any source of corrosion- or heat-resistant alloy iron or alloy steel containing 4 percent or more of chromium, except as specifically authorized by the Director General for Operations.

(d) Curtis Equipment Corporation, its successors and assigns, shall not process, fabricate, assemble, or in any way use corrosion- or heat-resistant alloy iron or alloy steel containing 4 percent or more of chromium, except as specifically authorized by the Director General for Operations.

(e) Nothing contained herein shall be deemed to relieve Curtis Equipment Corporation, its successors and assigns, 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 in so far as the same may be inconsistent with the provisions hereof.

(f) This order shall take effect on October 10, 1942 and remain in effect until January 10, 1943, at which time the restrictions contained in this order shall be of no further effect.

(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 8th day of October 1942.

ERNEST KANZLER,

Director General for Operations.

[F. R. Doc. 42-10079; Filed, October 8, 1942; 3:35 p. m.]

Chapter XI—Office of Price Administration

PART 1384—HARDWOOD LUMBER PRODUCTS
[Amendment 2 to Maximum Price Regulation 196¹]

TURNED OR SHAPED WOOD PRODUCTS

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.*

A last sentence is added to subparagraph (5) of paragraph (b) of § 1384.51 as set forth below:

§ 1384.51 *Definition of "turned or shaped wood products".* * * *

(b) * * *

(5) * * * Furthermore, (notwithstanding the first sentence of this subdivision of paragraph (b)) the term "shaped wood product" includes wood soles and lasts, however made, and regardless of whether the soles or lasts consist exclusively of wooden parts or of wooden parts assembled with other parts.

§ 1384.70 *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§ 1384.51 (b) (5)) to Maximum Price Regulation No. 196 shall become effective October 14, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 8th day of October 1942.

LEON HENDERSON,

Administrator.

[F. R. Doc. 42-10076; Filed, October 8, 1942; 12:33 p. m.]

PART 1389—APPAREL

[Amendment 2 to Maximum Price Regulation 178²]

WOMEN'S FUR GARMENTS

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.*

Section 1389.152 is amended; new § 1389.152a is added; in § 1389.153, paragraph (a) is amended, and paragraph (d) is revoked, and in paragraph (e) reference to paragraph (d) is deleted; § 1389.154 is amended; in § 1389.165 in

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

¹ 7 F.R. 6078, 7254.

² 7 F.R. 5277, 6771.

paragraph (a) subparagraphs (1), (3), (8), (11), and (15) are amended and in subparagraph (9), subdivision (i) is amended, and in § 1389.166a a new paragraph (b) is added, as set forth below.

§ 1389.152 *Maximum prices for sales of women's fur garments by retailers and manufacturing retailers.* Maximum prices for sales of any women's fur garments by retailers and manufacturing retailers, except as provided in paragraphs (c) and (d) of this section shall be:

(a) *As to a category of garment delivered or offered for sale during the applicable base period,* the sum of (1) the cost to the seller of the garment being priced, and (2) the seller's initial percentage markup over cost on the same classification of garment of the same kind of skin during the applicable base period: *Provided,* That the maximum price established under this paragraph shall not be higher than the highest price charged by the seller for the same category of garment, during the applicable base period, if he delivered a garment of the same category; or if he did not deliver a garment of the same category, than the highest initial offering price at which he offered for sale a garment of the same category during the applicable base period.

(3) The "highest initial offering price" for a retailer shall be considered the highest price at which a retailer first offered for sale, during the applicable base period, a garment which was in his selling establishment. As to a manufacturing retailer, it shall be considered the highest price at which he first offered for sale, during the applicable base period, a garment which was completely manufactured.

(b) *As to a category of garment not delivered or offered for sale during the applicable base period,* the sum of (1) the cost to the seller of the garment being priced, and (2) the seller's lowest initial percentage markup over cost, which he has established pursuant to paragraph (a) of this section, on garments of the same classification as the garment being priced; or if he did not establish an initial percentage markup on a garment of the same classification, then the lowest initial percentage markup over cost, which he has established pursuant to paragraph (a) of this section, on any classification of garment of any kind of skin: *Provided,* That the maximum price established under this paragraph shall not be higher than the highest price charged by the seller for any women's fur garment delivered during the applicable base period.

(c) *Sales to retailers and wholesalers.* The maximum price for the sale of any women's fur garment by a retailer to a wholesaler or other retailer shall be the cost to the seller of the garment being priced.

(d) *Special pricing of garments purchased before July 10, 1942.* Any retailer who had unconditionally purchased any women's fur garments on or before July 10, 1942, or any manufacturing retailer who had completely manufactured a women's fur garment on or before July

10, 1942, may sell, deliver and offer for sale such women's fur garments at a maximum price determined by adding the cost to the seller of the garment being priced to the seller's initial percentage markup over cost on that classification of garment and kind of skin on which he has established the lowest initial percentage markup under paragraph (a) hereof: *Provided,* That before offering any such women's fur garments for sale, he shall file under oath or affirmation with the appropriate district, state or regional office of the Office of Price Administration, a statement setting forth the following:

(1) The name and address of the seller,

(2) The number and description of such women's fur garments, and the name of the supplier of each garment,

(3) Date of purchase of each garment,

(4) Cost to the seller of each garment,

(5) A description of the classification of garment and kind of skin on which the seller had the lowest initial percentage markup over cost during the base period, the amount of such markup, and

(6) The selling price of each garment.

(e) *Fur coats with muslin patterns.* Upon the sale of a women's fur coat where a muslin pattern is required and is made especially for the purchaser at his request, a manufacturing retailer may add an amount not exceeding \$15.00 to the maximum price established pursuant to this section.

— § 1389.152a *Maximum prices for sales of women's fur garments by wholesalers.* Maximum prices for sales of women's fur garments by wholesalers shall be:

(a) *As to a category of garment delivered or offered for sale during the applicable base period,* the sum of (1) the cost to the seller of the garment being priced, and (2) the seller's initial percentage markup over cost on the same classification of garment of the same kind of skin during the applicable base period: *Provided,* That the maximum price established under this paragraph shall not be higher than the highest price charged by the seller for the same category of garment during the applicable base period, if he delivered a garment of the same category; or if he did not deliver a garment of the same category, then the highest initial offering price at which he offered for sale a garment of the same category during the applicable base period.

(3) The "highest initial offering price" for a wholesaler shall be considered the highest price at which he first offered for sale, during the applicable base period, a garment which was in his possession.

(b) *As to a category of garment not delivered or offered for sale during the applicable base period,* the sum of (1) the cost to the seller of the garment being priced; and (2) the seller's lowest initial percentage markup over cost, which he has established pursuant to paragraph (a) of this section, on garments of the same classification as the garment being priced; or if he did not establish an initial percentage markup on a garment of the same classification, then the lowest

initial percentage markup over cost, which he established pursuant to paragraph (a) of this section, on any classification of garment of any kind of skin: *Provided,* That the maximum price established under this paragraph shall not be higher than the highest price charged by the seller for any women's fur garment delivered during the applicable base period.

(c) *Sales to other wholesalers.* The maximum price for the sale of any women's fur garment by a wholesaler to another wholesaler shall be the cost to the seller of the garment being priced.

(d) *Special pricing of garments purchased before July 10, 1942.* Any wholesaler who had unconditionally purchased any women's fur garments on or before July 10, 1942, may sell, deliver and offer for sale such women's fur garments at a maximum price determined by adding the cost to the seller of the garment being priced, to the seller's initial percentage markup over cost on that classification of garment and kind of skin, on which he has established the lowest initial percentage markup under paragraph (a) hereof: *Provided,* That before offering any such women's fur garments for sale, he shall file under oath or affirmation with the appropriate district, state or regional office of the Office of Price Administration, a statement setting forth the following:

(1) The name and address of the seller,

(2) The number and description of such women's fur garments, and the name of the supplier of each garment,

(3) Date of purchase of each garment,

(4) Cost to the seller of each garment,

(5) A description of the classification of garment and kind of skin on which the seller had the lowest initial percentage markup over cost during the base period, the amount of such markup, and

(6) The selling price of each garment.

§ 1389.153 *Maximum prices for sales of women's fur garments by manufacturers.* Except as provided in paragraph (b) of this section the maximum price for the sale of any women's fur garment by a manufacturer shall be:

(a) *On sales to wholesalers and retailers,* (1) of the same category of fur garments delivered to wholesalers and retailers during the applicable base period, the sum of (i) the direct cost of garment to manufacturer, and (ii) the same percentage margin over cost received by the manufacturer upon the sale of the same classification of women's fur garment of the same kind of skin which was delivered to wholesalers and retailers during the applicable base period: *Provided,* That the maximum price established under this paragraph shall not be higher than the highest price charged by the seller for the same category of women's fur garment delivered during the applicable base period to wholesalers and retailers.

(2) *Of a category of garment not delivered during the applicable base period to wholesalers and retailers,* the sum of (i) the direct cost of garment to manufacturer, and (ii) the seller's lowest percentage margin over cost, which he has established pursuant to subparagraph

(1) of this paragraph, on garments of the same classification as the garment being priced; or if he did not establish a percentage margin over cost on a garment of the same classification, then the lowest initial percentage margin over cost, which he has established pursuant to subparagraph (1) of this paragraph, on any classification of garment of any kind of skin; *Provided*, That the maximum price established under this paragraph shall not be higher than the highest price charged by the seller for any women's fur garment delivered during the applicable base period.

§ 1389.154 *Maximum prices for sales of women's fur garments which cannot otherwise be priced*—(a) *By retailers and manufacturing retailers who did not sell women's fur garments during the applicable base period.* The maximum prices for sales of women's fur garments by retailers and manufacturing retailers who did not sell women's fur garments during the applicable base period shall be a price determined by the seller after specific authorization by the Office of Price Administration, as follows:

A retailer or a manufacturing retailer, who did not sell women's fur garments prior to January 1, 1942, or who has since January 1, 1942, but prior to July 10, 1942, substantially expanded his establishment selling at retail, shall file in duplicate an application under oath or affirmation with the appropriate district, state or regional office of the Office of Price Administration setting forth the following:

(1) A description of each garment for which a maximum price is sought, and its cost to the seller;

(2) The name and address of one of his most closely competitive sellers of the same class;

(3) For each garment, the maximum price established by such competitor for the same garment or the similar garment most nearly like it of the same category; and

(4) Such other information as the Office of Price Administration may deem necessary.

If such authorization be given, it will be accompanied by instructions as to the method of determining the maximum price. Within ten days after such price has been determined, the seller shall report such price to the Office of Price Administration upon a form duly filled out under oath or affirmation which will be furnished to him. The price so reported shall be subject to adjustment by the Office of Price Administration.

(b) *By wholesalers who did not sell women's fur garments during the applicable base period.* (1) No wholesaler who did not sell women's fur garments during the applicable base period shall transfer or deliver a women's fur garment until he shall have first received a notification in writing from the Office of Price Administration of the receipt by it of the statement in proper form, which is required to be filed by subparagraph (3) of this paragraph.

(2) The maximum price for the sale of a women's fur garment by such a wholesaler shall be the cost to the seller of the garment being priced plus a per-

centage markup, which in light of competitive conditions, shall be in line with the markups generally received by wholesalers similarly situated for similar types of garments.

(3) The seller shall file under oath or affirmation with the appropriate district, state or regional office of the Office of Price Administration three copies of a statement setting forth the following:

(i) A complete description of the fur garments to be priced, showing the classification of garment, kind of skin, geographical origin of fur, size range, parts of skin used, and methods of manufacture;

(ii) The cost to the seller of the garments being priced;

(iii) The seller's initial percentage markups; and

(iv) The seller's maximum prices.

The price so reported shall be subject to adjustment at any time by the Office of Price Administration.

(c) *By manufacturers who did not sell women's fur garments during the applicable base period.* (1) No manufacturer who did not sell women's fur garments during the applicable base period shall transfer or deliver any women's fur garment until he shall have first received a notification in writing from the Office of Price Administration of the receipt by it of the statement in proper form, which is required to be filed by subdivision (3) of this subparagraph.

(2) The maximum price for the sale of a woman's fur garment by such a manufacturer shall be the direct cost of garment to manufacture plus the percentage margin over cost, which in light of competitive conditions, shall be in line with the margins generally received by other manufacturers similarly situated for similar types of garments.

(3) The seller shall file under oath or affirmation with the appropriate district, state or regional office of the Office of Price Administration three copies of a statement setting forth the following:

(i) A complete description of the fur garments to be priced, showing the classification of garment, kind of skin, geographical origin of fur, size range, parts of skin used, and methods of manufacture;

(ii) The direct cost of garments to manufacturer;

(iii) The seller's percentage margins over cost; and

(iv) The seller's maximum prices.

The prices so reported shall be subject to adjustment at any time by the Office of Price Administration.

(d) *By all other sellers.* Any other seller who cannot establish his maximum prices pursuant to §§ 1389.152, 1389.152a or 1389.153 shall determine his maximum prices after specific authorization from the Office of Price Administration by filing in Washington, D. C., an application setting forth:

(1) A description in detail of the commodity for which the maximum price is sought;

(2) A statement of the reasons why he cannot otherwise price this garment; and

(3) Such other information as the office of Price Administration may deem necessary.

If such authorization be given, it will be accompanied by instructions as to the method of determining the maximum price. Within ten days after such price has been determined, the seller shall report such price to the Office of Price Administration upon a form duly filled out and filed under oath or affirmation, which will be furnished him. The price so reported shall be subject to adjustment by the Office of Price Administration.

§ 1389.165 *Definitions.* (a) * * *

(1) "Women's fur garments" shall include all women's and misses' fur jackets, strollers, coats, capes, wraps, muffs, scarfs, stolls and hats.

(3) "Category of women's fur garment" means each different type within each classification of women's fur garment, as defined in subparagraph (2), for which the seller has customarily recognized price differentials based on such factors as the following:

(i) "Kind of skin," which means the animal from which the pelt was taken; e. g., rabbit, muskrat, mink, beaver, red fox, silver fox, etc.;

(ii) Geographical differences in origin of fur; e. g., southern muskrats, Michigan muskrats, etc.;

(iii) Size ranges, as enumerated in Appendix A, § 1389.167;

(iv) Parts of skin used; e. g., bellies, backs, paws, tails, pieces, etc.;

(v) Methods of manufacturing; e. g., "let out" skin-to-skin, plates, etc.

(8) "Cost to the seller of the garment" means as to wholesalers and retailers, the price paid by the seller for the women's fur garment, but which shall in no event be higher than the maximum price to be charged under this Maximum Price Regulation No. 178 or any other price regulation which may hereafter be issued; as to manufacturing retailers, it means "direct cost of the garment to the manufacturer" as defined in subdivision (12) of this paragraph.

(9) * * * (i) From the total of all the selling prices at which each separate purchase of each classification of garment of each kind of skin which was put on sale for the first time during the applicable base period, there shall be subtracted * * *

(11) "Applicable base period" shall mean as to manufacturers and wholesalers, June, July and August, 1941, inclusive, and as to retailers and manufacturing retailers, July to December, 1941, inclusive.

(15) "Seller" means a seller of women's fur garments. Where a seller makes sales through more than one selling department or unit, other than by salesmen making sales at uniform prices, each separate unit or place of business shall be deemed to be a separate seller, except that for purposes of the registration and licensing provisions of § 1389.158 (c), the

owner of the business shall be considered the seller regardless of the number of separate departments, units or places of business. For the purposes of this Regulation where a seller during his last selling season made sales through separate departments or separate units, each separate department and each separate unit or place of business shall be deemed to be a separate seller.

§ 1389.166a *Effective dates of amendments.* * * *

(b) Amendment No. 2, (§§ 1389.152, 1389.152a, 1389.153 (a), (d) and (e), 1389.154, 1389.165a (1), (3), (8), (9) (1), (11) and (15), and 1389.166a (b)) to Maximum Price Regulation No. 178 shall become effective October 10, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 8th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10059; Filed, October 8, 1942; 12:26 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 64 Under § 1499.18 (c) of the General Maximum Price Regulation]

ARTHUR E. DIETZ

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.914 *Adjustment of maximum prices for staves for swiss cheese tubs sold by Arthur E. Dietz, North Freedom, Wisconsin.* (a) Arthur E. Dietz of North Freedom, Sauk County, Wisconsin, may sell and deliver, and any person may buy and receive from said Arthur E. Dietz, staves, 9/16" in thickness and 36" in length, for swiss cheese tubs at a price not in excess of \$26.00 per 1,000 feet surface measure, delivered within the state of Wisconsin.

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 64 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 64 (§ 1499.914) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 64 (§ 1499.914) shall become effective October 9, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 8th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10058; Filed, October 8, 1942; 12:21 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 88 Under § 1499.3 (b) of the General Maximum Price Regulation]

WEYERHAEUSER SALES COMPANY

The Weyerhaeuser Sales Company of Saint Paul, Minnesota, made application under § 1499.3 (b) of the General Maximum Price Regulation for determination of maximum prices for a new product designated as "Non-climbable Wooden Fences". 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, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1 issued by the Office of Price Administration, *It is ordered:*

§ 1499.952 *Temporary approval of maximum prices for sale by Weyerhaeuser Sales Company of Non-climbable Wooden Fences.* (a) On and after October 9, 1942, and for a period of 60 days thereafter, the maximum prices f. o. b. mill, at which the Weyerhaeuser Sales Company of Saint Paul, Minnesota, may sell Non-climbable Wooden Fences, in any quantity, constructed according to the specifications set forth herein, shall be as follows:

Non-climbable Wooden Fences

(1) *Specifications.* 4" x 6" roofed posts, 1½" x 1½" square pointed pickets, 2" x 4" dadoed rails, and 1" x 3" mortise strips. All parts to be cut to exact length and fitted to permit rapid assembly. Parts are to be bundled separately in units containing the number of pieces of each part required for a 10' section. Rails and pickets are to be made from No. 1 Common Douglas fir; mortise strips from B and Better flat grain Douglas fir finish.

(2) *Prices.*

	<i>Per lineal foot</i>
10' long x 8' high.....	\$1.04
10' long x 7' high.....	1.00
10' long x 6' high (without extension arm).....	.77

(b) If, before the expiration of the 60 day period specified in paragraph (a), the Weyerhaeuser Sales Company submits to the Office of Price Administration complete reports on costs and profits in connection with a sale of 5,000 ft. or more of Non-climbable Wooden Fences, the prices set forth in paragraph (a) shall continue to be applicable until such time as the Office of Price Administration withdraws its approval or establishes different prices.

(c) This Order No. 88 may be revoked or amended at any time.

(d) This Order No. 88 (§ 1499.952) shall become effective October 9, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 8th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10077; Filed, October 8, 1942; 12:21 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[Maximum Price Regulation 239]

LAMB CARCASSES AND WHOLESALE AND RETAIL CUTS

In the judgment of the Price Administrator, it is necessary and proper, in order to effectuate the purposes of the Emergency Price Control Act of 1942, the Act of October 2, 1942, entitled "An Act to Amend the Emergency Price Control Act of 1942, to Aid in Preventing Inflation, and for Other Purposes," and the Executive Order No. 9250 issued by the President on October 3, 1942 pursuant thereto, to maintain as the maximum prices for lamb carcasses and wholesale and retail lamb cuts the prices prevailing with respect thereto during the period July 27, 1942, to July 31, 1942, inclusive. The Price Administrator has ascertained and given due consideration to the prices of lamb carcasses and wholesale and retail cuts of lamb between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Acts and order. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The maximum prices established herein are not below prices which will reflect to producers of lamb prices for their products equal to the highest of the prices required by the provisions of the Emergency Price Control Act of 1942, the Act of October 2, 1942, and by the Executive Order of October 3, 1942.

Therefore, under the authority vested in the Price Administrator by the Acts and Executive Order above referred to,

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

and in accordance with Procedural Regulation No. 1, issued by the Office of Price Administration, Maximum Price Regulation No. 239 is hereby issued.

Sec.

- 1364.151 Prohibition against dealing in lamb at prices above the maximum.
 1364.152 Maximum prices for lamb.
 1364.153 Exempt sales.
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 1364.164 Revocation of Temporary Maximum Price Regulation No. 20.
 1364.165 Effective date.

AUTHORITY: §§ 1364.151 to 1364.165, inclusive, issued under Pub. Laws 421, 729, 77th Cong., and E.O. 9250; 7 F.R. 7871.

§ 1364.151 *Prohibition against dealing in lamb at prices above the maximum.* On and after October 8, 1942, regardless of any contract, agreement, or other obligation, no person shall sell or deliver any lamb carcass or wholesale cut or retail cut of lamb, and no person in the course of trade or business shall buy or receive any lamb carcass or wholesale cut or retail cut of lamb at a price higher than the maximum price permitted by § 1364.152; and no person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1364.152 *Maximum prices for lamb.* (a) The seller's maximum price for lamb carcasses and for any wholesale cut or retail cut of lamb shall be the highest price charged by the seller to a purchaser of the same class during the period July 27, 1942, to July 31, 1942, inclusive, for such lamb carcasses or for such wholesale cut or retail cut of lamb.

(b) Where a seller, during the period July 27, 1942, to July 31, 1942, inclusive, did not deal in lamb carcasses or in a wholesale cut or retail cut of lamb, the seller's maximum price for lamb carcasses or for such wholesale cut or retail cut of lamb shall be the highest price charged during the period July 27, 1942 to July 31, 1942, inclusive, by the most closely competitive seller to a purchaser of the same class for lamb carcasses or for such wholesale cut or retail cut of lamb.

§ 1364.153 *Exempt sales.* This Maximum Price Regulation No. 239 shall not apply to the following sales or deliveries:

(a) By a farmer, of carcasses or wholesale or retail cuts from lamb grown and processed on his farm if the total of such sales or deliveries together with sales or deliveries of all other commodities so grown and processed does not exceed \$75 in any one calendar month:

(b) By hotels, restaurants, cafes, or other similar establishments, of lamb prepared and sold for consumption on the premises.

§ 1364.154 *Less than maximum prices.* Lower prices than those set forth in § 1364.152 may be charged, demanded, paid, or offered.

§ 1364.155 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 239 shall not be evaded, whether by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to lamb, alone or in conjunction with any other commodity, or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or by changing the selection or grading or the style of cutting, trimming, cooking, or otherwise processing or the canning, wrapping, or packaging of lamb.

§ 1364.156 *Conditional agreements.* No seller of lamb shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices provided by § 1364.152, in the event that this Maximum Price Regulation No. 239 is amended or is determined by a court to be invalid or upon any other contingency: *Provided*, That if a petition for amendment has been duly filed, and such petition requires extensive consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment. Requests for such an exception may be included in the aforesaid petition for amendment.

§ 1364.157 *Sales for export.* The maximum price at which a person may export lamb shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation¹ issued by the Office of Price Administration.

§ 1364.158 *Records and reports.* (a) As to all sales not specifically exempted by other sections of this Maximum Price Regulation No. 239 every person selling lamb carcasses or wholesale or retail cuts of lamb shall preserve for examination by the Office of Price Administration all his existing records relating to the prices which he charged for lamb carcasses or such wholesale cuts or retail cuts of lamb as he delivered or supplied during the period July 27, 1942, to July 31, 1942, inclusive, and his offering prices for delivery or supply of lamb carcasses and wholesale cuts or retail cuts of lamb during such period; and shall keep for examination by any person during ordinary business hours a statement showing (1) the highest prices charged for lamb carcasses and for such wholesale cuts or retail cuts of lamb as he delivered or supplied during the period July 27, 1942, to July 31, 1942, inclusive, and his offering prices for delivery or supply of lamb carcasses and of wholesale cuts or retail cuts of lamb during such period together with an appropriate identifica-

tion of each such wholesale cut or retail cut of lamb; and (2) all his customary allowances, discounts, and other price differentials.

(b) Every person selling lamb carcasses or wholesale cuts or retail cuts of lamb, as to all sales not specifically exempted by other sections of this Maximum Price Regulation No. 239, shall keep and make available for examination by the Office of Price Administration records of the same kind as he has customarily kept, relating to the prices which he charges for lamb carcasses and wholesale cuts or retail cuts of lamb; and, in addition, records showing, as precisely as possible, the basis upon which he determined maximum prices.

(c) Such persons shall submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraphs (a) and (b) of this section as the Office of Price Administration may from time to time require.

§ 1364.159 *Enforcement and licensing.* (a) Persons violating any provisions of this Maximum Price Regulation No. 239 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) The provisions of Supplementary Order No. 14, licensing sellers of meat and meat products are applicable to every seller of lamb carcasses or wholesale or retail cuts for which maximum prices are established by Maximum Price Regulation No. 239. The term "seller" shall have the meaning given to it by Supplementary Order No. 14.

§ 1364.160 *Petitions for amendment.* Persons seeking modification of any provision of this Maximum Price Regulation No. 239 or an adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1364.161 *Definitions.* (a) When used in this Maximum Price Regulation No. 239 the term:

(1) "Person" means individual, corporation, partnership, association, car route, packer's branch house, or other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof or any other government, or any of its political subdivisions, or any agencies of any of the foregoing;

(2) "Lamb" means the whole or any portion of the carcass of the young animals of the genus *Ovis* approximately a year old or less, as ascertained by the objective tests commonly recognized in the meat packing industry, and specifically by the "break joint" and by bone and flesh coloration;

(3) "Wholesale cut or retail cut of lamb" means all cuts derived from the carcass of the lamb, excluding the offal and other items covered by the General

¹ 7 F.R. 971, 3663, 6967.

² 7 F.R. 5059, 7242.

Maximum Price Regulation³ and including but not limited to the following:

(i) Legs, loins, ribs, breasts, shoulders, necks, racks, hotel racks, fore saddles, hind saddles, kosher fores, steaks, rib chops, loin chops, shoulder chops, crown roasts, rolled roasts, including all combinations of such cuts and all cuts or trimmings derived from such cuts or from the lamb carcass.

(ii) Rough or trimmed, bone in or boneless, whole, sliced, or ground.

(iii) Fresh or frozen, cooked, dried, or canned.

(iv) Loose, wrapped or packed.

Cuts of each brand or grade, if customarily priced separately, shall be considered separate wholesale or retail cuts of lamb, except that fresh and frozen cuts shall not be considered separate wholesale or retail cuts of lamb.

(4) "Highest price charged during the period July 27, 1942 to July 31, 1942, inclusive" means the highest price which the seller charged for each grade of lamb carcass and for each wholesale cut or retail cut of lamb delivered by him during the period July 27, 1942, to July 31, 1942, inclusive, or, if the seller made no such delivery during the period, his highest offering price for delivery during that period. No seller shall change his customary allowances, discounts or other price differentials unless such change results in a lower price. The "highest price charged" shall be a price charged during the period July 27, 1942, to July 31, 1942, inclusive, to a purchaser of the same class. No seller shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery or supply of any commodity or service than the seller required purchasers of the same class to pay during the period July 27, 1942, to July 31, 1942, inclusive, on deliveries of lamb.

(5) "Purchaser of the same class" refers to the practice followed by the seller in the ninety-day period preceding August 10, 1942, in setting different prices for sales to different purchasers or kinds of purchasers (for example, but not limited to, wholesaler, jobber, retailer, government agency, public institution, individual consumer or any ordinarily recognized subgroup or combination of the foregoing) or for purchasers located in different areas or for different quantities or under different conditions of sale.

(6) "Sales at retail" means sales to the ultimate consumer; *Provided*, That no wholesaler, processor, packer, slaughterer, purchaser for resale, commercial user or government agency, shall be deemed to be an ultimate consumer, except that a sale to a purveyor of meals, by a person regularly and generally en-

³ 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6794, 6615, 6939, 7093, 7322, 7454, 7758, 7913.

gaged in selling at retail, made on usual retail terms, shall be regarded as a sale at retail.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in § 1499.20⁴ of the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

§ 1364.162 *Notification to retailers of maximum prices.* Whenever any person sells any lamb carcass or wholesale cut or retail cut of lamb to any person engaged in selling lamb at retail the seller shall deliver to the purchaser, together with the invoice, sales slip, or other memorandum of the sale, or, if there be no such memorandum, together with the meat, a written or printed statement in the following form and words:

NOTICE TO RETAILERS OF MAXIMUM PRICE
FOR LAMB

Pursuant to the provisions of Maximum Price Regulation No. 239 issued by the Office of Price Administration, it is unlawful for any person to charge or receive for any cut of lamb a price higher than the highest price at which that person sold the same kind of cut, to a purchaser of the same class, during the period July 27 to July 31, 1942, inclusive.

Provided, That if a seller has delivered the foregoing statement to the same retailer in connection with two separate and distinct sales the seller shall not be required to furnish the statement in connection with any subsequent sales to the same purchaser.

§ 1364.163 *Standard of interpretation.* Every provision of this Maximum Price Regulation No. 239 is to be understood and will be interpreted consistently with the provisions of the regulation as a whole, and, unless the context otherwise requires, with the corresponding and related provisions of the General Maximum Price Regulation and in such a manner as to effectuate the purposes of the Emergency Price Control Act of 1942.

§ 1364.164 *Revocation of Temporary Maximum Price Regulation No. 20.* Temporary Maximum Price Regulation No. 20 (§§ 1364.151 to 1364.165, inclusive) which was issued August 1, 1942, and which was to expire at 12 o'clock midnight on October 8, 1942, is hereby revoked and is replaced by this Maximum Price Regulation No. 239.

§ 1364.165 *Effective date.* Maximum Price Regulation No. 239 (§§ 1364.151 to 1364.165, inclusive), shall become effective October 8, 1942.

Issued this 8th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10080; Filed, October 8, 1942;
3:19 p. m.]

⁴ 7 F.R. 3156.

PART 1499—COMMODITIES AND SERVICES

[Amendment 31 to Supplementary Regulation 1¹ of General Maximum Price Regulation²]

WASTE MATERIALS IN WOOD DISTILLATION

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

Section 1499.26 (b) (5) is amended to read as follows:

§ 1499.26 *Exceptions for certain commodities and certain sales and deliveries.* * * *

(b) * * *

(5) Sales and deliveries for use as raw materials in wood distillation of saw or veneer mill wood wastes including, but not limited to, slabs, edgings, veneer log ends and cores, and ground wood: *Provided, however*, That no petitions for increases in maximum prices of the products manufactured from the above raw materials will be granted to the extent that such petitions are based on increases in prices of such raw materials above March, 1942, levels.

(e) *Effective dates.* * * *

(32) Amendment No. 31 (§ 1499.26 (b) (5)) to supplementary Regulation No. 1 shall become effective this 13th day of October 1942.

(Pub. Law 421, 77th Cong.)

Issued this 8th day of October 1942.

LEON HENDERSON,
Administrator.

[F.R. Doc. 42-10082; Filed, October 8, 1942;
3:21 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 11 to Revised Supplementary Regulation 4² of General Maximum Price Regulation¹]

INTERNATIONAL PAYROLL MACHINE CO.

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

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

¹ F.R. 3158, 3488, 3893, 4183, 4410, 4428, 4487, 4488, 4493, 4669, 5066, 5192, 5276, 5366, 5484, 5607, 5717, 5942, 6082, 6473, 6685, 7011, 7250, 7317, 7598, 7604, 7739.

² 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5783, 5784, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758.

³ 7 F.R. 5056, 5089, 5566, 6082, 6084, 6426, 6744, 6793, 7175, 7538.

⁴ 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 7093, 7322, 7454, 5192, 5365, 5445, 5565, 5484, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758.

Items may be charged:

Subparagraph (17) of § 1499.29 (a) is amended to read 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.* (a) General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities or in the following transactions:

(17) Deliveries prior to January 1, 1943, pursuant to sales, to the United States or any agency thereof, of the standard Model F-4 payroll machine manufactured by the International Payroll Machine Company of Reading, Pennsylvania,

(i) The provisions of this subparagraph may be amended or revoked by the Price Administrator at any time.

(d) *Effective date.* * * *

(12) Amendment No. 11 (§ 1499.29 (a) (17)) to Revised Supplementary Regulation No. 4 shall become effective October 14, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 8th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10084; Filed, October 8, 1942; 3:21 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 1 to Order 12 Under § 1499.3 (b) of General Maximum Price Regulation—Docket 5089-3-A]

DEFENDER MANUFACTURING COMPANY

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.3 (b) of the General Maximum Price Regulation, the table set forth in Order No. 12, § 1499.49 (a) is amended in part, and three new paragraphs (d), (e), (f) and (g) are added to § 1499.49, as follows:

§ 1499.49 *Maximum prices for the sale of bed linens by Defender Manufacturing Company—(a)* * * *

Type and style	Size (inch)	Price per doz.	Boxed sets		
			1 sheet and 2 pillow cases	2 sheets and 2 pillow cases	2 pillow cases
.....
Type 128: La Mode.....	90 x 108	20.54	2.72	.....	.....
1272.....	.....	.....	.....	.....	.....
1226.....	.....	.....	.....	.....	.....

(d) Defender Manufacturing Company may sell and deliver and agree, offer,

solicit or attempt to sell and deliver the following types of bed linens at prices no higher than those set forth below: *Provided*, That such sales of the following types are in broken cases of less than 20 dozen sheets and 50 dozen pillow cases, and 20 dozen Bolster cases.

All prices are f. o. b. seller's plant and shall be subject to such terms as were granted to purchasers during the last calendar month prior to March 1942 in which Defender Manufacturing Company freely offered goods for sale.

Item	Maximum prices, plain hemmed (dollars per dozen)
Type 128: Sheets.....	90/108 18.09
	90/99 16.71
	90/90 15.31
	81/108 16.41
	81/99 15.15
	81/90 13.90
	72/108 14.87
	72/99 13.74
	72/90 12.60
	63/108 13.64
	63/99 12.60
	63/90 11.59
	54/99 11.42
	54/90 10.50
Pillow cases.....	45/38½ 3.87
	45/36 3.67
	42/38½ 3.55
	42/36 3.38
Bolsters.....	45/72 7.90
	42/72 6.75
Type 140: Sheets.....	90/108 21.73
	90/99 20.03
	90/90 18.36
	81/108 20.06
	81/99 18.51
	81/90 16.96
	72/108 18.36
	72/99 16.95
	72/90 15.53
	63/108 16.78
	63/99 15.49
	63/90 14.21
	54/99 13.96
	54/90 12.81
Pillow cases.....	45/38½ 4.61
	45/36 4.41
	42/38½ 4.33
	42/36 4.11
Bolsters.....	45/72 8.75
	42/72 8.22
Type 112: Sheets.....	90/108 16.77
	90/99 15.65
	81/108 14.48
	81/99 13.38
	81/90 12.27
	72/108 13.19
	72/99 12.18
	72/90 11.18
	63/108 11.80
	63/99 10.91
	63/90 10.01
	54/99 9.30
	54/90 8.55
Pillow cases.....	45/38½ 3.06
	45/36 2.91
	42/38½ 2.91
	42/36 2.75
Bolsters.....	45/72 5.63
	42/72 5.34
Type 180: Sheets.....	90/113 23.26
	90/108 22.19
	81/113 21.51
	81/108 20.32
	81/99 18.94
	72/113 19.75
	72/108 18.84
Pillow cases.....	45/40¼ 5.12
	45/38½ 4.85
	45/36 4.61
	42/40¼ 4.81
	42/38½ 4.57
	42/36 4.33
Bolsters.....	45/72 9.21
	45/63 8.27
	45/54 7.31
	42/72 8.67
	42/63 7.79
	42/54 6.91

(e) In addition to the maximum prices set forth in paragraph (d) of this section, Defender Manufacturing Company may charge the following premiums for pieces which are hemstitched or scalloped. For any piece which is both hemstitched and scalloped, both premi-

[Dollars per dozen]

Piece	Hem-stitched	Scalloped
Bolster cases.....	2.50	2.50
Bed sheets (54 x 75 or larger).....	2.50	2.50
Pillow cases.....	1.25	1.25
Bed sheets (smaller than 54 x 75).....	1.25	1.25

(f) Defender Manufacturing Company shall mail or cause to be mailed to all persons who purchase bed linens from it for sale at retail a list of the maximum prices set forth in paragraphs (d) and (e) above and a notice reading as follows:

The Office of Price Administration, by Amendment No. 1 to Order No. 12 under § 1499.3 (b) of the General Maximum Price Regulation, effective as of June 23, 1942, has established maximum prices for our sales to you of plain-hemmed, hemstitched and scalloped bed linen in broken case lots at levels which are in excess of the maximum prices set forth in Revised Price Schedule No. 89—Bed linens. In issuing these maximum prices for us, the Office of Price Administration has relied on our assurance that they will not necessitate any increase in retail ceilings and has ordered us to inform you that it will not consider these higher prices (or any price above the levels set forth in Schedule No. 89) as a basis for the adjustment of retail prices. A list of our maximum prices, as established by the above-mentioned amendment, accompanies this notice. The prices established are subject to all discounts, allowances and trade practices which we had in effect during the last calendar month prior to March, 1942 in which we freely offered such bed linens for sale.

The order does not permit you or any other retailer to raise maximum prices, as established under the General Maximum Price Regulation, for sales of bed linens at retail.

(g) This amendment No. 1 to Order No. 12 (§ 1499.49 (a), (d), (e), (f) and (g)) is made retroactive to and including the 23rd day of June, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 8th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10083; Filed, October 8, 1942; 3:21 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 89 Under § 1499.3 (b) of General Maximum Price Regulation]

SELLERS OF USED STEEL HIGH PRESSURE GAS CYLINDERS

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.3 (b) of the

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

General Maximum Price Regulation, It is hereby ordered:

§ 1499.953 *Authorization to sellers of used steel high pressure gas cylinders.* (a) Whenever a person selling or contracting to sell used steel high pressure gas cylinders is unable to determine the maximum price for such cylinders under § 1499.2 of the General Maximum Price Regulation, the maximum price at which any such person may sell such cylinders shall not exceed an amount equal to the applicable price for such cylinders as set forth in the following table, on an f. o. b. seller's location basis:

OXYGEN CYLINDERS (MANGANESE)		
Capacity, cu. ft.	Dimension	Price each
30	5' x 22"	\$10.50
55	5' x 37"	10.75
110	6 5/8" x 43"	12.50
220	8 1/2" x 51"	16.00

(CHROME MOLYBDENUM)		
Capacity, cu. ft.	Dimension	Price each
110	6 5/8" x 43"	\$13.50
220	8 1/2" x 51"	17.00
250	8 1/2" x 51"	17.75
300	8 3/4" x 55"	19.25
400	10" x 57"	23.50

CARBON-DIOXIDE CYLINDERS (MANGANESE)		
Capacity, cu. ft.	Dimension	Price each
20 lbs	5" x 51"	\$11.50
20 lbs	6 5/8" x 29 1/2"	11.50
20 lbs	8" x 21 1/2"	12.25
50 lbs	7 5/8" x 51"	15.00
50 lbs	8" x 51"	15.00
75 lbs	8 1/2" x 58 1/2"	17.75
100 lbs	10" x 58"	28.75

(CHROME MOLYBDENUM)		
Capacity, cu. ft.	Dimension	Price each
20 lbs	5" x 51"	\$12.50
20 lbs	6 5/8" x 29 1/2"	12.50
20 lbs	8" x 21 1/2"	13.25
50 lbs	7 5/8" x 51"	16.00
50 lbs	8" x 51"	16.00
75 lbs	8 1/2" x 58 1/2"	19.25
100 lbs	10" x 58"	31.25

MISCELLANEOUS SIZES OF CARBON-DIOXIDE CYLINDERS (MANGANESE)		
Capacity, cu. ft.	Dimensions	Price each
2 lbs	3 1/4" x 13"	\$4.90
2 1/4 lbs	3 1/4" x 11 3/4"	5.80
4 lbs	3 1/4" x 16 3/4"	6.10
5 lbs	3 1/4" x 21 1/4"	6.30
7 1/4 lbs	4 1/4" x 26 1/2"	7.10
10 lbs	5" x 26"	9.75
10 lbs	5 7/8" x 18 3/4"	9.75
15 lbs	5 7/8" x 26"	10.25

MEDICAL CYLINDERS (MANGANESE)		
Type	Dimension	Price each
Type C	3 1/4" x 13"	\$4.90
Type D	3 1/4" x 16 3/4"	5.20
Type E	3 1/4" x 26 1/4"	5.70
Type E F	4 1/4" x 26 1/4"	6.20
Type AA	2 1/4" x 7 3/4"	4.90

(b) This Order No. 89 may be revoked or amended by the Office of Price Administration at any time.

(c) This Order No. 89 (§ 1499.953) shall become effective October 13, 1942.

No. 200—3

(Pub. Law 421, 77th Cong.)

Issued this 8th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10085; Filed, October 8, 1942; 3:22 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[Amendment 1 to Temporary Maximum Price Regulation 22¹]

CERTAIN ESSENTIAL FOOD PRODUCTS

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.*

Subparagraph (2) of paragraph (a) of § 1351.810 is amended and § 1351.814 is added to read as set forth below:

§ 1351.810 *Definitions.* (a) When used in this Temporary Maximum Price Regulation No. 22 the term:

(2) "Highest price charged during the base period" means the highest price which the seller (except a seller of flour from wheat, corn or rye or a seller of corn meal, hominy or hominy grits) charged for a listed food product delivered by him during the period from September 28, 1942 to October 2, 1942, inclusive, to a purchaser of the same class, or if the seller made no such delivery during such period, his highest offering price for delivery during that period to a purchaser of the same class. In the case of a seller of flour from wheat, corn or rye, or a seller of corn meal, hominy or hominy grits in bulk and packaged in quantities greater than three pounds, "highest price charged during the base period" means the highest price at which the seller during the period from September 28, 1942 to October 2, 1942, inclusive, contracted to sell for immediate or future delivery to a purchaser of the same class, or if the seller made no such contract during such period, his highest offering price during that period to a purchaser of the same class. No seller shall change his customary allowances, discounts or other price differentials unless such change results in a lower price. No seller shall require any purchaser, and no purchaser shall be permitted to pay a larger proportion of transportation costs incurred in the delivery or supply of any listed food product than the seller required purchasers of the same class to pay during such period on deliveries of a listed food product.

§ 1351.814. *Effective dates of amendments.* (a) Amendment No. 1 to Temporary Maximum Price Regulation No. 22 (§§ 1351.810 (a) and 1351.814) shall become effective October 8, 1942.

(Pub. Laws 421, 729, 77th Cong. E.O. 9250 7 F.R. 7871)

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

¹ 7 F.R. 7914.

Issued this 8th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10090; Filed, October 8, 1942; 5:16 p. m.]

PART 1381—SOFTWOOD LUMBER

[Amendment 2 to Maximum Price Regulation 19¹]

SOUTHERN PINE LUMBER

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.*

Section 1381.203 is amended to read as follows:

§ 1381.203 *Adjustable pricing.* (a) Nothing in this Maximum Price Regulation No. 19 shall be construed to prohibit the making of a contract to sell Southern pine lumber at a price not to exceed the maximum price at the time of delivery or supply. Where a petition for amendment or adjustment or exception has been filed which requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

(b) Notwithstanding the provision of paragraph (a) of this section, on and after October 8, 1942, Southern pine lumber may be sold and delivered for direct-mill shipment at a price which is agreed by the parties to be adjustable to any maximum price set in any amendment to this Maximum Price Regulation No. 19 which is issued between October 8, 1942 and December 1, 1942. The parties may also, if they prefer, agree that the adjustment shall apply only where the maximum price set by such amendment is higher than the contract price, and not when it is lower.

§ 1381.211a *Effective dates of amendments.* * * *

(c) Amendment No. 2 (§ 1381.203) to Maximum Price Regulation No. 19 shall become effective October 8, 1942.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 8th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10091; Filed, October 8, 1942; 5:15 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[Amendment 3 to Maximum Price Regulation 194¹]

ALASKA

A statement of the considerations involved in the issuance of this amendment

¹ 7 F.R. 5427, 5869, 7094.

² 7 F.R. 5909, 6268, 6774.

has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Paragraph (c) (2) of § 1418.56 is amended to read as set forth below:

§ 1418.56 *Records and reports.* * * *
(c) *Lists to be filed.* * * *

(2) Every person offering to sell or deliver to a buyer in the Territory of Alaska commodities, not included among the cost-of-living items set forth in § 1499.25, Appendix B, of the General Maximum Price Regulation, and which are not actually produced or manufactured in the Territory of Alaska, shall prepare, not later than October 15, 1942, on the basis of all available information and records, and thereafter keep for examination by any person during ordinary business hours, the following information:

(i) A list of all such commodities offered for sale by such person and the selling price thereof.

(ii) The direct cost, as defined herein, of every such commodity listed.

(iii) The amount of mark-up of every such commodity listed.

Any person who claims that substantial injury would result to him from making such statement available to any other person may file on or before October 15, 1942 this information, if such information has not heretofore been filed with the Office of Price Administration, Juneau, Alaska.

§ 1418.66 *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§ 1418.56 (c) (2)) to Maximum Price Regulation No. 194 shall become effective October 8, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10093; Filed, October 8, 1942; 5:16 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Amendment 39 to Supplementary Regulation 14¹ of General Maximum Price Regulation²]

FLUID MILK AND CREAM

A statement of the considerations involved in the issuance of this amendment

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

¹ 7. F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7535, 7739, 7671, 7812, 7914, 7946.

² 7. F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 7758, 7913, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454.

has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Subdivisions (i) and (ii) of § 1499.73 (a) (1) are amended; subdivision (iii) of § 1499.73 (a) (1) is renumbered subdivision (v), inferior subdivision (a) thereof is amended and a new inferior subdivision (h) is added thereto; subdivision (iv) of § 1499.73 (a) (1) is renumbered subdivision (vi); and two new subdivisions (iii) and (iv) are added to subparagraph (1) of § 1499.73 (a) as set forth below:

Locality	Grade	Type of delivery	Container size	Type of container	Adjusted maximum price (cents) ¹
(g) Minneapolis - St. Paul, Minnesota area.	Approved....	Out of store or to the home....	Gallon....	Glass....	Plus 4.
	Approved....	Out of store or to the home....	½ gallon....	Glass....	Plus 2.
	Approved....	Out of store or to the home....	Quart....	Glass....	Plus 1.
	Approved....	Out of store or to the home....	Quart....	Paper....	Plus 1.

See footnote on p. 8025.

(ii) *Maximum prices for fluid milk sold at wholesale in specified localities.*

Locality	Grade	Container size	Type of container	Adjusted maximum price (cents) ¹
(e) Minneapolis-St. Paul, Minnesota area.....	Approved....	Gallon.....	Glass.....	Plus 4.
	Approved....	½ gallon....	Glass.....	Plus 2.
	Approved....	Quart.....	Glass.....	Plus 1.
	Approved....	Quart.....	Paper.....	Plus 1.
	Approved....	Pint.....	Glass.....	Plus ½.
	Approved....	Pint.....	Paper.....	Plus ½.
	Approved....	½ pint.....	Glass.....	Plus ¼.
	Approved....	½ pint.....	Paper.....	Plus ¼.

See footnote on p. 8025.

(iii) *Maximum prices for fluid cream sold at retail in specified localities.* The maximum price of fluid cream, sweet or sour, sold and delivered at retail, in the localities set forth below, shall be the seller's maximum price as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, or

the applicable adjusted maximum price specified in the schedule set forth below, whichever is higher: *Provided*, That where the adjusted maximum price is expressed as "plus" a specified amount, the amount specified is to be added to the seller's maximum price as determined under said § 1499.2.

Locality	Grade	Type of delivery	Container size	Type of container	Adjusted maximum price (cents) ¹
(a) Minneapolis-St. Paul, Minnesota area.	Approved (20% or over butterfat).	Out of store or to the home.	½-pint....	Glass....	Plus 1½.
	Approved (20% or over butterfat).	Out of store or to the home.	½-pint....	Paper....	Plus 1½.
	Approved (20% or over butterfat).	Out of store or to the home.	Pint.....	Glass....	Plus 3.
	Approved (20% or over butterfat).	Out of store or to the home.	Pint.....	Paper....	Plus 3.
	Approved (20% or over butterfat).	Out of store or to the home.	Quart....	Glass....	Plus 6.
	Approved (20% or over butterfat).	Out of store or to the home.	Quart....	Paper....	Plus 6.

See footnote on p. 8025.

(iv) *Maximum prices for fluid cream, sold at wholesale in specified localities.* The maximum price of fluid cream, sweet or sour, sold and delivered at wholesale, in the localities set forth below, shall be the seller's maximum price as determined under § 1499.2, General Provisions, of the General Maximum Price Regula-

tion, or the applicable adjusted maximum price specified in the schedule set forth below, whichever is higher: *Provided*, That where the adjusted maximum price is expressed as "plus" a specified amount, the amount specified is to be added to the seller's maximum price as determined under said § 1499.2.

Locality	Grade	Container size	Type of container	Adjusted maximum price (cents) ¹
(a) Minneapolis-St. Paul, Minnesota area.	Approved (20% or over butter-fat).	½ pint.....	Glass.....	Plus 1¼.
	Approved (20% or over butter-fat).	½ pint.....	Paper.....	Plus 1¼.
	Approved (20% or over butter-fat).	Pint.....	Glass.....	Plus 3.
	Approved (20% or over butter-fat).	Pint.....	Paper.....	Plus 3.
	Approved (20% or over butter-fat).	Quart.....	Glass.....	Plus 6.
	Approved (20% or over butter-fat).	Quart.....	Paper.....	Plus 6.

¹ Where the adjusted maximum price is a unit figure containing a fraction of a cent, the seller at wholesale must multiply such fractional per unit figure by the number of units in each order. The seller at retail, however, will adjust unit figures containing a fraction of a cent to the next highest half cent; for example, a maximum price of 12½¢ for one unit would be adjusted to 13 cents for one unit, 25¢ for two units, etc.

(v) *Definitions.* For purposes of this subparagraph (1):

(a) "Milk" means cow's milk produced, processed, distributed, and sold for consumption in fluid form as whole milk. "Cream" means milk from which a portion of the serum solids has been removed and which is not classed, under the General Maximum Price Regulation, as fluid milk, evaporated or condensed milk.

(h) "Minneapolis-St. Paul, Minnesota area" means the area included within the counties of Hennepin and Ramsey; that portion of the county of Anoka lying south of the northern boundaries of the townships of Ramsey, Crow, Ham Lake, and Columbus; that portion of the county of Washington lying north of the southern boundaries of the townships of Lincoln, Grant, and Stillwater; that portion of the county of Dakota lying west of the Mississippi River and of the Western boundaries of the townships of Mininger, Vermillion, Hampton, and Randolph; and that portion of the county of Rice included within the City of Northfield.

(b) *Effective dates.* * * * (40) Amendment No. 39 (§ 1499.73 (a) (1)) to Supplementary Regulation No. 14 shall become effective October 8, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 8th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10094; Filed, October 8, 1942; 5:16 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 71 Under § 1499.18 (c) of General Maximum Price Regulation]

WILLIAM W. DILKS AND SONS, INC., ET AL—KENNET SQUARE, PA.

For the reasons set forth in an opinion issued simultaneously herewith: *It is ordered:*

§ 1499.921 *Adjustment of maximum prices for mushroom baskets delivered in the mushroom producing area surrounding Kennet Square in Pennsylvania.* (a) William W. Dilks and Sons, Inc., of Swedesboro, New Jersey, the Jersey Package Co., Inc., of Bridgeton, New Jersey, and any other manufacturer may sell and deliver to any distributor within the mushroom producing area surrounding

Kennet Square, Pennsylvania, and any distributor in that area may buy and receive, mushroom baskets at a price not higher than \$48.00 per thousand baskets delivered to the distributor's customary receiving point. This authorization is subject to all of the conditions and provisions of paragraph (c) of this section.

(b) Any person may sell and deliver to any consumer in the area surrounding Kennet Square, Pennsylvania, who will use the basket for packaging mushrooms, and any consumer who will so use the baskets may buy and receive, mushroom baskets at a price not higher than \$55.00 per thousand baskets delivered to the consumer's customary receiving point. This authorization is subject to all of the conditions and provisions of paragraph (c) of this section.

(c) The seller may collect for the sale of these baskets at prices not higher than those permitted by paragraphs (a) and (b), but if the Office of Price Administration issues an order within 60 days of the effective date of this order that the prices permitted should be reduced, the seller shall immediately refund to the buyer the difference between the amount so collected and the amount finally permitted by the Office of Price Administration.

(d) When used in this order the terms appearing therein shall be construed as follows:

(1) "Distributor" means any person who buys mushroom baskets from a manufacturer and will resell these baskets.

(2) "Mushroom basket" means a four quart Climax basket complete with a cover, and a handle and commonly known to the trade as a "three pound mushroom basket".

(e) This Order No. 71 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 71 (§ 1499.921) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 71 (§ 1499.921) shall become effective October 8, 1942.

(Pub. Laws 421 and 729, 77th Cong. E.O. 9250, 7 F.R. 7871)

Issued this 8th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10092; Filed, October 8, 1942; 5:15 p. m.]

Chapter XIII—Office of Petroleum Coordinator for War

[Recommendation 43, Revocation]

PART 1500—ADMINISTRATIVE

ALLOCATION OF AVAILABLE TANKER TONNAGE; DISTRICT THREE

To the General Committee for District Three, the Supply and Distribution Subcommittee for District Three, and to all persons, natural or artificial, owning, operating, chartering tankers or otherwise utilizing tanker space in District Three, or supplying petroleum or petroleum products for transportation in such tankers, or otherwise engaged in the petroleum industry in District Three:

Recommendation No. 43 of the Deputy Petroleum Coordinator for War issued March 30, 1942, to provide for the allocation, among the units of the petroleum industry in District Three, of available tanker tonnage for transporting petroleum products from District Three in order to prevent the shutting in of oil fields and the closing of refineries producing products essential to the war program. The Recommendation has been superseded by Directive No. 59 of the Petroleum Coordinator for War issued September 25, 1942.

Therefore, pursuant to the President's letter of May 28, 1941, establishing the Office of Petroleum Coordinator for War, Recommendation No. 43 (§§ 1500.33 to 1500.37, inclusive, of this Chapter) (7 F.R. 2639) is hereby revoked, effective immediately.

RALPH K. DAVIES,
Deputy Petroleum Coordinator for War.

OCTOBER 1, 1942.

[F. R. Doc. 42-10121; Filed, October 9, 1942; 11:56 a. m.]

[Recommendation 36, Revocation]

PART 1505—TRANSPORTATION

ALLOCATION OF AVAILABLE TANKER TONNAGE; DISTRICT ONE

To the Transportation Committee for District One, the Tanker Managing Subcommittee, and to all persons, natural or artificial, owning, operating, or chartering tankers or otherwise utilizing tanker space in District One:

Recommendation No. 36 of the Deputy Petroleum Coordinator for War issued February 16, 1942, to bring about the effective utilization and the equitable distribution of available tanker tonnage for transporting petroleum to the Atlantic Coast States. Because of changes in wartime shipping and operating conditions, the method of tanker operation and management directed by Recommendation No. 36 is no longer the method most appropriate to the prosecution of the war.

Therefore, pursuant to the President's letter of May 28, 1941, establishing the Office of Petroleum Coordinator for War, Recommendation No. 36 (§§ 1505.55 to 1505.59, inclusive, of this Chapter) (7 F.R. 1803) is hereby revoked, effective five days from the date hereof.

RALPH K. DAVIES,
Deputy Petroleum Coordinator for War.

OCTOBER 1, 1942.

[F. R. Doc. 42-10120; Filed, October 9, 1942; 11:56 a. m.]

[Directive 50, Partial Revocation]

PART 1510—SUPPLY

PETROLEUM TRANSPORTATION FACILITIES AND REFINERY OPERATIONS

Directive No. 50 of the Deputy Petroleum Coordinator for War issued May 7, 1942, to bring about the efficient utilization of petroleum transportation facilities and to effect an adequate war-time balance of refinery operations. Certain sections of this Directive have been superseded by Directive No. 59 of the Petroleum Coordinator for War issued September 25, 1942.

Therefore, pursuant to the President's letter of May 28, 1941, establishing the Office of Petroleum Coordinator for War, §§ 1510.5 to 1510.6, inclusive, and §§ 1510.8 to 1510.10, inclusive, of this Chapter, (7 F.R. 3670), are hereby revoked, effective immediately.

RALPH K. DAVIES,

Deputy Petroleum Coordinator for War.

OCTOBER 1, 1942.

[F. R. Doc. 42-10122; Filed, October 9, 1942; 11:56 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Navy

PART 6—SECURITY OF PORTS AND THE CONTROL OF VESSELS IN THE NAVIGABLE WATERS OF THE UNITED STATES

Pursuant to the authority contained in section 1, Title I of the Espionage Act approved June 15, 1917, 40 Stat. 220 (U.S.C. title 50, sec. 191), as amended by the Act of November 15, 1941 (55 Stat. 763), and by virtue of the Proclamation and Executive Order issued June 27, 1940 (5 F.R. 2419), and November 1, 1941 (6 F.R. 5581), respectively, the regulations relating to the control of vessels in the navigable waters of the United States (33 CFR 6, 7, and 9) are consolidated into Part 6 and are hereby reissued and amended to read as follows:

Part 6—Security of ports and the control of vessels in the navigable waters of the United States.

SUBPART A—GENERAL REGULATIONS
DEFINITIONS

Sec.

6.1 Definitions.

GENERAL PROVISIONS

- 6.2 Enforcement.
6.3 Authority of District Coast Guard Officer.
6.4 Authority of Senior Naval Officers present.
6.5 Liability of owner, master, etc.
6.6 Boarding and searching.
6.7 Possession and control of foreign or domestic vessels.
6.8 Existing rules and regulations affirmed.

MOVEMENT OF VESSELS

- 6.13 Supervision of vessel's movement.
6.14 Identification requirements.
6.15 Departure license; when required.
6.16 Special license for local waters.
6.17 Finding by captain of the port.
6.18 General licenses.
6.19 Clearance required for departure.
6.20 Crew list required on certain voyages.
6.21 Restricted areas in waters proximate to bridges.

ANCHORAGE CONDITIONS AND AREAS

- 6.25 Cable or pipe line area.
6.26 Use of anchorage area restricted.
6.27 Requirements for anchoring.
6.28 Emergency anchorage.
6.29 Assignment and use of anchorage berth.
6.30 Approval by United States District Engineer.
6.31 Shifting of vessel.
6.32 Suitable anchorage for vessel on fire.
6.33 Congestion of anchorage area.
6.34 Condition of vessel a danger to waterfront facility.
6.35 Movement of vessel in dangerous condition.
6.36 Danger resulting from abandonment, disuse, etc. of vessel.
6.37 Harbor entrance restriction.

ANCHORAGE OF VESSELS CARRYING EXPLOSIVES, ETC.

- 6.50 Use of established explosive areas.
6.51 Designation of explosive loading terminals.
6.52 Anchorage of vessels carrying inflammable liquids.
6.53 Assignment of anchorage berth by captain of the port.
6.54 Authority to load or unload explosives.
6.55 Attendance of tug necessary.
6.56 Where movement of explosives is supervised by United States District Engineer.

LOADING, UNLOADING AND MOVEMENT OF EXPLOSIVES AND INFLAMMABLE MATERIAL

- 6.75 General supervision.
6.76 Safety measures relating to explosives.
6.77 Identification of vessels carrying explosives.
6.78 Obligation of master, owner, etc. of vessel.
6.79 Personnel engaged in loading explosives on board vessels.
6.80 Loading and discharging explosives at wharf.
6.81 Handling of inflammable or combustible liquids.
6.82 Flash point of inflammable liquids.
6.83 General application of regulations.
6.84 Notice to captain of the port.
6.85 Removal of persons violating explosive regulations.

SUBPART B—USE AND NAVIGATION OF WATERS EMPLOYING INTO GULF OF MEXICO BY VESSELS HAVING EXPLOSIVES OR OTHER DANGEROUS ARTICLES ON BOARD

- 6.101 Application and scope.
6.102 Vessels defined.
6.103 Vessels permitted to accept or transport explosives.
6.104 Designated locations for loading or unloading explosives.
6.105 Permit required.
6.106 Facilities for loading or unloading explosives.
6.107 Personnel engaged in loading explosives on board vessels.
6.108 Supervision and protection of designated loading facilities.
6.109 Control of all persons within explosives loading area.
6.110 Navigation of vessels not self-propelled.
6.111 Tows shall not exceed the capacity of the towing boat.
6.112 Handling of barges.
6.113 In transit guards.
6.114 Other applicable provisions of this part.

SUBPART C—ANCHORAGE AREAS

FIRST NAVAL DISTRICT

- 6.1-1 Kennebec River at or near Bath, Maine.
6.1-5 Portland, Maine.
6.1-10 Restricted areas in First Naval District.
6.1-15 Boston, Massachusetts.

Sec.

- 6.1-20 New Bedford Outer Harbor.
6.1-25 Narragansett Bay (including Newport Harbor) and Bristol Harbor, Rhode Island.

THIRD NAVAL DISTRICT

- 6.3-1 New London Harbor; anchorages.
6.3-2 Black Rock Canal and Lock, Buffalo, New York.
6.3-5 New York Harbor.
6.3-10 Raritan Bay anchorages.
6.3-15 Sheepshead Bay anchorages.
6.3-20 Anchorages for explosives.
6.3-25 Hudson River anchorages.
6.3-30 Special anchorage areas.
6.3-35 Naval anchorage.
6.3-40 Randall Bay, Freeport, Long Island, New York Naval anchorage.
6.3-45 Long Island Sound anchorages; East River anchorages.
6.3-50 Little Neck Bay, New York.

FOURTH NAVAL DISTRICT

- 6.4-1 Philadelphia, Pennsylvania; anchorage area.
6.4-10 Delaware River, Delaware; explosives anchorage.
6.4-15 Chesapeake and Delaware Canal.

FIFTH NAVAL DISTRICT

- 6.5-1 Baltimore, Maryland; anchorage area.
6.5-3 Annapolis Harbor, Md.
6.5-10 Patuxent River; restricted area adjacent to Naval Experimental Station.
6.5-11 United States Naval Torpedo Testing Range.
6.5-12 Anacostia River, D. C.
6.5-15 Accotink Bay, Virginia; United States Military Reservation.
6.5-20 Willoughby Bay and Hampton Roads, Norfolk, Virginia.
6.5-25 Hampton Roads and the Harbors of Norfolk and Newport News, Virginia.
6.5-30 Area of forbidden anchorage; Hampton Roads, Virginia.

SIXTH NAVAL DISTRICT

- 6.6-1 New River, North Carolina; firing sectors; danger zones.
6.6-5 Port of Charleston, South Carolina.
6.6-10 Wilmington River, Thunderbolt Harbor, Georgia.
6.6-15 Turners Creek, Georgia.
6.6-20 Jacksonville, Florida.

SEVENTH NAVAL DISTRICT

- 6.7-1 Atlantic Ocean off Miami and Miami Beach, Florida.
6.7-10 Tampa Bay, Florida.
6.7-15 Explosive anchorage grounds in vicinity of Mullet Key.

EIGHTH NAVAL DISTRICT

- 6.8-1 Mobile, Alabama.
6.8-3 New Orleans, Louisiana.
6.8-10 Mississippi River.
6.8-15 Corpus Christi Bay, Texas.
6.8-20 Galveston, Texas.
6.8-25 Waters of Lake Borgne, Louisiana.
6.8-30 Waters of Gulf of Mexico.
6.8-35 Waters of Matagorda Bay, Texas.
6.8-40 Biloxi Bay, Biloxi, Mississippi.
6.8-45 Regulations controlling movements of vessels within harbor area, Gulfport, Mississippi.

NINTH NAVAL DISTRICT

- 6.9-1 Duluth, Minnesota.
6.9-3 Waukegan Harbor, Illinois.
6.9-5 Chicago Harbor, Illinois.
6.9-15 Restricted areas off the City of Chicago.
6.9-20 U. S. Naval Training Station, Great Lakes, Illinois.
6.9-25 Lake Michigan; restricted areas.
6.9-30 St. Mary's River, Michigan.
6.9-32 Waters connecting Lake Huron and Lake Erie.
6.9-35 Detroit, Michigan.
6.9-40 Monroe Harbor, Michigan.
6.9-45 Cleveland, Ohio.

- Sec.
6.9-50 Vermillion Harbor, Ohio.
6.9-55 Western Rivers; restricted areas.
6.9-56 Waters connecting Lake Huron and Lake Erie.

TENTH NAVAL DISTRICT

- 6.10-1 San Juan, Puerto Rico.
6.10-10 St. Thomas Harbor, Charlotte Amalie, Virgin Islands.

ELEVENTH NAVAL DISTRICT

- 6.11-1 San Diego Harbor, California.
6.11-5 Los Angeles Harbor, California.
6.11-10 Isthmus Cove, Santa Catalina Island, California.

TWELFTH NAVAL DISTRICT

- 6.12-1 San Luis Obispo Bay, California.
6.12-5 San Francisco Bay, California.
6.12-10 General anchorage areas for San Francisco Bay San Pablo Bay, New York Slough, California.
6.12-15 Hamilton Field Air Base.
6.12-20 U. S. Air Corps Firing Range, Tubbs Island.
6.12-25 Carquinez Strait.
6.12-30 Suisun Bay.
6.12-35 San Joaquin River.
6.12-40 Special limitations.
6.12-45 Special regulation.
6.12-46 Regulations for California naval areas.

THIRTEENTH NAVAL DISTRICT

- 6.13-1 Astoria, Oregon.
6.13-5 Puget Sound, Washington.

AUTHORITY: §§ 6.2 to 6.13-5 inclusive, issued under 40 Stat. 220, 55 Stat. 763; 50 U.S.C. 191, 191a, b, c, 192, Proc. 2412; 5 F.R. 2419, E.O. 8929, 6 F.R. 5581.

DEFINITIONS

§ 6.1 *Definitions.* (a) The term "captain of the port", as used in this part, means the officer of the Coast Guard so designated by the Commandant of the Coast Guard for a port or ports or the adjacent navigable waters of the United States.

(b) The term "local waters" includes those portions of the Great Lakes and connecting waters on the American side of the International Boundary Line and all other inland waters of the United States, such as rivers, harbors, bays, sounds, roadsteads, inlets, and arms of the sea between projections of land, but does not include any portion of the high seas along the coast of the United States or outside the arms of the sea between projections of land. The captain of the port shall determine the limits of local waters within his jurisdiction.

(c) The term "enemy aliens" shall include the following:

(1) All aliens of the age of 14 years or older who were or are natives, citizens, or subjects of Germany, Italy, or Japan.

(2) All aliens of the age of 14 years or older who at present are stateless, but who at the time they became stateless were citizens or subjects of Germany, Italy, or Japan.

The term "enemy alien" for the purposes of this part, shall not include the following:

(3) Former German, Italian, or Japanese citizens or subjects who, before December 7, 1941, in the case of former Japanese citizens or subjects and before December 8, 1941, in the case of former German or Italian citizens or subjects, became and are citizens or subjects of any nation other than Germany, Italy, or Japan.

(4) Austrians or Austrian-Hungarians (Austro-Hungarians) or Koreans who registered as such under the Alien-Registration Act of 1940, provided that such persons have not at any time voluntarily become German, Italian, or Japanese citizens or subjects.

(5) Subjects or citizens of Italy who were, prior to August 6, 1924, (i) Turkish subjects or persons of Greek extraction and (ii) habitual residents of the Aegean or Dodecanese Island or Islets dependent thereon, provided that said aliens have not at any times voluntarily become German, Italian, or Japanese citizens or subjects.

(6) Aliens who became subjects or citizens of Italy by virtue of marriage or relationship to the person described in subparagraph (5) of this paragraph, provided that said aliens have not at any time voluntarily become German, Italian, or Japanese citizens or subjects.

(7) Aliens of enemy nationalities during their term of military service in the armed forces of the United States.

(d) The term "explosives" shall include, but shall not be limited to, explosives which are defined and described in the regulations of the Commandant of the Coast Guard entitled "Explosives or Other Dangerous Articles on Board Vessels" (45 CFR 146).

§ 6.2 *Enforcement.* These rules and regulations shall be enforced by the captain of the port under the supervision and general direction of the District Coast Guard Officer.

§ 6.3 *Authority of District Coast Guard Officer.* At ports or places where no captains of the port have been designated or at ports or places where they have been designated and such officers are absent from duty for any cause, these rules and regulations may be enforced by any other officer designated by a District Coast Guard Officer.

§ 6.4 *Authority of Senior Naval Officer present.* In territorial waters of the United States where immediate action is required and where representatives of the Coast Guard are not present, or not present in sufficient force to exercise effective control of shipping as provided herein, the Senior Naval Officer present in command of any naval force may control the anchorage or movement of any vessel, foreign or domestic, to the extent he deems necessary to insure the safety and security of his command.

§ 6.5 *Liability of owner, master, etc.* Nothing contained in these rules and regulations shall be construed as relieving any vessel, common carrier, owner, shipper, master, person in charge, or other person from liability or penalty incurred by reason of the violation of any other regulation or of any law.

§ 6.6 *Boarding and searching.* The captain of the port may cause to be inspected and searched at any time any vessel, foreign or domestic, or any person or package thereon, within the territorial waters of the United States, may place guards upon such vessels and may remove therefrom any or all persons not specifically authorized by him to go or to remain on board.

§ 6.7 *Possession and control of foreign or domestic vessels.* The captain of the port, subject to the approval of the District Coast Guard Officer, shall take full possession and control of any vessel, foreign or domestic, in the territorial waters of the United States, whenever it appears that such action is necessary in order to secure such vessel from damage or injury, or to prevent damage or injury to any waterfront facility or waters of the United States, or to secure the observance of the rights and obligations of the United States.

§ 6.8 *Existing rules and regulations affirmed.* All existing rules and regulations of any department, agency, or instrumentality of the United States governing anchorage and movement of vessels in the territorial waters of the United States are hereby reaffirmed and continued in force during the period of the present war, except as modified by these rules and regulations or otherwise.

MOVEMENT OF VESSELS

§ 6.13 *Supervision of vessel's movement.* The movement of any vessel between points within the area of a port shall be under the supervision and control of the captain of the port.

§ 6.14 *Identification requirements.* Every person on board any vessel, foreign or domestic, within the territorial waters of the United States shall carry evidence of personal identification satisfactory to the captain of the port, consisting of a card to be furnished by the Coast Guard to which is affixed a photograph of the bearer and containing such identification data as name, signature, fingerprints, weight, color of hair, eyes, height, date and place of birth, nationality and, in the case of resident aliens, the alien registration number. In lieu of such card, the captain of the port may, in his discretion, accept any other satisfactory evidence of identification such as a continuous discharge book or a certificate of identification as issued under authority of section 4551 of the Revised Statutes, as amended, (46 U.S.C. 643) or a passport. The captain of the port is further authorized, in his discretion, to exempt any or all persons on board any such vessel or any or all persons on board any class of vessels from the requirements of personal identification; and, upon notification to owners, agents, masters, or operators, he may exclude individual vessels from a class of vessels to which is granted a general exemption from the requirements of personal identification. For the purposes of this section, the Commandant of the Coast Guard may classify vessels as provided in § 6.18.

§ 6.15 *Departure license; when required.* No vessel shall depart from the local waters of the United States, its territories or possessions, to a point or place outside of local waters unless the owner, agent, master, or operator of such vessel shall first obtain from the captain of the port, from whose jurisdiction the vessel is to depart, a license authorizing such departure. This restriction does not apply to cases of emergency missions to save life or property in distress or the departure of vessels author-

ized by the Commandant of the Naval District pursuant to § 6.19. Subject to the provisions of § 6.17, the captain of the port will issue a license to depart from local waters only in the following cases:

(a) Where the vessel is regularly or seasonably employed as a means of livelihood outside of local waters such as fishing, transporting passengers or freight for hire, or any other legitimate business: *Provided*, That the owner, agent, master, or operator of such vessel is a citizen of the United States or at least 50 percentum of the personnel complement of such vessel are not aliens: *Provided further*, That no departure license shall be granted any vessel having on board in any capacity an enemy alien.

(b) Where it is necessary for the vessel to depart from local waters or from territorial waters outside of local waters for the purpose of transportation of the vessel under its own power to a permanent location within local waters at some distant point: *Provided*, That any such transportation will involve passage through, or arrival within, waters under the jurisdiction of another captain of the port, such officer shall send proper notification thereof to the captains of the port in each of whose jurisdiction the vessel will proceed and arrive at its final destination: *Provided further*, That no departure license shall be granted to any vessel having on board, in any capacity, an enemy alien. Before making the finding required by § 6.17 and issuing a departure license under the provisions of this paragraph, the captain of the port shall cause an inspection to be made of the vessel involved and such other investigations as may be deemed necessary and shall, prior to the departure of such vessel, require every person on board to meet the identification requirements of § 6.14.

(c) When the presence of a vessel outside of local waters will, because of specialized equipment or other reason, aid the naval or military defenses of the nation: *Provided*, That no such license will be issued unless the Commandant of the Naval District requests that licenses of this kind be issued: *Provided further*, That no license shall be granted to any vessel having an enemy alien on board, either in the capacity of master, operator, person in charge, member of the crew, or passenger.

§ 6.16 *Special license for local waters.* No vessel shall move in local waters of the United States, its territories or possessions, unless the owner, agent, master, or operator of such vessel shall first obtain from the captain of the port in whose jurisdiction the vessel is to move, a license to operate such vessel. This license is not required:

(a) Where the vessel is included in a general license issued by the Commandant under § 6.18;

(b) Where departure is governed by clearance under the provisions of § 6.19;

(c) Where a departure license is specifically required under the provisions of § 6.15; or

(d) Cases of emergency missions to save life or property in distress.

No license will be issued to a vessel other than a common carrier primarily engaged

in the transportation of passengers for hire over a regularly scheduled route which has, or intends to have, an enemy alien on board in any capacity. The captain of the port may, in his discretion and in appropriate cases, issue one license covering the requirements of §§ 6.15 and 6.16. Each license issued by the Commandant under § 6.18 or by a captain of the port under this section is subject to the condition that such license will not be valid and will automatically become void if the vessel to which it pertains has on board an enemy alien in any capacity except that a vessel which is a common carrier primarily engaged in the transportation of passengers for hire over regularly scheduled routes, may have an enemy alien on board in the capacity of a passenger only: *Provided*, That such enemy alien has complied with all applicable travel regulations of the Attorney General and other proper federal authority.

§ 6.17 *Application for and granting of individual license.* Every application for license to move within or depart from local waters shall be filed with the captain of the port in duplicate and shall include a statement by the owner, agent, or master of such vessel describing the purpose for which the vessel is to be operated and its destination of the area in which it will operate. If the captain of the port finds that the granting of a license under the circumstances would not be inimical to the national war effort and of the safety and protection of vessels or the territorial waters, he shall approve the application by endorsing it accordingly and shall return one copy to the owner, agent, master, or operator. An application when so approved shall constitute a license to depart or move for the purpose and to the destination or within the area specified in the application. Such license shall be carried on the vessel for which it is issued while the vessel is operated, shall be exhibited for inspection upon the request of any officer charged with the enforcement of these regulations, and shall be valid for repeated departures or movements of the subject vessel for the same purpose and to the same destination or area until revoked or until the expiration of the time limit, if any, fixed in the license. The captain of the port who issued the license or any captain of the port in whose jurisdiction the vessel may be, may revoke a license by notice to the holder thereof if he shall find that (a) there has been any violation of the terms thereof, or (b) any person on board of the subject vessel has failed to comply with the identification requirements of § 6.14 of this subpart, or (c) further exercise of the license would be inimical to the interests of the national war effort or of the safety and protection of vessels or the territorial waters. The presence of an enemy alien on board in any capacity whatsoever renders such license invalid. The issuance and revocation of licenses by captains of the port shall be subject to the supervision of the Commandant of the Coast Guard acting through District Coast Guard Officers, and the Commandant may issue such instructions as he may deem necessary to provide general uniformity.

§ 6.18 *General licenses.* The Commandant of the Coast Guard may issue general licenses for any class or classes of vessels for which a departure or movement license is required by these regulations, if he finds that the granting of such general license would not be inimical to the national war effort or to the safety and protection of vessels or the territorial waters; he may exclude vessels from a general license at the time of issuance or subsequently upon notification to the owners, agents, masters, or operators thereof: *Provided*, That any vessel so excluded may nevertheless be granted a license under the provisions of §§ 6.15, 6.16, or 6.17 of this subpart; he may revoke any general license if he finds that the continuance of the license in force would be inimical to the war effort or the safety and protection of vessels; and he may classify vessels upon any reasonable basis, including, but not limited to, control, ownership, use, area of operation, type, length, beam, draft, or tonnage.

§ 6.19 *Departure permits for certain vessels.* No vessel shall depart from any port or place in the United States or from any port or place subject to the jurisdiction of the United States on a voyage for which clearance by a customs officer of the United States is required or for which no such clearance is required because the vessel is exempted from making entry by section 441 (4) of the Tariff Act of 1930, 46 Stat. 712, as amended (19 U.S.C. 1441 (4)), unless the principal customs officer in charge of the port of departure shall have been authorized by the Commandant of the Naval District in which such port is included, or his duly designated representative, to permit the departure.

§ 6.20 *Crew list required on certain voyages.* The master of every vessel who does not sign on his crew before a shipping commissioner or collector of customs acting as shipping commissioner shall, immediately prior to sailing from a port in the United States on a voyage which will extend to the ocean or the Gulf of Mexico, submit to the captain of the port a crew list on Coast Guard Form 710A showing the complete crew on board the vessel including the master, giving the names, certificate of identification, or continuous discharge book number, birthplace, nationality, description, capacity in which employed, and name and address of next of kin. At each domestic port visited on the voyage the master shall at the time of leaving submit to the captain of the port a supplementary crew list on Coast Guard Form 710A showing any changes in his crew, giving the names of any members of the crew who have left the vessel, and complete information, as described above, in the case of any replacements. In the event that there are no changes at any port the form should be submitted to the captain of the port showing "no changes in crew". The captain of the port shall forward to the Commandant of the Coast Guard by the quickest mail all crew lists submitted in accordance with this paragraph.

§ 6.21 *Restricted areas in waters proximate to bridges.* Whenever a Captain of the Port shall find the operation,

navigation, anchoring, or mooring of any vessel within waters proximate to any bridge crossing navigable waters of the United States may endanger such bridge, vessel, or any other vessel or water-front facility, or might be inimical to the national war effort or to the maritime interests of the United States, he may, with the approval of the District Coast Guard Officer, establish restricted and prohibited areas in the waters proximate to such bridge covering such distances as he may consider necessary. No vessel shall operate, navigate, anchor, or moor in such areas except under such conditions and restrictions as the Captain of the Port, with the approval of the District Coast Guard Officer, may prescribe. Areas so established and channels through such areas, if any, shall be appropriately marked with conspicuous signs or buoys. The Captain of the Port is authorized to enlist the aid and cooperation of federal, state, county, municipal, and private agencies to assist in the enforcement of regulations issued pursuant to this section.

ANCHORAGE CONDITIONS AND AREAS

§ 6.25 *Cable or pipe line area.* Except in cases of great emergency, no vessel shall cast anchor within a cable or pipe line area shown on government chart or shall secure to any pier, wharf, or vessel in such manner as to obstruct or endanger the passage of any other vessel in transit.

§ 6.26 *Use of anchorage area restricted.* No vessel shall occupy for a period longer than thirty days, unless a permit is obtained from the captain of the port for that purpose, any anchorage for which the time of occupancy is not otherwise prescribed in any applicable regulations. No vessel in a condition such that it is likely to sink or otherwise become a menace or obstruction to the navigation or anchorage of other vessels shall occupy an anchorage except in an emergency and then only for such period as may be permitted by the captain of the port.

§ 6.27 *Requirements for anchoring.* Whenever the captain of the port shall find such action to be necessary to protect the safety of any vessel, any or all vessels in any designated anchorage area shall anchor with two or more anchors. Every vessel in an anchorage area whose crew may be reduced to such number that it will not have sufficient men on board to weigh anchor at any time shall, before the release or reduction of the crew, be anchored with two anchors with mooring swivel unless the captain of the port shall waive the requirement of a mooring swivel. Anchors must not be placed outside the anchorage areas nor shall any vessel be so anchored that any portion of the hull or rigging will at any time extend outside the boundaries of the anchorage area.

§ 6.28 *Emergency anchorage.* Any vessel may, under circumstances of great emergency, anchor outside the anchorage areas but in so doing, such vessel must be placed near the edge of the channel and in such position as not to interfere with the free navigation of the channel

or to obstruct the approach to any pier or to impede the movement of any other vessel and shall move away immediately after the emergency ceases or upon notification by the captain of the port when he finds that the safety of any vessel or the movements of commerce so require.

§ 6.29 *Assignment and use of anchorage berth.* A berth in an anchorage, if available, shall be assigned to any vessel by the captain of the port upon application and he may grant revocable permits for the continuous use of the same berth.

§ 6.30 *Approval by United States District Engineer.* Permits to anchor in channels within the limits of the waterways under the control of the captain of the port, may be granted by that officer to wrecking plants or other vessels legally engaged in recovering sunken property or in laying or repairing legally established pipe or cable lines and to plants engaged in dredging operations, if approved by the United States District Engineer. No such permit will be required for plants engaged under the supervision of the United States District Engineer upon works for the improvement of rivers and harbors.

§ 6.31 *Shifting of vessel.* Whenever the captain of the port finds that the maritime or commercial interests of the United States or the security of any vessel or harbor so require, he is hereby empowered to shift the position of any vessel anchored or moored within an anchorage area or of any vessel anchored or moored outside an anchorage area including any vessel anchored or moored in such manner that he finds that she obstructs vessel movements in any channel or obstructs or interferes with range lights or obstructs or endangers the passage of vessels in transit by, or to, or from adjacent wharf property or impedes the movements of vessels entering or leaving adjacent slips. A vessel upon being notified to move or shift her position in accordance with these regulations shall get under way at once or signal for a tug and shall change positions, as directed, with reasonable promptness.

§ 6.32 *Suitable anchorage for vessel on fire.* A vessel on fire, upon entering port, shall, at the earliest opportunity, notify the captain of the port, who shall designate the most suitable available anchorage.

§ 6.33 *Congestion of anchorage area.* Whenever the captain of the port finds that the anchoring, mooring, or occupancy of space by any vessel or other watercraft of any kind in any anchorage ground or area by reason of its characteristics or conditions including, but not limited to, her length, beam, or draft, interferes with the common convenience, results in the occupation by such vessel or craft of an unreasonable portion of the available space in any anchorage ground or area or is inimical to the maritime interests of the United States, the national war effort, the safety of any vessel or craft, harbor or anchorage ground or area or results in congestion in any anchorage ground or area, the captain of the port may require such vessel, or craft, to quit and depart from any anchorage ground or area, or may

prevent or prohibit such vessel or craft from entering, occupying or remaining in any anchorage ground or area.

§ 6.34 *Condition of vessel a danger to waterfront facility.* Whenever the captain of the port finds that the mooring of any vessel to a wharf, dock, pier, or other waterfront structure would endanger such vessel, or any other vessel, or the harbor, or would be inimical to the maritime interests of the United States or the national war effort by reason of conditions existing on or about such wharf, dock, pier, or other waterfront structure including, but not limited to, inadequate guard service, insufficient lighting, fire hazards, inadequate fire protection, unsafe machinery, internal disturbance, or unsatisfactory operation, he may prevent the mooring of any vessel to such wharf, dock, pier, or other waterfront structure until the unsatisfactory condition or conditions so found are corrected and he may, in the case of a like finding after any vessel has been moored, compel the shifting of such vessel from any such wharf, dock, pier, or other waterfront structure.

§ 6.35 *Movement of vessel in dangerous condition.* Whenever the captain of the port finds that the movement of any vessel through or into any part of local waters would endanger such vessel or would be inimical to the maritime interests of the United States or the national war effort by reason of dangerous navigation conditions within those waters or by reason of conditions on such a vessel including, but not limited to, fire hazards, unseaworthy condition of the hull, or unsafe machinery, the captain of the port may prevent such a vessel from proceeding through or into such waters until the unsatisfactory condition or conditions so found are, in his opinion, corrected and he may, in the case of a like finding after any vessel has entered such waters, compel the anchoring, mooring, or removal of such vessel from such waters.

§ 6.36 *Danger resulting from abandonment, disuse, etc. of vessel.* Whenever the captain of the port shall find that any vessel, barge, hulk, or other watercraft constitutes a fire hazard, a menace to navigation, a source of danger to other vessels or waterfront facilities or is otherwise inimical to the maritime interests of the United States or the national war effort by reason of abandonment, disuse or neglect, he may compel the owner thereof to shift or remove any such vessel, barge, or other watercraft. If the captain of the port is unable to locate the owner or if the owner refuses to comply with his instructions for the shifting or removal of such vessel, barge, hulk, or other watercraft, the captain of the port may, after consultation with the District Engineer, United States Army, shift, remove, or destroy such vessel or hulk and take all other corrective measures which he shall find to be necessary. Notification by registered mail shall be given to the last recorded owner of such vessel, barge, hulk, or other watercraft prior to such action being taken by the captain of the port.

§ 6.37 *Harbor entrance restriction.* No vessel shall approach within one hun-

dred yards of any of the obstructions placed near harbor entrances, except for the purpose of transiting the regularly prescribed gate opening, unless specifically authorized by the captain of the port or proper naval authority.

ANCHORAGE OF VESSELS CARRYING EXPLOSIVES, ETC.

§ 6.50 *Use of established explosive areas.* Established explosive anchorage areas are reserved for vessels carrying explosives as cargo. Such areas shall not be used by vessels which do not carry explosives as cargo except in cases of great emergency or by special permit from the captain of the port. All vessels carrying explosives as cargo shall be within explosive anchorage areas when anchored, except as provided in §§ 6.51 and 6.56 of this subpart.

§ 6.51 *Designation of explosive loading terminals.* In the interests of port security and the commerce of the United States, the captain of the port may, subject to such conditions as he finds will promote those objectives, designate loading terminals outside the explosive anchorage areas where vessels may load or discharge explosives directly between vessels and shore or between vessels.

§ 6.52 *Anchorage of vessels carrying inflammable liquids.* A vessel carrying bulk inflammable liquid cargo such as petroleum products shall, when anchored, be at least 1,000 yards away from a vessel carrying explosives. The captain of the port may issue a permit to a vessel carrying inflammable or combustible liquids in bulk or other dangerous articles of cargo covered by the regulations entitled "Explosives or Other Dangerous Articles on Board Vessels" (46 CFR Part 146) and the regulations governing tank vessels, (46 CFR Parts 30 to 38 incl.), to anchor in an explosive anchorage area whenever such explosive anchorage area is not in use by a vessel carrying explosives as cargo.

§ 6.53 *Assignment of anchorage berth by captain of the port.* No vessel carrying explosives as cargo or on which explosives as cargo are to be loaded may proceed to an explosive anchorage area without first notifying the captain of the port. Upon such notification, the captain of the port, if he finds it to be in the interests of port security and the commerce of the United States, shall issue a revocable permit, without which no vessel may anchor in the explosive anchorage area, and shall assign to the vessel a berth in the explosive anchorage area, if one is available.

§ 6.54 *Authority to load or unload explosives.* All vessels, including tugs and stevedore boats, used in connection with loading or unloading explosives on vessels shall apply to the captain of the port for a permit to engage in such loading or unloading, which permit shall be granted by the captain of the port if he finds that such action will not be inimical to the interests of port security and the commerce of the United States. No such vessel shall enter any explosive anchorage area or engage in loading or unloading explosives without first having obtained a permit.

§ 6.55 *Attendance of tug necessary.* Every vessel not mechanically self-pro-

PELLING which is at anchor, moored, or tied up in an anchorage explosive area while carrying explosives as a cargo shall have a tug in attendance unless such assistance is deemed unnecessary by the captain of the port.

§ 6.56 *Where movement of explosives is supervised by United States District Engineer.* Sections 6.50 to 6.55 shall not apply to vessels carrying explosives (a) for use on river and harbor works under the supervision of the United States District Engineer, (b) for other work under federal permit issued by the District Engineer, (c) when anchored under written authority of such officer, or (d) when the explosives are loaded, stored, and handled under his direction and supervision.

LOADING, UNLOADING AND MOVEMENT OF EXPLOSIVES AND INFLAMMABLE MATERIAL

§ 6.75 *General supervision.* The handling, loading, or discharging of explosives, inflammable, or combustible liquids in bulk or other dangerous articles or cargo covered by the regulations entitled "Explosives or Other Dangerous Articles on Board Vessels" (46 CFR Part 146), as amended and the regulations governing tank vessels, (46 CFR Parts 30 to 38 incl.), shall be under the supervision and control of the captain of the port.

§ 6.76 *Safety measures relating to explosives.* (a) No vessel carrying explosives as cargo may move through any channel or waterway of a port without a permit issued by the captain of the port on a finding that its issuance is not inimical to the interests of port security.

(b) The captain of the port may, in his discretion, assign guards to supervise all loading, unloading, and movement of explosives within a port.

(c) The captain of the port may limit the quantity of explosives that may be carried by any vessel while in port upon a finding that a greater amount would be unsafe.

§ 6.77 *Identification of vessels carrying explosives.* Every vessel transporting, stowing, storing, or handling explosives as cargo, when in local waters, shall display by day a red flag at least 16 square feet in area at its masthead or at least 10 feet above the upper deck if the vessel has no mast; and by night shall display, when anchored or moored, a red light in the same position as specified for the flag.

§ 6.78 *Obligation of master, owner, etc., of vessel carrying explosive cargo.* Every vessel in the territorial waters of the United States carrying explosives as cargo shall be at all times in charge of a competent person unless the captain of the port finds that such person in charge is not required for the security of the vessel and the port. It shall be the duty of such person to supervise all operations involving the handling, movement, and stowage of explosives on board the vessel and such person shall reduce handling and movement of such explosives to a minimum.

§ 6.79 *Personnel engaged in loading explosives on board vessels.* (a) No person shall be permitted to be engaged in the handling, loading, unloading, or stowage of explosives on board vessels

except one who is a citizen of the United States.

(b) All persons engaged in the handling, loading, unloading, or stowage of explosives shall possess a red explosive permit together with a white identification card as issued by the captain of the port.

§ 6.80 *Loading and discharging explosives at wharf.* No explosives shall be loaded or discharged from any vessel lying at a wharf unless a permit therefor shall be issued by the captain of the port upon a finding by him that such loading or discharging will not be contrary to the interests of port security and the commerce of the United States.

§ 6.81 *Handling of inflammable or combustible liquids.* The captain of the port may, when he deems such action necessary in the interests of port security and the commerce of the United States, place inspectors and guards upon any vessel loading or discharging inflammable or combustible liquids in bulk or other dangerous articles of cargo covered by the regulations entitled "Explosives or Other Dangerous Articles on Board Vessels", (46 CFR Part 146) and the regulations governing tank vessels, (46 CFR Parts 30 to 38 incl.).

§ 6.82 *Flash point of inflammable liquids.* (a) No vessel with a cargo of gasoline or any other inflammable liquid possessing a flash point below 20 degrees Fahrenheit shall anchor in an anchorage area more than 12 hours without obtaining a permit from the captain of the port.

(b) The transfer of gasoline or any inflammable cargo in bulk possessing a flash point below 80 degrees Fahrenheit in an amount exceeding 1000 barrels from a vessel in an anchorage area to another vessel shall not be made without a permit from the captain of the port.

(c) The transfer of gasoline or any other inflammable liquid from a vessel to a shore installation or the reverse thereof, shall be made in a manner satisfactory to the captain of the port. He may at any time inspect such transfer and require a change in the method utilized or prescribe additional facilities, appurtenances, or safeguards.

§ 6.83 *General application of regulations.* Except insofar as they may be inconsistent with anything in these regulations, the regulations governing the transportation of explosives and other dangerous articles promulgated by the Commandant of the Coast Guard (46 CFR Part 146) shall apply to all vessels within the territorial waters of the United States.

§ 6.84 *Notice to captain of the port.* The violation of any regulation embraced in this part which governs the transportation or handling of explosives or other dangerous articles, shall be promptly reported to the captain of the port by the master, owner, agent, operator, or person in charge of the vessel on which such violation occurs. The captain of the port shall also be promptly notified by such master, owner, agent, operator, or person in charge of any vessel, of all accidents, fires, explosives, leakage, or breaking of packages of explosives, which occur in any port.

§ 6.85 *Removal of persons violating explosive regulations.* The captain of the port is empowered to cause the removal from any vessel of any person or persons who violate any of the provisions contained in §§ 6.75 through 6.83 of this subpart or to prevent the loading or unloading of explosives on or from such vessel.

SUBPART B—USE AND NAVIGATION OF WATERS EMPTYING INTO GULF OF MEXICO BY VESSELS HAVING EXPLOSIVES OR OTHER DANGEROUS ARTICLES ON BOARD

§ 6.01 *Application and scope.* The provisions of the regulations contained in this subpart apply to all vessels accepting, handling, stowing, or transporting explosives or other dangerous articles of cargo upon the waters of the rivers emptying into the Gulf of Mexico and their tributaries.

§ 6.102 *Vessels defined.* Whenever the term "vessel" is used in this subpart, it shall include barges, lighters, or any other type of craft capable of being used for the transportation of cargo upon the waters emptying into the Gulf of Mexico and their tributaries.

§ 6.103 *Vessels permitted to accept or transport explosives.* Only such vessels as conform to the regulations of the Commandant of the Coast Guard entitled "Explosives or Other Dangerous Articles on Board Vessels", (46-CFR 146), shall accept or transport explosives or dangerous articles or substances as cargo.

§ 6.104 *Designated locations for loading or unloading explosives.* No vessel permitted to accept or transport explosives shall effect such loading or unloading at any location other than one designated for such purpose by the captain of the port.

§ 6.105 *Permit required.* No explosives shall be loaded or unloaded from a vessel unless a permit therefor has been issued by the captain of the port.

§ 6.106 *Facilities for loading or unloading explosives.* (a) No explosives shall be loaded on board a vessel in any manner or by the use of any facilities other than such as are required by, or acceptable to, the captain of the port.

(b) When required by the captain of the port, every vessel loading or unloading explosives that is not equipped with its own means of self-propulsion or, if so equipped but its propulsion machinery is for any reason inoperative, such vessel shall be attended by a self-propelled vessel capable of towing, maneuvering, and otherwise controlling such vessel. The attending vessel shall be ready at all times to move such vessel. When the operation consists of loading explosives, the attending vessel shall remain on duty until the loading vessel has regained the use of its own power or, in case of the "dumb" vessel, until the regular towboat has taken such vessel in charge.

§ 6.107 *Personnel engaged in loading explosives on board vessels.* (a) No person shall be permitted to be engaged in the handling, loading, unloading, or stowage of explosives on board vessels except one who is a citizen of the United States.

(b) All persons engaged in the handling, loading, unloading, or stowage of explosives shall possess the red explosive permit together with the white identification card as issued by the captain of the port.

§ 6.108 *Supervision and protection of designated loading facilities.* (a) Security measures to prevent the entry of unauthorized persons on waterfront facilities designated as locations for loading or unloading explosives, shall be maintained by the owners or operators of these properties in a manner satisfactory to the captain of the port.

(b) When the loading or unloading of explosives on or from a vessel has started, it is required that the vessel owner or operator provide a guard and this guard shall be maintained over the vessel until the operation of loading or unloading is completed. For a vessel loading explosives, "completion" shall mean the time at which the loaded vessel is actually in tow. The number of persons constituting this guard and their disposition will be determined by the captain of the port. Persons selected for this service shall be required to possess a white identification card endorsed by the captain of the port indicating the holder may be employed as a guard.

§ 6.109 *Control of all persons within explosives loading area.* No person shall be permitted to enter upon an area being utilized in the loading or unloading of explosives on board a vessel except by permission of the captain of the port. This applies to all persons including owners, charterers, agents, masters, other personnel of the vessel and the guard employed by the vessel operators.

§ 6.110 *Navigation of vessels not self-propelled.* (a) Upon completion of the loading of a vessel with explosives, said vessel shall not be taken to any location for the purpose of assembling the tow or to moor or anchor when such location is within 2,000 feet of a bridge, cable crossing, dock, pier or other waterfront facility nor within such proximity to the limits of communities along the banks of the rivers.

(b) In the arrangement of river tows, "dumb" barges loaded with explosives shall not be transported in tows in which other barges, having on board any of the following dangerous articles, are assembled: Inflammable liquids, inflammable solids or oxidizing materials, corrosive liquids, inflammable compressed gases, class A poisonous gases, or class A poisonous liquids.

(c) Shipments of explosives totaling 4,000 long tons or over shall constitute an independent tow and have no other barges within the tow. No single tow of explosives shall exceed a total of 8,000 long tons of cargo.

(d) Barges loaded with explosives arranged in a mixed tow shall never be located at the head of the tow but shall be located in the following order:

- (1) As near the center of the tow as possible.
- (2) Against the towing vessel.
- (3) On the starboard side of the tow.

§ 6.111 *Tows shall not exceed the capacity of the towing boat.* Barges

loaded with explosives shall not be assembled in tows in such number as to result in the total tonnage of the tow exceeding the horsepower capacity of the towboat nor shall the number of barges, regardless of tonnage, be such that the towing boat is unable to safely control the tow under all conditions likely to be encountered in the navigation of the rivers.

§ 6.112 *Handling of barges.* (a) Towing vessels shall not effect the transfer of a tow, that has explosives laden within any barge, while the tow is in motion. When circumstances require a transfer to be made other than alongside a pier or other shore facility, one towing vessel shall at all times be in control of the tow or tows.

(b) Barges shall not be cut out of tows and left unattended. If necessary to halt a tow to transfer barges from said tow or to move barges through a canal lock or a hazardous stretch of navigation, the barges loaded with explosives shall be properly secured to the shore, pier, or other facility and a guard assigned to watch over the barges containing explosives pending the return of the towing vessel.

§ 6.113 *In-transit guards.* The captain of the port may, in his discretion, assign a guard detail to any vessel loaded with or towing explosives or other dangerous articles during the period this class of cargo is in transit. Orders given by the person in charge of such Coast Guard detail which concern the safety of the vessel or tow, shall be complied with by the master or person in charge of such vessel.

§ 6.114 *Other applicable provisions of this part.* Vessels loading, unloading, or transporting explosives or other dangerous articles as cargo shall conform to all other applicable provisions of §§ 6.50 to 6.85, inclusive, of Subpart A.

SUBPART C—ANCHORAGE AREAS

FIRST NAVAL DISTRICT

§ 6.1-1 *Kennebec River at or near Bath, Maine.* (a) Vessels may anchor within the following specified limits only:

(1) To the northward of a line, bearing 54° and extending from a point on Passmore's wharf in prolongation with the north side of Commerce Street in Bath, Maine, to a point on the shore in Woolwich, approximately 1,200 feet north of the Maine Central Railroad wharf.

(2) To the southward of a line drawn from the derrick on the Bath Iron Works wharf to Sassanoa Point, in Woolwich.

(b) Vessels in the North anchorage must be so anchored as to leave a clear fairway 150 feet channelward of the established harbor lines at Bath, and a clear fairway 200 feet from the east, or Woolwich shore, for the passage of steamers, tows, rafts, and other water craft.

(c) The launching of any vessel into the waters between the anchorage limits thus defined or the bringing up of such vessels by their anchor shall be permitted: *Provided*, That the vessels so launched shall be removed therefrom within 12 hours from the time of anchorage.

§ 6.1-5 *Portland, Maine*—(a) *The anchorage area*—(1) *Anchorage A.* This anchorage is the area included within lines drawn between the following points:

- (i) The eastern corner of Grand Trunk Ry. Co. pier No. 3;
- (ii) 1,700 yards 90° true from point (i) to Buoy No. 16;
- (iii) 350 yards 330° true from point (ii);
- (iv) 730 yards 25° true from point (iii);
- (v) 750 yards 303° true from point (iv);
- (vi) 560 yards 254° true from point (v);
- (vii) 750 yards 186° true from point (vi);

Thence to point (i).

(2) *Anchorage B.* This anchorage is bounded as follows:

A line starting from Nun Buoy N 16 (this is 1,700 yards 90° from NE corner of Grand Trunk Pier No. 3) 58° true to Little Diamond Island, the southwestern shore of Little Diamond Island to the pier on the southern end of Little Diamond Island; thence 1,200 yards 143° true, thence 270° true to House Island Light; thence along the western shore of House Island, thence to Fort Scammel Light; thence 1,620 yards 329° true to point of beginning. This anchorage is intended for general purposes, but especially for use by oil tankers, and other large deep draft ships, entering harbor at night, intending to proceed to the dock allotted at daylight the following morning, or as soon as practicable. Vessels must be so anchored in this area as to leave at all times an open usable channel at least 100 feet wide, for passage of ferry and other boats between Portland, Peak Island, and Bay Points. This area is also to be used for quarantine anchorage. Any vessel anchored in this area shall be ready to move on short notice when ordered by the Captain of the Port upon a finding by him that such movement is necessary in the interest of safety or the commerce of the United States.

(3) *Anchorage C.* This anchorage is bounded on the northwest by House Island; on the north by a line drawn 90° from House Island Light to Peak Island; on the east by the western shore of Peak Island south of this anchorage's northern limit, by a line 198° true from the westernmost point on Peak Island to Cushing Island, and the shore of Cushing Island to its westernmost point; on the southwest by a line drawn from the westernmost point on Cushing Island to Fort Scammel Light.

NOTE: This anchorage is intended for use only by small vessels and for temporary anchorage.

(4) *Anchorage D.* Located southerly and westerly on a line extending 35° from Lighthouse Channel Buoy No. 1 to White Anchorage Buoy E, thence 58° to Dredged Channel Lighted Buoy No. 5, thence 158° to Portland Breakwater Light.

NOTE: This anchorage is for use only by small yachts and pleasure craft, and small light-draft coastwise freighters.

§ 6.1-10 *Anchorage for vessels without lights.* The following areas are designated as special anchorage areas wherein vessels not more than sixty-five feet in

length, when at anchor, shall not be required to carry or exhibit anchor lights:

(a) *Beal's Cove, Harpswell Harbor, and Basin Cove, at Harpswell, Maine*—(1) *Beal's Cove Anchorage, at Harpswell, Maine.* The entire cove as defined by the shore line and a line across the entrance bearing 215° true and tangent to the shore on the north side.

(2) *Harpswell Harbor Anchorage, at Harpswell, Maine.* The entire area lying westerly of a line having a bearing of 8° true from the eastern extremity of Stover's Point to the point of land at the northerly end of the harbor, said point of land bearing approximately 275° true from the observatory on Orr Island.

(3) *Basin Cove Anchorage, at Harpswell, Maine.* All of the area lying northeasterly of a line having a bearing of 350° true from the northwest corner of the entrance to the cove.

(b) *Portsmouth Harbor, New Hampshire.* Southeasterly of a line bearing 74°30' true from the northeasterly extremity of Goat Island; southerly of a line bearing 89°30' true and passing through a point 100 feet due north of the northern extremity of Salamander Point; southwest of a line bearing 300° true from Portsmouth Harbor Light; northwesterly of a line bearing 215°30' true from the southwest corner of Frisbee Wharf; and northerly of the shore line.

(c) *Newburyport Harbor, Massachusetts; special anchorage.* Eastward of a line from the northeast corner of the American Yacht Club property bearing due north to a point about 900 feet, 237° from South Pier; southward of a line bearing 70° to a point 310 feet, 212° from South Pier; southward of a line bearing 70° to a point 310 feet 212° from South Pier, said line extending easterly to a point about 600 feet due south of North Pier; westward of a line bearing due south from North Pier to the shore-line, said line extending easterly to a point about 600 feet due south of North Pier; westward of a line bearing due south from North Pier to the shore line.

(d) *Beverly Harbor, Massachusetts; special anchorage area.* West of a line bearing 315° from a point 60 yards, 0°, off the northerly corner of the Salem Willows Municipal Pier, and passing through a point on a line bearing 90° from Monument Bar Beacon; south of the line bearing 90° from Monument Bar Beacon; east of a line bearing 180° from Monument Bar Beacon and passing through a point on a line bearing 278° from the northerly end of the Salem Willows Yacht Club house; north of the line bearing 278° from the northerly end of the Salem Willows Yacht Club house; and west of a line running from the northerly end of the Salem Willows Yacht Club house to the starting point 60 yards, 0°, from the northerly corner of the Salem Willows Municipal Pier. (See 33 CFR 202.8.)

(e) *Plymouth Harbor, Massachusetts.* Southeasterly of a line having a bearing of 39° true from Splitting Knife front range light; southwest of a line having a bearing of 123° true from a point on the southeast face of the State Pier, 40 feet from the northeast corner (in-

tersection of the northeast and south-east faces produced) of said pier; westerly of a line having a bearing of 356° true from the northeast corner of the Pilgrim Yacht Club wharf; and northeasterly of the shore line.

(f) *Beverly Creek, Massachusetts.* All of the area upstream of the highway bridge (Popes Bridge) outside of the dredged channel.

(g) *Onset Bay, Massachusetts.* North-erly of a line joining the northernmost point of Onset Island and the easternmost point of Wickets Island; easterly of a line joining the easternmost point of Wickets Island and the southwest extremity of Point Independence; southerly of the shore line; and westerly of the shore line and a line bearing due north from the northernmost point of Onset Island.

(h) *Lynn Harbor, Massachusetts.* North of a line bearing 244° true from the tower of the Metropolitan District Building, extending from the shore to a point 100 feet from the east limit of the channel; east of a line bearing (358° true, extending thence to a point 100 feet east of the northeast corner of the turning basin; south of a line bearing 88° true, extending thence to the shore; and south and west to the shore line to its intersection with the south boundary.

(i) *Salem Harbor, Massachusetts.* That part of the harbor lying southwesterly of a line starting from the eastern extremity of Long Point and bearing 116° true to a point bearing 20° true from the beacon southeast of Pickering Point; thence bearing 160° true to a point bearing 47° true from the aforesaid beacon; thence bearing 99° true to the shore; provided that boats shall anchor so as not to obstruct the dredged channel and basin to the Dion Boat Yard.

(j) *Parker River, Massachusetts.* That portion of the river extending about 3,800 feet downstream from the highway bridge on Route 1A; provided that boats shall anchor in such a manner as to leave a clear approach to the bridge at least 100 feet wide following generally the deepest water.

(k) *Weymouth Back River, at North Weymouth, Massachusetts.* The cover on the north side of the river lying northerly of a line bearing 264°30' true from the southwest corner of the American Agricultural Chemical Company's wharf (Bradley's Wharf), to the shore of Eastern Neck, about 2,200 feet distant; provided that boats using this area are so anchored that they will not swing channelward of said line.

(l) *Weymouth Fore River, at North Weymouth, Massachusetts.* Southwest-erly of a line bearing 117° true from channel light "4"; southeasterly of a line 150 feet from and parallel to the meandering easterly limit of the dredged channel; easterly of a line bearing 188° true from the eastern extremity of Rock Island Head; and northwesterly of the shore line.

(m) *Weymouth Fore River Boston Harbor, Massachusetts.* Southwest-erly of a line having a bearing of 119° true from the outer end of the wharf at Nut Island; northwesterly of a line having a bearing of 199°30' true from Pig Rock

Light to the eastern end of Raccoon Island; northerly of Raccoon Island and a line from its western extremity having a bearing of 245° true from Beacon 2A; and easterly of the shore of Houghs Neck.

(n) *Quincy Bay, Boston, Massachusetts.* South of a line starting from a point bearing 246° true, 3,510 yards, from stack of pumping station on Nut Island, and extending thence 306° true to the shore; west of a line bearing 190° true, extending from the aforesaid point to the shore; north of the shore line to its intersection with the eastern boundary; and east of the shore line to its intersection with the northern boundary.

(o) *Dorchester Bay, Boston Harbor, Massachusetts.* Eastward of a line bearing 21° true from the stack located a short distance northward of the Dorchester Yacht Club; southward of a line bearing 294° true from the southerly channel pier of highway bridge; westward of the highway bridge and the shoreline; and northward of the shore line to its intersection with a line bearing 21° true from the aforesaid stack.

(p) *Mystic River, Boston Harbor, Massachusetts.*—(1) *Anchorage A.* West side of Chelsea Bridge north. Northerly of the fender pier of Chelsea Bridge north and a line joining the westerly end of the shoreward face of fender pier with the southeasterly corner of the wharf projecting from the Naval Hospital grounds; easterly of the aforesaid wharf; southerly of the shore of the Naval Hospital grounds; and westerly of Chelsea Bridge North.

(2) *Anchorage B. East side of Chelsea Bridge North.* Northerly of the northerly fender pier of Chelsea Bridge north; easterly of Chelsea Bridge north; southerly of the shore line; and westerly of a line having a bearing of 7° true from the easterly end of the aforesaid fender pier.

(q) *Savin Hill Yacht Club, Massachusetts.* Northerly of a line having a bearing of 64° true from the stack of the old power plant of the Boston Elevated Railway on Freeport Street in Dorchester; westerly of a line having a bearing of 163° true from the stack of the Boston Main Drainage Pumping Station on the Cow Pasture in Dorchester; southerly of the shore line; and easterly of the shore line.

(r) *Wollaston and Squantum Yacht Clubs, Massachusetts.* Northwesterly of a line having a bearing of 36°30' true from a point on the shore 2600 feet easterly of the east side of the Wollaston Yacht Club landing; southwesterly of a line having a bearing of 129°15' true from the water tank in Squantum; southeasterly of the shore line; and northeasterly of the shore line.

(s) *Boston Harbor, at Winthrop, Massachusetts.* Southerly of a line having a bearing of 276° true from a point on the west side of Pleasant Street, Winthrop, Mass., 360 feet from the southwest corner of its intersection with Main Street; westerly of a line having a bearing of 186° true from a point on the south side of Main Street 140 feet from the southwest corner of its intersection with Pleasant Street; northerly of a line

having a bearing of 256° true from a point on the west side of Pleasant Street 550 feet from the southwest corner of its intersection with Main Street; and easterly of a line having a bearing of 182° true from a point on the south side of Main Street 640 feet from the southwest corner of its intersection with Pleasant Street.

(t) *Boston Harbor, at South Boston, Massachusetts.* Northerly a line having a bearing of 96° true from the stack of heating plant of the Boston Housing Authority in South Boston; easterly of a line having a bearing of 5° true from the west shaft of tunnel of the Boston Maine Drainage Pumping Station; southerly of the shore line; and westerly of a line having a bearing of 158° true from the Northeast corner of the iron fence marking the east boundary of the South Boston Yacht Club property.

(u) *Silver Beach Harbor, North Falmouth, Massachusetts.* All the waters of Silver Beach Harbor northward of the inner end of the entrance channel.

§ 6.1-15 *Boston, Massachusetts.*—(a) *Bird Island Anchorage.* This anchorage shall include the area between the following points:

(1) 1400 yards 93° true from the aerial beacon on top of the Boston Custom House tower;

(2) 1600 yards 81° true from the aerial beacon on top of the Boston Custom House tower;

(3) 3100 yards 102° true from the aerial beacon on top of the Boston Custom House tower (beacon A);

(4) 3050 yards 109° true from the aerial beacon on top of the Boston Custom House tower (Flashing Red Buoy No. 10).

(b) *President Roads Anchorage.* This anchorage is the area bounded by the following points:

(1) 350 yards 261° true from Deer Island Light;

(2) 2900 yards 261° true from Deer Island Light;

(3) 2600 yards 272° true from Deer Island Light;

(4) 650 yards 319° true from Deer Island Light;

The captain of the port may authorize the use of this anchorage as an explosive anchorage when he finds that the interests of commerce will be promoted thereby and the interests of safety and the national war effort will not be prejudiced thereby. Vessels anchoring in this anchorage shall move promptly upon notification by the captain of the port.

(c) *Long Island Anchorage.* This anchorage, located east of Long Island, is the area bounded by the following lines: A line drawn 270° true from the southwesternmost point of Gallups Island to Long Island; thence the eastern shore line of Long Island to Bass Point; thence from Bass Point to the northernmost point of Rainsford Island; thence to Buoy "GONG 6"; thence to the starting point on Gallups Island. Vessels shall anchor in position designated by the captain of the port.

(d) *Castle Island Anchorage.* This anchorage is the area bounded as follows:

(1) On the north by Castle Island and adjacent land;

(2) On the east by a line drawn between Castle Rocks Fog Signal and Old Harbor Shoal Buoy "N2";

(3) On the southeast by a line drawn between Old Harbor Shoal Buoy "N2" and Old Harbor Buoy "N4";

(4) On the west by a line drawn between Buoy "N4" and City Point Cupola.

(e) *Explosive anchorage.* The explosive anchorage for Boston is in the lower harbor, and shall be the area bounded as follows:

(1) On the northeast by a line between the northeast end of Peddocks Island and the northeast end of Rainsford Island;

(2) On the northwest by Rainsford Island;

(3) On the southwest by a line between the western extremity of Rainsford Island and the westernmost point of Peddocks Island;

(4) On the southeast by Peddocks Island.

NOTE: Floats or buoys for marking anchors or moorings in place will be allowed in all areas. Fixed mooring piles or stakes are prohibited.

§ 6.1-20 *New Bedford Outer Harbor, Buzzards Bay, Vineyard and Nantucket Sounds, Massachusetts.*—(a) *Anchorage A, Egg Island.* Within the area west of Sciticut Neck to the eastward of a line bearing 156° and extending from a point

100 yards off the southwest corner of Fort Phoenix, parallel with and 100 yards easterly of the line of spar buoys numbered, respectively, 2, 2A, 4 and 6, to a point from which Egg Island beacon bears 87° to the northward of a line from Egg Island beacon bearing 267°; to the eastward of a line bearing 156° extending southerly from Egg Island beacon and ranging from Fort Phoenix beacon; and to the northward of a line bearing 87° and ranging from the old tower on Clarks Point to the Sciticut Neck shore.

(b) *Anchorage B, Butler Flats.* To the southeastward of a line bearing 222° and ranging from the southwest corner of Fort Phoenix to the New Bedford shore; to the westward of a line from Butler Flats Light bearing 334° and ranging toward Palmer Island Light; and to the northward of a line bearing 267° and ranging from Butler Flats Light to the shore. Buzzards Bay, near the entrance to the approach channel to Cape Cod Canal.

(c) *Anchorage C, Bird Island.* Within the area west of a line parallel with and 850 feet westerly from center line of proposed Cleavelands Ledge Channel; north of a line bearing 129° from Bird Island Light; east of a line bearing 25½° and passing through Bird Island Reef Buoy No. 13; and south of a line bearing 270° from Wings Neck Light.

NOTE: Bird Island Light has been discontinued.

(d) *Anchorage D, Wings Neck.* Beginning at a point bearing 185° and 1,200 yards distant from Flashing Red Light No. 4 on the Steel Pile Dolphin, located on the south side of Hog Island Channel at station 630.0, the area south

of a line bearing 129° from said point and passing through a point in a line bearing 209° from Wings Neck Light, and distant approximately 733 yards therefrom; west of a line bearing 209° from Wings Neck Light to Southwest Ledge, North Part, Buoy No. 10 and west of a line bearing 199° from said Buoy No. 10; north of a line bearing 129° from Bird Island Light to a point 50 feet easterly, right angle distance, from center line of proposed Cleavelands Ledge Channel; east of a line parallel to and 850 feet easterly from said center line of proposed Cleavelands Ledge Channel and east of a line bearing 38½° to the point of beginning.

NOTE: Bird Island Light has been discontinued.

(e) *Anchorage E, Marthas Vineyard.* South of a line from a point abreast and about 3¼ miles 180° from Cuttyhunk Light bearing 65° and ranging through a point five-eighths mile 180° from Nashawona Gas Buoy, and of a line bearing 57½° and passing 600 yards northerly of Middle Ground Bell Buoy No. 25A to a point 145° 1¼ miles from Nobska Point Light; southwest of a line bearing 113° and ranging through West Chop Buoy No. 25 to East Chop Flats Buoy No. 23; and west of a line bearing 163° between the last-named buoy and Lone Rock Buoy No. 1.

(f) *Anchorage F, Elizabeth Islands.* Southeast of the Elizabeth Islands, north of a line bearing 97½° and ranging from Cuttyhunk Light toward Nashawona Gas Buoy to a point three-eighths mile from the buoy; northwest of a line bearing 57½° from the last-named point to opposite the entrance to Woods Hole; and southwest of a line from the shore of Nonameset Island bearing 114° and ranging through West Chop Light and East Chop Light.

(g) *Anchorage G, Nantucket Sound South Shore.* South of a line bearing 113° and running from Lone Rock Buoy No. 1 to Outer Flats Bell Buoy No. 17, and of a line thence bearing 86° to Cross Rip Light Vessel; southwest of a line bearing 118½° from Cross Rip Light Vessel to Tuckernuck Shoal Bell Buoy No. 7; and west of a line bearing 194° and ranging from the last-named buoy toward Brant Point Light, to the breakwater at Brant Point.

(h) *Anchorage H, Squash Meadow.* Within the area at Squash Meadow Shoal east of a line bearing 163° and ranging through Squash Meadow West End Buoy No. 21; north of the lines parallel to and one-half mile northerly from the lines joining Lone Rock Buoy No. 1, Outer Flats Bell Buoy No. 17, and the Cross Rip Light Vessel; and south of a line bearing 97° and ranging from East Chop Light toward Cross Rip Light Vessel.

(i) *Anchorage I, Nantucket Sound North Shore.* Northerly of a line bearing 109° from Nobska Point Light toward Hedge Fence Light Vessel, and of a line bearing 97½° and ranging through Hedge Fence East End Buoy to Half Moon Shoal Gas Buoy No. 12, and of a line bearing 73° from the last-named buoy to Handkerchief Shoal No. 16; and to the westward of Handkerchief Shoal and Monomoy Island.

NOTE: Hedge Fence Light Vessel has been replaced by a light buoy.

(j) *Anchorage J, Great Point.* East of a line bearing 149° parallel to and seven-eighths mile northeasterly of a line through Tuckernuck Shoal Bell Buoy No. 7 and Brant Point Light; south of a line bearing 73° parallel to and 1¼ miles southerly from the line joining Half Moon Shoal Gas Buoy No. 12 and Handkerchief Shoal Buoy No. 16; east of line bearing 35° and ranging to Stone Horse North End Gas and Bell Buoy No. 9; and south of a line bearing 70° ranging from the last-named buoy to Pollock Rip Slue; and east of a line bearing 27° ranging through Pollock Rip Light Vessel 5 miles to sea.

(k) *Anchorage K, Monomoy Island.* North of Bears Shoal; and west of a line bearing 7° from Pollock Rip Buoy No. 2A to Chatham Bar Whistling Buoy No. 2.

NOTE 1: Except in cases of great emergency no vessels shall be anchored in New Bedford Outer Harbor, Buzzards Bay, near the entrance to the approach channel to Cape Cod Canal, or Vineyard and Nantucket Sounds, outside of the anchorage areas hereby defined and established.

NOTE 2: *Cape Cod Canal.* On and after May 20, 1942, all United States vessels of 100 gross tons and over and all foreign vessels, when traversing the Cape Cod Canal, will be required to have on board an accredited pilot approved by the Captain of the Port.

§ 6.1-25 *Narragansett Bay (including Newport Harbor) and Bristol Harbor, Rhode Island*—(a) *The anchorage grounds Eastern Passage of Narragansett Bay*—(1) *Anchorage A, Conanicut Island.* To the westward of a line bearing 9° from the easternmost Dumpling to the east short of Gould Island at its southern end; to the westward of Gould Island and of a line bearing 349° from Gould Island Light; and to the southward of a line bearing 109° ranging from Conanicut Island Light toward the spindle on Halfway Rock, except that all vessels are forbidden to anchor in the approach of the Jamestown Ferry within a zone 300 yards wide to the southward of a line from a point 100 yards north of the existing ferry landing bearing 103° and ranging to the spire of Trinity Church, Newport.

(2) *Narragansett Bay (including Newport Harbor) and Bristol Harbor, Rhode Island*—(i) *Anchorage B, Coddington Cove.* To the eastward of a line beginning 310 yards west of Bishop Rock, thence bearing 16°25' to latitude 41°33'30" North, thence to the northern point of Dyer Island.

NOTE: Temporary floats or buoys for marking anchors or moorings in place will be allowed in this area. Fixed mooring piles or stakes will not be allowed.

Warning. Vessels are cautioned against frequenting the area, or anchoring close to Coddington Point in area B during the seasons favorable for small-arms practice when the target range on Coddington Point may be in use. During the time when the small-arms range is in use a red flag is displayed from the top of the target butts on Coddington Point so as to be plainly visible in the vicinity of Coddington Point and in Coddington Cove.

(3) *Anchorage C, Rose Island.* Within the area adjacent to Rose Island eastward of a line bearing 184° and ranging through Rose Island Light to a point 311 yards south of the light and of a line from there bearing 140° and ranging toward Ida Lewis Rock Light (Lime Rock Light); to the northward of a line bearing 48° and ranging from the easternmost Dumpling through Mitchell Rock Buoy No. 3; to the westward of a line through Can Buoy No. 7 bearing 336° and ranging from Newport Harbor Light at the north end of Goat Island; and to the southward of a line bearing 266° and ranging to the northernmost edge of Taylor Point.

NOTE 1: Temporary floats or buoys for marking anchors or moorings in place will be allowed in this area. Fixed mooring piles or stakes will not be allowed.

(4) *Anchorage D, Goat Island.* Within an area west of Goat Island south of a line 200 yards long bearing 270° from Newport Harbor Light; east of a line 1,060 yards long bearing 228° from the west end of the above line to a point due west of the spire of Trinity Church, Newport, and of a line from the last-named point bearing 138° and ranging toward Lime Rock Light; and to the north of a line from Goat Island Shoal Light bearing 270° and ranging through Spar Buoy No. 1, west of the island.

(5) *Anchorage E, Coasters Harbor Island.* To the eastward of a line from the southwestern short of Coasters Harbor Island near the War College Building bearing 161° and ranging toward the outer end of Briggs Wharf (so called), and to the northward of a line bearing 265° and ranging from the flagstaff at Fort Greene toward Rose Island Light.

(6) *Anchorage F, Newport Harbor.* Within the area in the central and southerly part of Newport Harbor proper, east of a line bearing 34° and ranging through a point 75 yards easterly of the end of the south wharf at Fort Adams toward Goat Island Shoal Light and of a line through a point 35 yards east of the north end of the north wharf at Fort Adams, bearing 329° and ranging toward the northeast corner of the Fort Adams stone wharf, and of a line from the south corner of the north wharf at Fort Adams, bearing 23° and ranging toward Newport Harbor Light on Goat Island; southerly of a line bearing 116° and ranging from Fort Adams Light to Lime Rock Light and of a line bearing 74° and ranging from the south end of north wharf at Fort Adams to the spire of the Thames Street Methodist Episcopal Church; to the eastward of a line bearing 4° and ranging from the city stone pier at King Park toward the end of the Fall River Line wharf; southerly of a line bearing 95° and ranging from the south end of the wharf of the United States Naval Torpedo Station on Goat Island toward the northwest corner of Bowen's wharf; and to the westward of a line bearing 176° and ranging from the southwest corner of city wharf toward the southwest corner of Wellington and Houston Avenues opposite King Park and of a line bearing 132° and ranging from the south end of the Torpedo Station wharf, Goat Island, toward the power-house chimney, Newport, and of

a line bearing 177° and ranging from the southeast corner of city wharf through a point 50 yards westerly from the outer end of Commercial Wharf.

(7) *Anchorage G, Newport Inner Harbor.* Within the area northeast of a line bearing 108° and ranging from the southeast corner of city wharf toward the northwest corner of the Government wharf.

(b) *Western passage of Narragansett Bay*—(1) *Anchorage H, Bonnet Point.* Within the area north of a line 1,000 yards long bearing 88° from Bonnet Point, west of a line bearing 3° from the eastern end of the last-described line and ranging toward Plum Beach Light, and southerly of a line bearing 302° and ranging through a point 200 yards south of the Kearny wharf and the church spire at South Ferry, Boston Neck.

(2) *Anchorage I, Austins Hollow.* Within the area south of a line bearing 302° and ranging through a point 200 yards south of the Kearny wharf and the church spire at South Ferry; east of a line ranging from Dutch Island Light and bearing 183°; and north of a line 1,000 yards long bearing 268° and ranging from the shore at Austins Hollow toward Bonnet Point.

(3) *Anchorage J, Saunderstown.* Within the area opposite Saunderstown, south of a line from the south side of the ferry wharf, bearing 110° and ranging toward the cable crossing sign on Dutch Island; west of a line bearing 192° and ranging from Spar Buoy No. 1 P. B. toward the east shore of The Bonnet; and north of a line from the shore bearing 108° and ranging through Dutch Island Light and the north end of the wharf at Beaver Head.

(4) *Anchorage K, Dutch Island Harbor.* In the central and southern portion of Dutch Island Harbor north of a line from Spar Buoy No. 2, bearing 106° and ranging toward the Jamestown stand-pipe; east of a line from Spar Buoy No. 2 bearing 14° and ranging toward the inshore end of the engineer wharf, Dutch Island, and southeast of a line bearing 50° and ranging from Dutch Island Light toward the windmill north of Jamestown; and south of a line parallel to and 100 yards distant southwesterly from a line between the engineer wharf, Dutch Island, and the west ferry wharf, Jamestown, bearing 132°.

NOTE 1: Temporary floats or buoys for marking anchors or moorings in place will be allowed in this area. Fixed mooring piles or stakes will not be allowed.

NOTE 2: Lime Rock Light is the former name for Ida Lewis Light shown on U. S. O. & G. S. charts.

(5) *Anchorage L, Plum Beach.* Within the area south of a line bearing 46° from Poplar Point tower to Wickford Harbor Light and of a line bearing 110° and ranging from there toward Sand Point Conanicut Island; west of a line bearing 186° and ranging from Warwick Neck toward Dutch Island Light to a point 600 yards easterly of Plum Beach Light and of a line from there bearing 195° parallel to and 1,000 feet westerly from a line joining Spar Buoy No. 2 at Slocums Ledge and the western point of Dutch Island; and north of a line from a point on shore

300 yards northerly of the Saunders-town ferry wharf, bearing 101° and ranging toward the entrance to Round Swamp on Conanicut Island.

(6) *Anchorage M, Round Swamp.* Within the area east and north of Dutch Island, north of a line from the inshore end of the west ferry wharf, Jamestown, bearing 316° and ranging toward the north end of Dutch Island to a point 200 yards 88° from the engineer wharf, Dutch Island; east of a line from there bearing 3° and ranging toward the Conanicut Island shore at Slocums Ledge; north of a line 200 yards off the Dutch Island shore bearing 281° and ranging from the entrance to Round Swamp toward a point on shore 300 yards northerly from the Saunderstown ferry wharf; east of a line from Spar Buoy No. 2 at Slocums Ledge bearing 195° and ranging toward the western point of Dutch Island; and south of a line from the last-named buoy bearing 77° and running to the shore.

(7) *Anchorage N, North Point.* Within the area west of the north end of Conanicut Island, south of a line from Conanicut Island Light bearing 262° and ranging toward General Rock Bell Buoy; east of a line bearing 8° and ranging from Spar Buoy No. 2 at Slocums Ledge; and north of a line from Sand Point bearing 290° and ranging toward Wickford Harbor Light.

(8) *Anchorage O, Bristol Harbor.* To the southward of the south line of Franklin Street extended westerly; to the westward of a line bearing 164½° parallel to and 400 feet westerly from the State harbor line between Franklin and Constitution Streets and of a line bearing 224° and ranging toward Ushers Rock Buoy from a point on the north line of Constitution Street extended 400 feet beyond the State harbor line; and to the northward of the north line of Union Street extended to the Popasquash Neck shore.

NOTE: Except in cases of great emergency, no vessel shall be anchored in the entrance to Narragansett Bay, in Newport Harbor, or in that portion of Bristol Harbor channelward of the State harbor line between the westward prolongations of Union and Franklin Streets, outside of the anchorage areas hereby defined and established.

THIRD NAVAL DISTRICT

§ 6.3-1 *New London Harbor, Connecticut*—(a) *Anchorage A.* Located in the Thames River east of Shaws Cove and is included within the following points:

- (1) 1,400 yards 243° true from Monument, Groton;
- (2) 925 yards 246° true from Monument, Groton;
- (3) 1,380 yards 217° true from Monument, Groton;
- (4) 1,450 yards 235° true from Monument, Groton.

This anchorage is for barges and small vessels drawing less than 12 feet. Anchorage A is designated a Naval Anchorage. This anchorage shall be used only by naval vessels, and by other vessels holding special permits issued by the captain of the port upon a finding that

such special permits to anchor are not inimical to the requirements of the Navy.

(b) *Anchorage B.* Located in the Thames River southward of New London and is included within the following points:

- (1) 2,460 yards 2° true from New London Harbor Light;
- (2) 2,480 yards 9° true from New London Harbor Light;
- (3) 1,175 yards 26° true from New London Harbor Light;
- (4) 1,075 yards 8° true from New London Harbor Light.

(c) *Anchorage C.* Located in the Thames River southward of New London Harbor and is included within the following points:

- (1) 450 yards 100° true from New London Harbor Light;
- (2) 575 yards 270° true from New London Ledge Light;
- (3) 1,450 yards 270° true from New London Ledge Light.

(d) *Anchorage D.* Located in Long Island Sound approximately two miles west southwest of New London Ledge Light and is included within the following points:

- (1) 2.6 miles 246° true from New London Ledge Light;
- (2) 2.1 miles 247° true from New London Ledge Light;
- (3) 2.1 miles 233° true from New London Ledge Light;
- (4) 2.6 miles 235° true from New London Ledge Light.

§ 6.3-2 *Black Rock Canal and Lock at Buffalo, New York; regulations for protection*—(a) *Small craft and rafts.* All small craft other than those owned and operated by the United States, desiring to transit the lock, shall obtain a movement license from the Captain of the Port of Buffalo prior to entering the vicinity of the lock. Such small craft shall upon approaching the lock stop and report to the guard stationed at one of the following points: Southbound vessels, at the north end of the guide pier below the lock, and northbound vessels at the Administration Building on the east side of the canal between the International Bridge and the lock. The guard on duty shall make such inspection as deemed necessary before allowing each vessel to proceed. No small craft other than those owned and operated by the United States shall dock at the guide pier or at the upstream approaches to the lock at any time, except at the above designated points and for the purpose of reporting to the guard on duty. Small craft other than those owned and operated by the United States, not desiring to transit the lock, are prohibited from entering the following areas:

(1) *Above the lock.* The area in the Black Rock Canal between a line 500 feet above the International Bridge and the lock.

(2) *Below the lock.* The area southerly and westerly of a line from the lower end and perpendicular to the guide pier to a point 75 feet from the harbor line, thence parallel to and 75 feet from the harbor line to the U. S. Engineer Storehouse.

NOTE: The above described areas are patrolled and guarded. No person may leave or board a vessel within the above-described areas except in emergency.

(b) *All other craft and vessels*—(1) *Personnel authorized to land.* The master or mate, only, may go from a vessel while in the lock to the canal office. Three (3) deck hands only, may leave the vessel for the sole purpose of handling the mooring lines and shall re-board the vessel as soon as the vessel has been moored. No other person may leave or board vessels in the lock except in emergency. Changing of crews of vessels within the above-described areas shall be prohibited.

(2) *Docking at piers.* No vessel shall dock or tie up at the walls on either side of the canal between the lock and the International Bridge above the lock, or to the guide pier below the lock without specific authority from the lockmaster.

(3) *Throwing objects overboard.* Throwing overboard of any rubbish or other object in the canal or in the areas above or below the dock, as described in paragraph (a) (1) and (2) of this section, or in the approaches to these areas, is forbidden.

(4) *Discharge of firearms.* No firearms of any kind shall be discharged from vessels while in the lock area.

(5) *Smoking on tankers.* When tankers are transiting the canal and lock, smoking thereon is prohibited, except in such places as may be designated in the ship's regulations.

(6) *Embarking and debarking.* No passengers will be permitted to board or disembark from ships while transiting the lock area except by authority of the District Engineer.

(7) *Photography.* The taking of pictures from vessels of the lock area or any of the installations therein is prohibited. Ships' masters and lock guards are responsible for the enforcement of this regulation.

(8) *Tugs required.* All barges or other vessels navigating within the limits of the Black Rock Canal, whether approaching or leaving the lock and not operating under their own power, will be required to be assisted by one or more tugs of sufficient power to insure full control at all times.

(9) *Passenger vessels restricted.* Transit of the locks by passenger or excursion vessels over two hundred (200) gross registered tons is prohibited.

(10) *Inspection.* (i) A special examination shall be made of each vessel prior to its approaching Black Rock Canal for each transit. Such examination shall include the inspection of openings to all closed compartments, the forepeak, blind hold, dunnage room, windlass room, and chain locker; examination of bolt fastenings being such as to detect whether any tampering has been done. Entry of such inspection shall be made in the ship's log. Following the inspection and prior to entering the canal, a square yellow flag, showing a black ball in the center, and being not less than three feet by three feet in size, shall be flown from the forward part of the ship. Vessels complying with the above regulations and displaying the flag may be permitted to enter the canal at the discretion of the United States Coast Guard. The Coast Guard has authority to board vessels at any time for the purpose of making in-

vestigations or examinations. Vessels not displaying the flag will be detained for inspection by the Coast Guard prior to entering the canal. Vessels displaying the flag may be boarded by the Coast Guard for the purpose of check inspection or for examination of the log.

(ii) Vessels shall also indicate compliance with the foregoing regulation by signalling with one long, one short, and one long blast of the whistle. This signal shall be given following the signal for passage through the canal.

(iii) Barges in tow and the towing tug shall be construed as individual vessels and each subject to this inspection.

(11) *Rate of speed.* No vessel or boat shall navigate the Black Rock Canal at a rate of speed greater than six statute miles per hour or less than three statute miles per hour.

(i) A rate of speed of six statute miles per hour will require elapsed time to navigate between designated points as follows: From North Breakwater Light to Ferry Street Bridge, 26¼ minutes; from south end Bird Island Pier to Ferry Street Bridge, 18¾ minutes; from Ferry Street Bridge to International Bridge, 11½ minutes.

(ii) A rate of speed of three statute miles per hour will require elapsed time to navigate between designated points as follows: From North Breakwater Light to Ferry Street Bridge, 52½ minutes; from south end Bird Island Pier to Ferry Street Bridge, 37½ minutes; from Ferry Street Bridge to International Bridge, 23 minutes.

(c) These regulations shall be supplementary to the "Regulations to Govern the Use, Administration, and Navigation of Black Rock Canal and Lock and Ferry Street Bridge at Buffalo, New York; and Niagara River from Black Rock Lock to Tonawanda, New York."

§ 6.3-5 *New York Harbor: Upper Bay anchorages*—(a) *Western anchorage.*

(1) Within an area lying northeast of Ellis Island to the southeastward of a line bearing 58° from the northwest corner of the island; to the southwestward of a line bearing 124° from Communipaw Pier; to the westward of a line bearing 178° from the end of the Central Railroad of New Jersey Pier No. 5; and to the northward of a line ranging from the south side of the main island of Ellis Island station to the outer end of the Staten Island Ferry racks, on the New York shore.

(2) To the southward of a line ranging from the southerly corner of Ellis Island to Cable Lower Buoy 1 off Ellis Island; to the westward of two lines, one line in extension of the line marking the eastern limits of Anchorage No. 20 and passing through Statue of Liberty Lighted Buoy 31, and the other line ranging from Buoy 31 to 205° to the north end of the United States Marine Hospital at Stapleton, Staten Island; and to the northward of the dredged channel to the Lehigh Valley Railroad's Claremont terminal on a line ranging 132° toward a tall brick chimney near the foot of Fifty-second street, Brooklyn, N. Y., Area 49-B in this anchorage is reserved for explosives and is excluded from use as a general anchorage.

(3) To the southward of the Pennsylvania Railroad Greenville dredged channel on a line from the southerly corner of the southerly pier of the Pennsylvania Railroad Co. Greenville terminal to the end of the south pier of Morse dry dock, Brooklyn; to the westward of a line from the Governors Island Extension Light to the westerly lantern of the St. George Ferry terminal, to the northward of a line ranging 262° from Robbins Reef Gong Buoy 27, and northeast of the channel approach to the north side of Constable Point.

(4) No vessel shall anchor between Ellis Island and the piers of the Central Railroad of New Jersey, or in the dredged channel approaches to this space, or the piers and wharves of the railroad, or in the dredged channel approaches to the National Docks at Black Tom Island, to Bedloes Island, to the Greenville and Claremont terminals, or near the entrance to said channels so as to obstruct the approaches or interfere in any way with the free navigation of the same. The portions of Anchorages 20-A and 20-B which are easterly of a line ranging 204½° from the east end of the east landing pier on Bedloes Island to Greenville Piers Channel Lighted Bell Buoy 2G, and in range with Robbins Reef Gong Buoy 27, and Buoy 2G, and the northerly prolongation of that line, are set aside as temporary anchorages for vessels arriving in and leaving port. No vessel shall occupy these anchorages for a longer period than 72 hours, unless a permit is obtained from the Captain of the Port for that purpose.

(5) *Explosive anchorage; portion of Anchorage 20-A.* Located eastward of a line bearing 204½ degrees true from the east end of the east landing pier on Bedloes Island and south of Bedloes Island, is designated an explosive anchorage. The captain of the port may authorize the use of this explosive anchorage by vessels loading or discharging explosives when he finds that the interests of commerce and national defense will be promoted thereby and that the interests of safety will not be prejudiced thereby. No vessel shall occupy this anchorage without a permit from the captain of the port.

(b) *Eastern anchorages.* (1) To the southward of a line passing through Greenville Piers Channel Lighted Bell Buoy 2G, the easterly buoy marking the north limit of anchorage ground and the middle point of the front of the New York Dock Co. Pier No. 41 (Merchants Stores); to the westward of Red Hook and Bay Ridge Channels marked by anchorage and channel buoys along the western edge of the dredged channel; to the northeastward of a line ranging 346° from Ambrose Channel Lighted Bell Buoy 18, through a point 250 yards due west of the western edge of Fort Lafayette; to the eastward of a line bearing 357½° ranging from Fort Wadsworth Bell Buoy No. 23 to Gowanus Flats Lighted Bell Buoy 24; northerly therefrom to the eastward of a line ranging 28° from the southeast corner of city pier No. 16, Staten Island, to the light at southwest end of Governors Island.

This anchorage shall be subdivided as follows:

(i) *Anchorage Area 1-A; sailing vessels.* All that portion of Anchorage No. 1 to the northward of a line ranging from the end of the Thirty-ninth Street Ferry rack (northeast rack), Brooklyn, through Bay Ridge Channel Lighted Bell Buoy 7, to Gowanus Flats Lighted Bell Buoy 28. This anchorage to be used for sailing vessels; deep-laden vessels to use the western half of the anchorage and light-draft vessels to use the eastern half.

(ii) *Anchorage Area 1-B; steamers.* That portion of Anchorage No. 1 south of anchorage No. 1-A as described above, and west and south of Anchorage No. 1-C described below. This anchorage shall be used by steamers; those deep-laden to use the western side and southern end of the anchorage ground, and light-draft steamers to use the eastern side, excluding the fairway described below.

(iii) *Anchorage Area 1-C; barges.* That portion of Anchorage No. 1 south of Anchorage No. 1-A as described above, northerly of a line ranging from Robbins Reef Light to the northerly of the tall chimneys of the Brooklyn Edison Co.'s power house at Sixty-sixth Street, Brooklyn, and easterly of a line ranging from the point of Red Hook to the north corner of Pier 21 of the Pouch Terminal at Clifton, Staten Island, excluding the fairway described below. Barges drawing 12 feet or less are required to use this anchorage to the exclusion of Anchorages Nos. 1-A and 1-B.

NOTE: Vessels of the various types required to use Anchorages Nos. 1-A, 1-B, and 1-C may be anchored in other of these areas than those set aside for them for a limited time after first obtaining a permit from the Captain of the Port, when and to the extent that they are not needed for vessels of the types assigned to them.

A fairway 600 feet wide, crossing Anchorages Nos. 1-B and 1-C, marked by buoys at each entrance, shall be excluded from the anchorage grounds. Its northerly side is on range with Lighted Bell Buoy 2G at the entrance to Greenville Piers Channel, and the center of the head of the north pier of the Long Island Railroad terminal at the foot of Sixty-fourth Street, Bay Ridge.

No vessel shall occupy these anchorages for a period longer than 30 days, unless a permit is obtained from the Captain of the Port for that purpose.

(iv) *Anchorage Area 1-D.* Small vessels may, in the discretion of the Captain of the Port, anchor to the eastward of a line ranging 338½° from the west edge of Fort Lafayette, and southward of Ninety-second Street; between Seventy-ninth Street and Ninety-second Street, eastward of a line ranging from Craven Shoal Lighted Bell Buoy to the Statue of Liberty, and eastward of Bay Ridge Channel, northward of Seventy-ninth Street to a point off Sixty-sixth Street; but not within 100 yards of the pier at Owls Head.

(c) *Man-of-war anchorage.* To the southward of a line ranging 85° from the north end of the east rack of St. George Ferry; to the westward of a line ranging from a point 160 yards west of Robbins Reef Light 171°45' to Tomp-

kinsville Lighted Buoy 25; and to the northward of a line ranging from said buoy 252° to the south end of Tompkinsville landing.

NOTE: The Captain of the Port may permit commercial vessels to anchor, temporarily, ordinarily for a period not greater than 24 hours, in the anchorage, when he knows that it is not going to be needed for naval vessels, but two berths for capital ships of the Navy shall be reserved in the eastern portion of the anchorage, and two berths reserved for Coast Guard Vessels near shore. Commercial vessels so anchored shall be moved at their own expense whenever the anchorage ground is needed for naval vessels.

(d) *Staten Island Anchorage; temporary anchorage.* South of a line ranging from Tompkinsville Lighted Buoy 25, 252° to the south end of Tompkinsville landing; to the westward of a line ranging from this buoy 174° to the southerly end of Quarantine Wharf, said line being also in range with a point 70 yards west of Robbins Reef Light, and to the northward of a line bearing 226° to the center of a large gas tank at Clifton, Staten Island. No vessel shall occupy this anchorage for a longer period than 48 hours, unless a permit is obtained from the Captain of the Port for that purpose.

NOTE: The establishment of quarantine anchorages and of rules and regulations governing quarantine and their enforcement are under the Secretary of the Navy, and under his authority the following quarantine anchorages have been established:

(e) *Quarantine anchorage.* (1) To the southward of a line bearing 226° to the center of the gas tank at Clifton, Staten Island, and to the westward of a line ranging from the northern end of the Quarantine Wharf, Rosebank, Staten Island, to Robbins Reef Lighthouse.

(2) Vessels arriving at Quarantine and awaiting inspection may anchor temporarily to the westward of a line bearing 346°, 100 yards westerly from and parallel with a line ranging from Craven Shoal Lighted Bell Buoy to Robbins Reef Lighthouse, but not south of a line bearing 270° from the north side of Fort Lafayette or north of a line ranging 85° from the north end of the east rack of the St. George Ferry landing. As soon as cleared by the quarantine officer, vessels must vacate this temporary anchorage and, if detained in quarantine, must at once move into the quarantine anchorage.

(3) Northerly of Quarantine Wharf, Rosebank, Staten Island, vessels may be kept to the westward of the east boundary range of this temporary anchorage at all times by dropping anchors on or to the westward of a line ranging from Fort Wadsworth Light to Tompkinsville Lighted Buoy 25, when the combined lengths of anchor line and vessels swinging eastward of the line shall in no case exceed from 390 yards off Quarantine Wharf, to 280 yards near Buoy 25 and proportionate lengths between such points.

(4) Whenever the temporary quarantine anchorage off Staten Island is fully utilized, vessels may anchor temporarily within the western portion of the Gravesend Bay Anchorage No. 25 while awaiting opportunity to move up in order of ar-

rival to the temporary quarantine anchorage off Staten Island for quarantine examination.

(f) *Gravesend Bay Anchorage.* (1) To the northward of a line ranging 271½° from Coney Island Lighthouse on Norton Point to the south point of Hoffman Island to the eastward of a line ranging 342° through a point 250 yards due west from the west edge of Fort Lafayette and a point 300 yards due east from Robbins Reef Lighthouse; and to the southward of a line due east through Fort Hamilton Southwest Buoy 20, excluding anchorages Nos. 49-C and 49-C-1, and reserving for temporary anchorage for a period not to exceed forty-eight (48) hours the portion of this anchorage to the westward of a line ranging 343° from a point due west 700 yards from Coney Island Lighthouse to Fort Hamilton Southwest Buoy 20. Vessels may anchor temporarily within this area while awaiting quarantine examination, when the temporary quarantine anchorage off Staten Island is fully utilized.

(g) *Lower Bay anchorages.* (1) in Sandy Hook Bay to the southward of a line extending from Point Comfort Light to Sandy Hook Point Light.

(2) Vessels may anchor on Romer Shoal and Flynn Knoll and south of Gedney Channel.

(3) To the westward of lines running 154½° from Fort Wadsworth Light to Craven Shoal Lighted Bell Buoy; thence in succession to the buoys marking the east side of West Bank and the buoys on the west side of Chapel Hill cut; thence 182° to a line extending from Sandy Hook Point Light to Point Comfort Light, to the northward of the latter line, and the New Jersey shore, and to the eastward of a line bearing 353° from the head of the Keansburg Steamboat Dock at Point Comfort, through Great Kills Flat Buoy 4 to the Staten Island shore.

(h) *Kill Van Kull anchorages.* (1) To the northward of a line ranging from the Pacific Coast Borax Works chimney to the south face of the city wharf at the foot of Ingham Avenue, Bayonne, between said wharf and the Tidewater Oil Co. piers, and to the northward of a line ranging from the south end of the rack of the Bergen Point Ferry at Bayonne, N. J., to a point 100 yards south of Bergen Point Lighthouse, thence east of a line to the lighthouse and southeast of a line from thence 55° to the shore at Bergen Point.

(2) To the southward of lines joining the ends of the long piers between pier of the National Lead Co., at Port Richmond, and the power station at Livingston Point.

(3) To the southward of a line bearing 85½° from the north end of the Milling Dock to the wharf of the Standard Varnish Works, Port Richmond.

(4) To the southward of a line from the northeast corner of former Downey Shipbuilding Co. wharf to Kill Van Kull Channel Buoy 7, and a line from thence to the northwest corner of the docks of the Staten Island Shipbuilding Co. at Mariners Harbor.

(i) *Newark Bay anchorages.* (1) To the west of Shooters Island between a line ranging from the southwest corner

of Shooters Island to the twin spires on SS. Peter's and Paul's Church, Elizabethport, and a line ranging from the north side of the dike at Port Ivory, Staten Island, to the northwest corner of Shooters Island.

(2) South of the bridge of the Central Railroad of New Jersey, to the westward of a line from a point on the bridge, 100 yards west of the west pier of the west lift span to Newark Bay Channel Buoy 5, and a line from thence to Elizabethport North Channel Buoy 2, north of Shooters Island; to the northward of a line ranging from the southerly end of Bergen Point to the southeast corner of the Singer Manufacturing Co. bulkhead at Elizabethport and to the eastward of a line ranging from the northerly chimney of Procter & Gamble Soap Works, on Staten Island, to the east end of the filling of the Central Railroad of New Jersey on the west side of the bay.

(3) To the northward of Anchorage No. 29, to the eastward of a line from the center of Bergen Point Light ranging to the west pier of west lift span of the Central Railroad of New Jersey's bridge to a point off the north side of the pier of The Texas Co., and of a line from thence to a point 100 yards east of the east pier of the east lift span of the railroad bridge, and south of the bridge.

(4) To the southward of Port Newark Terminal Channel, and to the westward of a line ranging from a point 200 yards west of Newark Bay Light 3 to a point 100 yards west of the west pier of the west lift span of the Central Railroad of New Jersey's bridge, and north of said bridge.

(5) To the northward of the Central Railroad of New Jersey's bridge and to the eastward of a line ranging from a point 200 yards east of the east pier of the east lift span of the bridge to a point 200 yards east of the east end of the lift span of the Lehigh Valley Railroad bridge, and south of the latter bridge.

(6) North of the Lehigh Valley Railroad bridge and to the eastward of the dredged channel in Newark Bay and Hackensack River as marked by red channel buoys and south of the Newark and New York Railroad bridge on the east side of the Hackensack River.

(7) In the area between the entrance channels of the Hackensack and Passaic Rivers to the northwestward of a line from the abutment of the Newark and New York Railroad bridge on the west side of the Hackensack River to Hackensack River Light 1, and of a line from thence to Newark Bay Light 5 and to the eastward of a line from said light ranging toward the northeast corner of Balbach's wharf to a point about one-fifth of a mile north of Gross' wharf and a line from thence ranging from the southeast corner of Gross' wharf to the abutment and end of filling of the Newark and New York Railroad bridge on the east side of the Passaic River.

(j) *Arthur Kill anchorages.* (1) To the westward of a line from the south end of the southerly wharf of the Standard Oil Co. to the center of Buckwheat Island, and a line from thence to the northerly wharf of the Grasselli Chemical Co.

(2) The passage between Pralls Island and Staten Island included between a line running 29° from the extreme northwest point of Pralls Island to a point on Staten Island and a line from the southern point of Pralls Island to the north side of the mouth of Neck Creek at Linoleumville, Staten Island.

(3) To the eastward of lines ranging from the head of the Tottenville Shipyard Co. pier at Tottenville, Staten Island, to the first pier of the Outerbridge Crossing west from the Staten Island shore; thence to Arthur Kill Lighted Buoy 7; thence 53° to the middle anchorage buoy off the Ultramarine Works; thence 66° to Smoking Point Anchorage Buoy "A", and southward of a line from thence to Smoking Point.

(4) To the southward of the southerly pier of the Lehigh Valley Railroad coal terminals, to the westward of a line ranging from the southeast corner of the northerly pier toward the outer end of the ferry rack at Perth Amboy, and northerly of the extension of the southerly line of Fayette Street, Perth Amboy.

§ 6.3-10 *Raritan Bay anchorages—*

(a) *Quarantine anchorage.* (1) A quarantine anchorage for vessels is established off Perth Amboy westerly of the Raritan Bay Channel leading into Arthur Kill, northerly of a line extending westerly from Raritan Bay Channel Buoy 42 to the center of the draw of the New York and Long Branch railroad bridge across Raritan River (227°10' true); northeasterly of a line parallel to and 150 yards southwesterly of a line extending from Great Beds Light to Saint Peter's Church spire at Perth Amboy (331°31' true) and southeasterly of the cutoff channel between Raritan River and Arthur Kill.

(2) The establishment of quarantine anchorages and of rules and regulations governing quarantine and their enforcement are under the Secretary of the Navy, and under his authority the foregoing quarantine anchorage has been established.

(b) *General anchorages.* (1) Near Perth Amboy an area to westward, northward, and eastward, respectively, of the Raritan Bay Channel leading into Arthur Kill, the Raritan River Channel leading to South Amboy, and the cutoff channel between Raritan River and Arthur Kill, except that part of said area occupied by Quarantine Anchorage No. 44, described above.

(2) Near Perth Amboy, westward of the cutoff channel between Raritan River and Arthur Kill, northward of the Raritan River Channel and easterly of the New York and Long Branch railroad bridge across Raritan River, but not north of Market Street, Perth Amboy in Arthur Kill.

(3) Near Staten Island, to the westward of Lower Bay Anchorage No. 28, and to the northward of the dredged channel from the deep water of the Lower Bay to Seguine Point; in Princess Bay and off the Staten Island shore between Princess Bay and Ward Point to the northward and northwestward of Raritan Bay Channel and to the northeastward of the channel entrance to Arthur Kill.

(4) To the southward of the South Amboy and Raritan Bay Channels in ranges running from the north end of the Wyoming coal piers at South Amboy to South Amboy Channel Buoy 1; thence in the direction of the boundary beacon to a point south of Raritan Bay Light 5; thence through Raritan Bay Buoy "A" to Raritan Bay Channel Buoy 7; thence to Raritan Bay Light 2; southeasterly through the buoys marking the south side of the dredged channel off Seguine Point to the west boundary of Lower Bay Anchorage No. 28; to the westward of said Anchorage No. 28, excluding Explosive Anchorage No. 49-D (see subdivision 49), and excluding also a channel at Keyport Harbor bounded as follows: eastward, by a line ranging from Keyport Channel Buoy 1 to Channel Buoy 9, thence to Channel Buoy 11, thence to Channel Buoy 13, thence to the northeast corner of the easterly steamboat wharf, and thence by a line from the west corner of the old steamboat wharf to a point on the shore midway between Matawan and Oyster Creeks; westward, by a line extending from a point 400 yards west of Keyport Channel Buoy 1 tangent to the west shore line at the mouth of Matawan Creek.

§ 6.3-15 *Sheepshead Bay anchorages.*

(a) Within an area at the western end of the bay to the southward of a line 25 feet south of and parallel to the bulkhead wall along the south side of Emmons Avenue; to the eastward of a line 200 feet easterly of and parallel to the prolonged west side of East Fifteenth Street; to the northward of a line 200 feet northerly of and parallel to the south side of Shore Boulevard, said line extending easterly to a point 60 feet easterly of its intersection with the prolonged easterly side of Dover Street; to the northward of a line from the last-mentioned point to a point 25 feet westerly of the prolonged west side of Ocean Avenue and 250 feet southerly of the south side of Emmons Avenue; and to the westward of a line parallel to and 25 feet west of the prolonged west side of Ocean Avenue.

(b) Within an area on the north side of, and in the east end of the bay to the southward of the established United States pierhead line on the north side of the bay; to the westward of the prolonged west side of Coyle Street; to the northward of a line from a point 90 feet south of said pierhead line in said prolonged west side of Coyle Street, ranging toward the intersection of the curb lines at the southwest corner of Shore Boulevard and Kensington Avenue; and to the northward of a line (intersecting said last-mentioned line westward of Brown Street, prolonged) extending westerly parallel to and 450 feet north of the south side of Shore Boulevard; to the northeastward of a line extending northwesterly from the point of intersection of the last-described line with the prolonged east side of East Twenty-eighth Street, to a point on the prolonged east side of East Twenty-seventh Street, and 245 feet south of the established United States pierhead line on the north side of the bay, and to the eastward of the prolonged east side of East Twenty-seventh Street.

(c) Within an area on the south side of the bay to the southward of a line extending from a point 300 feet northerly from the south side of Shore Boulevard (perpendicular distance) and in the prolonged west side of Hastings Street, to a point on the prolonged east side of Mackenzie Street 250 feet north of the south side of Shore Boulevard, and southward of a line extending thence easterly parallel to, and 250 feet north of, said south side of Shore Boulevard; to the westward of the prolonged west side of Coyle Street; to the northward of a line parallel to, and 150 feet north of, the south side of Shore Boulevard; and to the eastward of the prolonged west side of Hastings Street.

§ 6.3-20 *Anchorage for explosives.* Vessels carrying gunpowder or other explosives may anchor only as follows:

(a) *Claremont Terminal, Jersey City.* Designated as an explosive loading terminal at which explosives may be loaded or discharged directly between vessels and the shore, or between vessels.

(b) On the New Jersey Flats to the southward of a line drawn parallel to and 500 yards to the south of the Black Tom dredged channel, to the westward of a line ranging from the east end of the east landing pier on Bedloes Island to Greenville Piers Channel Lighted Bell Buoy 2G, and in range with Robbins Reef Gong Buoy 27 and Buoy 2G, and to the northward of a line parallel to and 500 yards north of the dredged channel to the Lehigh Valley Railroad's Claremont terminal. Vessels shall not anchor within 800 yards of Bedloes Island or within 500 yards of any pier. No vessel using this anchorage shall carry more than 20 tons of high explosives. No vessel carrying explosives of any kind shall anchor in this anchorage within 500 feet of any other vessel carrying high explosives, except that the Captain of the Port may authorize the placing of moorings not less than 500 feet apart within this area and the making fast thereto of not to exceed three barges at each mooring, provided the combined load of the barges at a mooring is not more than 20 tons of high explosives. In so far as practicable, in the use of this anchorage, preference shall be given to vessels storing explosives for current consumption.

(c) In cases of great emergency and when weather conditions are such that it is impossible for barges, scows, or lighters loaded with more than 20 tons of high explosives to proceed to Gravesend Bay or Raritan Bay, or lie at anchor there, such vessels may anchor temporarily in the Jersey Flats anchorage, but in each case the Captain of the Port must be immediately notified, and such vessels will not remain so anchored without his special permission.

(d) In Gravesend Bay within the following lines; to the eastward of a line bearing $338\frac{1}{2}^\circ$ tangent to the west face of Fort Lafayette and ranging to Robbins Reef Lighthouse; to the southward of a line bearing $100\frac{1}{3}^\circ$ and ranging through Fort Wadsworth Bell Buoy 23, Gravesend Anchorage Upper Buoy A and the outshore end of northerly pier at Ulmer Park; to the westward of a line bearing 152° and ranging from Fort

Hamilton Southwest Buoy 20 to Coney Island Lighthouse; and to the northward of a line bearing 264° and ranging from the outshore end of the northerly pier at Ulmer Park to Craven Shoal Lighted Bell Buoy. Not more than three seagoing vessels shall receive or discharge cargoes of high explosives in bulk in this anchorage at any one time and such vessels shall not occupy this anchorage for a period of time longer than is necessary to receive or discharge such cargoes, or between sunset and sunrise, or between sunrise and noon on Mondays, except by special permit from the Captain of the Port in cases of great emergency. Vessels carrying high explosives in this anchorage shall not anchor closer than four hundred (400) yards to one another, but this provision is not intended to prohibit barges or lighters from tying up alongside ships for the transfer of cargoes.

(e) To the eastward of 49-C an area bounded northerly and southerly by the same ranges as 49-C and easterly by a line bearing 165° ranging from a clock tower at Fort Hamilton to Coney Island Lighthouse shall be reserved for barges and lighters loaded with explosives, provided such barges and lighters be anchored so as not to approach one another closer than 300 feet. The Captain of the Port may authorize the placing of moorings within this area and the making fast thereto of not to exceed three barges or lighters at each mooring, provided these moorings be so spaced that the vessels at one mooring shall at all times be not less than 300 feet from the vessels at an adjacent mooring.

(f) An anchorage in Raritan Bay for barges or lighters loaded with explosives as follows: To the southward of a line ranging 70° from Raritan Bay Buoy A to West Bank Light; to the westward of a line ranging 137° from tower of former Princess Bay Light to Waackaack Light; to the northward of a line ranging 250° from Old Orchard Shoal Light to Boundary Beacon; and to the eastward of a line ranging 306° from Boundary Beacon.

NOTE: Former explosive anchorages 49-A and 49-E have been eliminated as explosive anchorages in these revised regulations.

NOTE 2: No vessel shall occupy for a longer period than 30 days, unless a permit is obtained from the Captain of the Port for that purpose, any anchorage for which the time of occupancy is not otherwise prescribed in these regulations. The Captain of the Port, subject to the approval of the District Engineer, is authorized to issue permits for maintaining mooring buoys. The method of anchoring these buoys shall be prescribed by the Captain of the Port. No vessel shall moor in any anchorage in such a manner as to interfere with the use of a duly authorized mooring buoy.

NOTE 3: Barge dispensing stations and municipal ash scows may be anchored in such places as the Captain of the Port may designate. Locations of anchorages for large dispensing stations will be subject to approval by the District Engineer in charge of works of river and harbor improvement.

NOTE 4: Upon approval of the United States District Engineer in charge of works of river and harbor improvement, the Captain of the Port may permit wrecking plant or other vessels legally engaged in recovering sunken property, or in laying or repairing pipe or cable lines legally established, or plant en-

gaged in dredging operations, to anchor within channels of the Port of New York. Permit issued by the Captain of the Port is not necessary for plant engaged upon works of river and harbor improvement under the supervision of the District Engineer, but the District Engineer shall notify the Captain of the Port in advance of all such proposed work.

NOTE 5: Anchorage Areas Nos. 49-B to 49-D are reserved for vessels carrying explosives. These areas are not to be used by vessels which do not carry explosives, except in cases of great emergency. All vessels carrying explosives shall be within these areas when anchored.

6.3-25 Hudson River anchorages.

(a) Northward of a line on a range with the north side of the north pier of the Union Dry Dock and Repair Company Shipyard, Edgewater, N. J.; westward of a line ranging 25° true from a point 120 yards east of the east end of said pier to a point 500 yards from the shore (915 yards from Fort Lee flagpole) on a line bearing 100° true and ranging between the Fort Lee flagpole and the square chimney on the Medical Center Building at 168th Street, Manhattan; and southward of said line ranging between the Fort Lee flagpole and the square chimney of the Medical Center.

(b) Northward of a line bearing 66° true ranging between the south face of the building known as "Ben Marden's Riviera" north of the George Washington Bridge at Fort Lee, N. J., and the bell tower of the "Cloisters" at Fort Tryon Park, Manhattan; westward of lines ranging 29° true from spar buoy (Lat. N. $40^\circ 51' 34''$, long. W. $73^\circ 56' 54''$) to spar buoy (Lat. N. $40^\circ 52' 27''$, long. W. $73^\circ 56' 16''$); thence 20° true to spar buoy (Lat. N. $40^\circ 54' 17''$, long. W. $73^\circ 55' 23''$); thence 15° true to spar buoy (Lat. N. $40^\circ 56' 20''$, long. W. $73^\circ 54' 39''$); and southward of a line (bearing 104° true) on a range with the latter buoy and the stack of the Yonkers Sewage Disposal Plant: *Provided*, That in order to give free passage for ferry boats, no vessel shall anchor within 300 yards of the line of the Englewood, N. J. to Dyckman Street, Manhattan, N. Y., ferry.

(c) Eastward of lines bearing 8° true from the northwest corner of the crib icebreaker north of the New York Central Railroad Company drawbridge across Spuyten Duyvil Creek (Harlem River) to a point 250 yards offshore and on a line with The New York Central Railroad signal bridge at the foot of West 231st Street, extended, at Spuyten Duyvil, Bronx, N. Y.; thence bearing 19° true to the channelward face of the Mount St. Vincent dock at the foot of West 261st Street, Riverdale, Bronx, N. Y.

§ 6.3-30 *Special anchorage areas.* The following areas are designated as special anchorage areas wherein vessels not more than sixty-five feet in length, when at anchor, shall not be required to carry or exhibit anchor lights:

(a) *Yonkers, New York.* Northward of a line on range with the footbridge across the New York Central Railroad Company tracks at the southerly end of Greystone Station, eastward of a line on range with the square, red brick chimney west of the New York Central Railroad Company tracks at Hastings-on-Hudson and the

easterly yellow brick chimney of the Glenwood power house of the Yonkers Electric Light and Power Company, and southward of a line on range with the first New York Central Railroad Company signal bridge north of the Yonkers Yacht Club. (See U.S.C.&G.S. Chart No. 748.)

(b) *Hastings-on-Hudson, New York.*

(1) Northward of a line on range with the northerly face of the clubhouse of the Tower Ridge Yacht Club, eastward of a line on range with the elevated tank of the Anaconda Wire and Cable Company and the channelward face of the northerly building on the waterfront of the said Company's property, and southward of a line on range with the first footbridge across the New York Central Railroad Company tracks, north of the Tower Ridge Yacht Club. (See U.S.C.&G.S. Chart No. 748.)

(2) Northward of the south side of West 181st Street, prolonged; eastward of a line ranging 28° true from Jeffreys Hook Light on Fort Washington Point and tangent to the east shore of the river at Inwood Hill Park; and southward of the line of the south ferry rack, extended due east, at Dyckman Street, Manhattan, N. Y.

(c) *New Rochelle Harbor; Travers Island Creek Anchorage.* The portion of the Port of New York, Long Island Sound Anchorage No. 1 lying between Hog Island, Travers Island, Neptune Island and Glen Island and the mainland to the westward of a line extending from the cupola at the southeast extremity of Glen Island to the easternmost extremity of Hog Island and to the northeastward of a line extending from the southwest extremity of Hog Island to the southeast corner of Travers Island; *Except*, That no vessel shall anchor without lights within 25 feet of the 50-foot channel west and south of Glen Island.

(d) *Goose Islands Anchorage.* The portion of the Port of New York, Long Island Sound Anchorage No. 1 between Glen Island and Goose Islands breakwater, northward of a line extending from the northwest end of Goose Islands breakwater to the cupola at the north end of the bathing beach on Glen Island.

(e) *Manhasset Bay, New York; south anchorage at Port Washington.* The portion of the Port of New York, Long Island Sound Anchorage No. 4 northward of latitude 40°49'06"; eastward of a line ranging 346° true from the flagpole on the end of the Whitney Dock at Plandome to the flagpole on the Columbia Yacht Club pier at Manorhaven; and southward of a line (latitude 40°49'21") ranging due east to the flagpole on the dock of the Port Washington Yacht Club. (See U.S.C.&G.S. Chart No. 223.)

(f) *Manhasset Bay, New York; north anchorage at Port Washington.* The portion of the Port of New York, Long Island Sound Anchorage No. 4 northward of a line (latitude 40°49'28") ranging due west from the southwest corner of the boat sheds on the Purdy Boat Company pier at Port Washington; eastward of a line ranging 346° true from the flagpole on the end of the Whitney Dock at Plandome to the flagpole on the pier of the Columbia Yacht Club at Manor-

haven; southeastward of a line ranging 53° true to the cupola of the old Sands Point schoolhouse at Port Washington; and southward of a line (latitude 40°49'51") ranging due east to the weather vane of the Port Washington Junior High School; *Except*, that no vessel shall anchor without lights within 100 feet of the buoyed east-west channel leading to the town dock at Port Washington and to Mill Pond. (See U.S.C.&G.S. Chart No. 223.)

(g) *Manhasset Bay, New York; anchorage at Manorhaven.* The portion of the Port of New York, Long Island Sound Anchorage No. 4, westward of a line (longitude 73°42'53") ranging due south from the end of the Town of North Hempstead pier at Manorhaven; northward of a line ranging 233° true from the intersection between the shore and the northerly line of Corchang Avenue (extended) on Tom Point to Black Can Buoy No. 3 (latitude 40°49'48.5", longitude 73°43'25"); and eastward of the line ranging due north to the east side of the pier of Yacht Service, Inc., on the Copp Estate at Manorhaven. (See U.S.C.&G.S. Chart No. 223.)

(h) *Eastchester Bay, New York—(1) anchorage at City Island.* The portion of the Port of New York, Long Island Sound Anchorage No. 1, west of City Island and within the following limits: Northward of a line ranging 244° true from the Duryea Pier at the foot of City Island Avenue to Big Tom Nun Buoy No. 2 (latitude 40°50'01", longitude 73°47'25"); thence northeastward of a line ranging 329° true from Big Tom Nun Buoy No. 2 through the Nun Buoy (latitude 40°50'46" longitude 73°48'01") off the southern end of Rodman Neck; southeastward of a line ranging 205° true, from the east abutment of the City Island Bridge through the south tower of the Bronx-Whitestone Bridge; and southward of a line ranging 90° true from the Pelham War Memorial in Pelham Bay Park and the steeple of the church at the southeast corner of Elizabeth Street and City Island Avenue.

(2) *Anchorage along west shore.* The portion of the Port of New York, Long Island Sound Anchorage No. 1, along the west shore of Eastchester Bay north of and including Weir Creek, shoreward of a line ranging 349° true from the end of the timber pier at the foot of Pope Place, Edgewater, and through the transmission tower at the northeast side of the draw of the New York, New Haven and Hartford Railroad Bridge over Eastchester Creek, and having as its northerly limit the line ranging 79° true through the row of telephone poles along the north side of Watt Avenue.

(3) *Anchorage at Locust Point Harbor.* The portion of the Port of New York, Long Island Sound Anchorage No. 2, included within the limits of Locust Point Harbor between Wright Island and Throgs Neck and to the westward of a north and south line (longitude 73°47'58") through the southerly corner of the concrete culvert at the southerly end of the stone wall at Locust Point on Wright Island.

§ 6.3-35 *Naval anchorage.* (a) An anchorage is defined and established for

the mooring of naval vessels northward of the south side of West 72d Street, Manhattan, prolonged; eastward of the east channel line of the Federally improved Weehawken-Edgewater Channel, said east channel line being extended to a point opposite West 156th Street; thence eastward of a line bearing 17° true ranging between the end of the pier at the foot of West 134th Street and a point on the George Washington Bridge 250 yards westward of the air beacon on the east bridge tower; and southward of said bridge: *Provided*, That, in order to give free passage for ferry boats, no vessel shall anchor within a limit of 300 yards of the line of the West 125th Street, Manhattan to Edgewater, N. J. ferry.

(1) In the discretion of the Captain of the Port, small commercial or pleasure vessels may anchor in this area shoreward of a line extending from the channelward end of the New York Central Railroad pier at the foot of West 70th Street to the channelward end of the pier at the foot of West 129th Street; and shoreward of the pierhead line as established by the Secretary of War, between West 134th Street, and a prolongation of the bridge over the New York Central Railroad tracks located 1,000 feet south of the George Washington Bridge.

(2) The Captain of the Port may grant permission for one stake boat to occupy an area in the westerly 200-yard portion of the naval anchorage.

(3) The Captain of the Port may permit limited temporary anchorage, not to exceed 24 hours, of commercial vessels awaiting berths in the westerly portion of the naval anchorage south of West 13th Street when use of the anchorage by naval vessels will permit.

(4) The established anchorages for naval vessels having been found inadequate at times when large numbers of them are in the harbor a numbered series of anchorages is defined and established, as shown on Key Chart No. 1, and Key Chart No. 2 (Not published herein) in order that when a necessity for additional anchorages arises, permission may be given naval vessels to anchor at designated points serially numbered from 2 to 40 for capital ships, from 100 to 129 for intermediate ships, from 213 to 399 for destroyers and small craft, and from 508 to 611 for the anchorage of destroyers and small craft on the east side of the river, when the space is not required for capital or intermediate ships. Berths 16 to 19, 546, 547, and 551 to 555, are for use only on occasions when the other numbered berths available are not sufficient for the accommodation of the naval ships present. The Captain of the Port, on request from the proper naval authorities, may grant permission to occupy the numbered anchorages outside of, or extending outside of, naval anchorage No. 19, provided those specified in the request can be made available, commercial conditions at the time being given proper consideration. If, in his opinion, there are reasons why the anchorage or anchorages asked for should not be assigned, he will confer with the naval officers making the request, and if other numbers can be agreed upon,

will authorize their use; otherwise he will communicate the request to the Secretary of War with a statement of the circumstances and with his recommendation.

§ 6.3-40 *Naval anchorage: Randall Bay, Freeport, Long Island, New York—*

(a) *Anchorage ground.* Vessels may anchor in Randall Bay to the southward of a line 312 feet south of and parallel to the south side of Casino Street; to the eastward of a line 215 feet east of and parallel to the east side of West Side Avenue, said line extending southerly to a point 235 feet Clinton Street; to the northeastward of a line from the last-mentioned point to a point 234 feet southerly of the prolonged south side of Clinton Street and 210 feet east of the east side of Prospect Street; to the eastward of a line 210 feet of and parallel to the east side of Prospect Street; to the northward of a line 25 feet north of and parallel to the prolonged north side of Suffolk Street; to the westward of a line 210 feet west of and parallel to the west side of south Long Beach Avenue, said line extending northerly to a point 222 feet south or the prolonged south side of Queens Street; to the southwestward of a line from the last-mentioned point to a point 74 feet northerly of the prolonged north side of Queens Street and 120 feet west of the west side of Roosevelt Avenue; and to the westward of a line 120 feet west of and parallel to the west side of Roosevelt Avenue.

NOTE 1: The Captain of the Port, subject to the approval of the District Engineer, is authorized to issue permits for maintaining mooring buoys within the anchorage. The method of anchoring these buoys will be prescribed by the Captain of the Port. No vessel shall anchor in the anchorage in such a manner as to interfere with the use of a duly authorized mooring buoy.

NOTE 2: No vessel shall be navigated within Randall Bay at a speed exceeding 6 knots.

NOTE 3: Temporary regulations to govern anchoring of vessels and placing of moorings in that portion of East River Anchorage No. 10 in Flushing Bay, Port of New York:

(i) No vessel shall anchor in the main Flushing Bay Channel or the approach channel to and maneuvering area in front of the municipal boat basin at the south end of Flushing Bay.

(ii) No vessel shall anchor for a period longer than 72 hours in that section of the anchorage south of North Beach Airport and west of the main Flushing Bay Channel.

(iii) The portion of Anchorage 20-A in Upper New York Bay, as defined in the regulations for the Port of New York, located eastward of a line bearing 204½° true from the east end of the east landing pier on Bedloes Island and south of Bedloes Island, is designated an explosive anchorage.

§ 6.3-45 *Long Island Sound anchorages—*

(a) *Anchorage No. 1.* Southwestward of a line, between Neptune Island and Glen Island, ranging from the flashing red light on Aunt Phebe Rock and tangent to the north edge of Glen Island; southwestward of a line tangent to the northeast edges of Glen Island and Goose Islands breakwater; southwestward of a line bearing southeasterly from the southwest end of Goose Islands breakwater and on range with the south gable of the Casino on the northeast end of Glen Island; westward of a line ranging

from the east edge of the said breakwater to the west edge of the north end of Hart Island; westward of a line ranging thence toward the radio tower on Willets Point to a point off the south end of City Island; and northwestward of a line ranging from the flashing red light at the south end of Hart Island to Locust Point. Boats shall not anchor in this area in buoyed channels and must be so anchored as to leave at all times an open, usable channel, at least 50 feet wide, west and south of Glen Island.

(1) *Anchorage No. 1-A.* Southwestward of a line ranging from Duck Point, Echo Bay, through Baileys Rock Lighted Buoy "1 Br."; northwestward of a line ranging from Hicks Ledge Buoy to Old Tom Head Rocks Buoy, and from thence northwestward of a line ranging to the southerly point of Davenport Neck.

(2) *Anchorage No. 1-B.* Westward of a line ranging from the point on the southwest side of Horseshoe Harbor, Larchmont, to the Hicks Ledge Buoy, thence northward of a line ranging to Duck Point and in Echo Bay north and west of the channel.

(b) *Anchorage No. 2.* To the westward of a line from Locust Point tangent to the north sea wall at Throgs Neck.

(c) *Anchorage No. 3.* To the northeastward of a line from the south side of Barker Point to Gangway Rock Bell Buoy 27, southeastward of a line from thence to Sands Point Reef Buoy 25, and southwestward of a line from thence to Sands Point Light.

(d) *Anchorage No. 4.* In Nanhasset Bay and to the northeastward of a line ranging tangent to Belden Point at the south end of City Island from Rodman Neck Shoal Buoy in East Chester Bay; southeastward of a line ranging from Stepping Stones Light to Gangway Rock Bell Buoy 27, and southwestward of Anchorage No. 3.

(e) *Anchorage No. 5.* In Little Neck Bay and to the eastward of a line ranging from Fort Totten flagstaff to the east point of shore of Hart Island, and southward of Anchorage No. 4.

NOTE: Paragraphs (f) through (o) apply to East River anchorages.

(f) *Anchorage No. 6.* On Hammond Flats to the northward of a line bearing 262° from the head of Engineers Wharf, Throgs Neck, to Old Ferry Point.

(g) *Anchorage No. 7.* To the southward of a line from Whitestone Point to the outer end of Willet Point Wharf.

(h) *Anchorage No. 8.* On the north side of the channel, north of a line between Old Ferry Point and Hunts Point Buoy 2.

(i) *Anchorage No. 9.* On the south side of the channel to the eastward of a line from the east side of the ferry rack at College Point to College Point Reef Light, and south of a line from said light to Whitestone Point.

(j) *Anchorage No. 10.* In Flushing and Bowery Bays, to the southward of lines ranging from the north end of the rack of the Astoria Veneer Mills at Steinway to the tip of Sanford Point, thence to Rikers Island Channel Buoy 3, and thence to College Point.

(k) *Anchorage No. 11.* To the eastward of Rikers Island and southward of a line from the north pier of Rikers Island to Rikers Island Channel Entrance Gong Buoy, to the westward of a line from thence to Rikers Island Channel Buoy 2 and northward of a line from thence to Rikers Island Channel Buoy 4, and from thence to Rikers Island Channel Buoy 6.

(l) *Anchorage No. 12.* To the westward of Rikers Island, northward of a line from Rikers Island Channel Buoy 6 to Rikers Island Channel Bell Buoy 8, to the eastward of a line from thence to the west side of South Brother Island, and southward of a line from the north side of the latter island to the north pier of Rikers Island.

(m) *Anchorage No. 13.* To the westward of a line from Stony Point to the northeast end of Wards Island; and between Wards Island and Randall Island, and between Randall Island and Port Morris.

(n) *Anchorage No. 14.* To the eastward of a line from Hatters Dock to Gibbs Point, Halletts Cove, Astoria.

(o) *Anchorage No. 15.* To the southward of a line bearing 119° prolonging the center line of East Thirty-second Street, westward of a line ranging 184° from the southeast corner of the Forty-second Street Pier to a point one-third of the main span west of the east tower of Williamsburg Bridge and northward of a line bearing 119°, prolonging the center line of East Twenty-fourth Street.

§ 6.3-50 *Little Neck Bay, New York.*

The portion of the Port of New York, Long Island Sound Anchorage No. 5 southward of a line (latitude 40°47'33") ranging due east from the flag pole at Fort Totten, Willets Point, and eastward of a line (longitude 3°46'10") ranging due north from the flag pole at the Bay-side Yacht Club (See U.S.C. and G.S. Chart No. 223), is designated as a special anchorage area wherein vessels not more than 65 feet in length, when at anchor, shall not be required to carry or exhibit anchor lights.

FOURTH NAVAL DISTRICT

§ 6.4-1 *Philadelphia, Pennsylvania—*

(a) *The Anchorage area—*(1) *Anchorage No. 1.* (Port Richmond Anchorage) Located south of the channel, between the upper and lower ends of Petty Island, and between lines opposite Allegheny Avenue and Pier No. 80, north, near Norris Street, Philadelphia, marked by White Spar Buoys A, B, C, and D.

Vessels having a draft less than twenty feet must anchor west of Pier No. 11 at Port Richmond. The area off the Crew Levick Wharf at Petty Island shall be restricted to facilitate the movement of vessels to and from the Company's wharf. Vessels must not cast anchor in the cable area indicated, except in a case of emergency.

(2) *Anchorage No. 2.* (Cooper Point Anchorage) Located east of the channel; between lines marking the prolongation of Marlborough Street and the south side of Pier No. 24, North Wharves, Philadelphia.

(3) *Anchorage No. 3.* (Greenwich Anchorage) Located east of the channel; north from Flashing Red Buoy No. 48 A, bearing 320° from the southwest corner of the Immigration pier at Gloucester, New Jersey; and south from White Nun Buoy No. 2, opposite the railroad ferries at Kaighn Point.

The area between Pier No. 2, New York Shipbuilding Corporation and the McAndrews and Forbes Company's Pier, Camden, shall be restricted to facilitate the movement of car-floats to and from Bulson Street, Camden. Should the anchorage become so congested that vessels are compelled to anchor in the restricted area, they must move immediately when another berth is available.

(4) *Anchorage No. 4.* (Gloucester Anchorage) Located southeast of the channel, marked by East Horseshoe Range Lights; southwest from Flashing Red Buoy No. 48 A, northeast from Red Nun Buoy No. 48, bearing 267° from the north end of the retaining dike at the mouth of Big Timber Creek, New Jersey.

(5) *Anchorage No. 5.* (League Island anchorage—Naval) Located north of the channel marked by West Horseshoe Range Lights; to the eastward of a line running 173° from the upper side of Pier No. 1, to a line running 173° from Pier No. 7, at the Navy Yard, Philadelphia. This is a restricted naval anchorage.

(6) *Anchorage No. 6.* (Mantua Creek anchorage) Located southeast of the channel marked by Mifflin Range Lights; from a line running 0° from Tinicum Range near light along the easterly channel line, approximately 8,200 feet northeastward to Red Gas Buoy No. 2 F, and marked by White Nun Buoys.

(7) *Anchorage No. 7.* (Thompson Point anchorage) Located south of the channel, marked by Tinicum Range Lights; west of a line running 0° from Crab Creek, east of a line running 0° from the car-float slip at Thompson Point.

(8) *Anchorage No. 8.* (Marcus Hook anchorage) (i) Located southeast of the channel marked by Marcus Hook Range Lights; to the northeastward of a line running 152° from the General Chemical Company's stack at Claymont, Delaware, to the southwestward of a line running 329° from the lower end of Raccoon Island, New Jersey.

(ii) A preferential area is hereby designated for the use of vessels awaiting quarantine inspection, between lines projected from the northeast and southwest boundaries of the United States Quarantine Station at Marcus Hook, Pennsylvania, and southeastward of the ship channel. Should the remainder of the anchorage be in use, the preferential area, when unoccupied, may be used by deep draft vessels not subject to quarantine inspection. The deep draft area of the anchorage is marked by Flashing White Buoy No. 6 M and White Nun Buoys REF. The quarantine area is marked by Yellow Nun Buoys. Light draft vessels should anchor northeastward from the upstream White Nun Buoy REF.

(9) *Anchorage No. 9.* (Deepwater Point anchorage) Located east of the channel, marked by Cherry Island Range Lights; to the northward of a line running 280° from Deepwater Point Range front light, to the southward of a line running 112° from the Christina River South Jetty Light. Vessels must not cast anchor in the cable area indicated except in a case of emergency.

(10) *Anchorage No. 10.* (Artificial Island anchorage) Located in the vicinity of Reedy Island at the upper end of Artificial Island, to the eastward of the channel along Reedy Island Range; northward of a line 103° from Reedy Island Light, extending upstream about 5,000 feet to a line 110° from the Quarantine Tank on Reedy Island, eastward of a line 500 feet from and parallel with the edge of the channel to the 26-foot curve of depth.

(11) *Anchorage No. 11 (Restricted).* (Five Mile Point anchorage) Located north of the channel; between lines opposite the Philadelphia Electric Company pier below the Delair railroad bridge and Pier No. 179 North, near Wensley Avenue, Philadelphia. This anchorage shall be reserved for vessels under custody of the United States. No vessel shall occupy this anchorage without a permit from the captain of the port.

(12) *Anchorage No. 12 (Restricted)* (Petty Island anchorage) Located south of the channel; between lines opposite the Philadelphia Gas Works Company pier, near Tioga Street and Pier No. 179 North, near Wensley Avenue Philadelphia. This anchorage shall be reserved for vessels under custody of the United States. No vessel shall occupy this anchorage without a permit from the Captain of the Port.

(13) *Anchorage No. 13 (Restricted)* (Pea Patch Island anchorage) Located east of the channel, marked by New Castle Range Lights; from a line opposite Pea Patch Island Light, southward for a distance of 7,000 feet. This anchorage shall be reserved for vessels under custody of the United States. No vessel shall occupy this anchorage without a permit from the Captain of the Port.

(14) *Anchorage No. 14 (General anchorage).* (Bombay Hook Point anchorage.) Located west of Liston Range, between a line bearing 228° from lighted Bell Buoy 2 L and line bearing 228° from Ship John Shoal Lighthouse.

(15) *Anchorage No. 15 (Explosive).* (Reedy Point Explosive Anchorage.) Located in the Delaware River approximately one mile north of Reedy Island and is included within the following points:

(i) 1,335 yards 122° true from flashing red light on north jetty of Chesapeake and Delaware Canal Entrance.

(ii) 2,100 yards 118° true from flashing red light on north jetty of Chesapeake and Delaware Canal Entrance.

(iii) 2,400 yards 125°30' true from flashing red light on north jetty of Chesapeake and Delaware Canal Entrance.

(iv) 4,200 yards 163° true from flashing red light on north jetty of Chesapeake and Delaware Canal Entrance.

(v) 3,000 yards 162° true from flashing red light on north jetty of Chesapeake and Delaware Canal Entrance.

§ 6.4-10 *Delaware River, Del., explosives anchorage in vicinity of Reedy Island—(a) Anchorage area.* At the upper end of Artificial Island, to the eastward of the dredged channel along Reedy Island Range, northward of a line 103° from Reedy Island Light, extending upstream about 5,000 feet to a line 110° from the Quarantine Tank on Reedy Island, eastward of a line 500 feet from and parallel with the edge of the channel to the 26-foot curve of depth.

§ 6.4-15 *Chesapeake and Delaware Canal, easterly of Courthouse Point, Maryland.* Southerly of a line joining the northernmost extremity of Courthouse Point and the westernmost point of Herring Island; westerly of a line bearing due south from the westernmost point of Herring Island; and northerly and easterly of the shore line.

FIFTH NAVAL DISTRICT

§ 6.5-1 *Baltimore, Maryland—(a) The anchorage area—(1) Anchorage A.* Located in Northwest Harbor between Fells Point and Youngs Pier, and marked by four anchorage buoys.

NOTE: This anchorage is intended for fishing and other small vessels having business in the inner harbor of Baltimore.

(2) *Anchorage B.* (Canton Hollow) Located in Northwest Harbor, and included within the following points:

(i) 640 yards 40° true from Fort McHenry Channel rear range light and marked by a White Spar Buoy;

(ii) 1,020 yards 67° true from Fort McHenry Channel rear range light and marked by a White Spar Buoy;

(iii) 650 yards 25° true from Fort McHenry Channel front range light.

This is to be an anchorage for vessels awaiting berths at piers, and no vessel may remain more than 12 hours without a permit from the captain of the port.

(3) *Anchorage C.* This anchorage is located east of the Maryland Yacht Club and is bounded by the following:

(i) On the north by Ferry Bar Channel range;

(ii) On the west by a line 225 feet from and parallel to pierhead line;

(iii) On the south by a line between buoy S 2 and a point 900 feet 190° true from Ferry Bar Channel front range light;

(iv) On the east by a line between buoy S 2 and a point 250 feet 270° true from Ferry Bar Channel front range light.

This anchorage shall be restricted to yachts. Vessels must anchor in such a way as not to block entrance to the slips of the nearby yacht club.

(4) *Anchorage No. 1.* (Fort McHenry) This anchorage is in the area bounded by lines drawn through the following points:

(i) 1100 yards 164° true from Lazaretto Point Light;

(ii) 1175 yards 170° true from Lazaretto Point Light;

(iii) 1900 yards 158° true from Lazaretto Point Light;

(iv) Fort McHenry Channel Buoy 15 M (2275 yards 152° true from Lazaretto Point Light).

This anchorage is to be used only as an overnight anchorage for vessels waiting to go to piers. No vessel may remain more than 12 hours without a permit from the captain of the port.

(5) *Anchorage No. 2.* (General anchorage) Located between Lazaretto Point and Airport, bounded by:

(i) White Spar Buoy B, 3200 yards 125° true from Lazaretto Point Light;

(ii) White Spar Buoy D, 1940 yards 113° true from Lazaretto Point Light;

(iii) Point E, 1775 yards 148° true from Lazaretto Point Light;

(iv) Buoy 12 M, 2300 yards 146° true from Lazaretto Point Light;

(v) White Spar Buoy C, 2275 yards 133° true from Lazaretto Point Light;

(vi) Point F, 3125 yards 136° true from tank at Lazaretto Point Light.

No vessel shall remain longer than four days without obtaining a permit from the captain of the port.

NOTE: This is to be a general anchorage for vessels with a draft of 24 feet and under.

(6) *Anchorage No. 3 (Riverview).* (General anchorage) Located between Fort McHenry Channel and Airport, bounded by:

(i) White Spar Buoy A, 3800 yards 136° true from Lazaretto Point Light;

(ii) White Spar Buoy C, 2300 yards 134° true from Lazaretto Point Light;

(iii) Buoy 12 M, 2300 yards 146° true from Lazaretto Point Light;

(iv) Buoy 10 M, 3800 yards 144° true from Lazaretto Point Light.

This anchorage shall be restricted to vessels of over 24 feet draft. No vessel shall remain in this anchorage longer than four days without obtaining a permit from the captain of the port. If, by reason of their draft, barges must anchor here, they must anchor in the lower third of this anchorage, as close together as the interests of safety will permit under the circumstances.

(7) *Anchorage No. 4.* (Restricted anchorage) Located between Sollers Point and Airport, bounded by points:

(i) 1700 yards 317° true from Fort Carroll Light;

(ii) 3550 yards 317° true from Fort Carroll Light;

(iii) 3600 yards 327° true from Fort Carroll Light;

(iv) 2600 yards 344° true from Fort Carroll Light;

(v) 1950 yards 342° true from Fort Carroll Light.

This anchorage shall not be used except on special permit from the captain of the port.

NOTE: The area is used by planes from the airport as a runway

(8) *Anchorage No. 5.* (General anchorage) Located between Fort McHenry Channel and Curtis Bay Channel, and bounded by the following points:

(i) 1250 yards 343° true from Brewerton Channel rear range light;

(ii) 2375 yards 7½° true from Brewerton Channel rear range light;

(iii) 1700 yards 42° true from Brewerton Channel rear range light.

No vessel shall remain in this anchorage longer than four days without obtaining a permit from the captain of the port.

NOTE: This anchorage is to be used as a light anchorage for barges. It may also be used by other vessels during such time as other anchorages are not available.

(9) *Anchorage No. 6.* (Explosive) Located northeast of Fort McHenry Channel and just northwest of Fort Carroll, and bounded by the following points:

(i) White Spar Buoy A, 350 yards 347° true from Fort Carroll Light;

(ii) White Spar Buoy B, 1450 yards 326° true from Fort Carroll Light;

(iii) Buoy 8 M, 1500 yards 309° true from Fort Carroll Light;

(iv) Buoy M, 440 yards 277½° true from Fort Carroll Light.

(10) *Anchorage No. 7.* (Quarantine anchorage) Located in the area west of Fort McHenry Channel and south of Curtis Bay Channel, and bounded by the southern and westerly edges of those channels and lines between the following points:

(i) Buoy C 1, 1680 yards 345½° true from Brewerton Channel rear range light;

(ii) White Spar Buoy A, 900 yards 265° from Fort Carroll Light.

This anchorage is to be used only by vessels awaiting quarantine inspection. Special permits for use of the lower part of the anchorage for explosive loading of vessels exceeding 20 feet in draft may be issued in extraordinary cases.

(11) *Anchorage No. 8.* (Dead anchorage) Located in Curtis Bay south of Curtis Bay Channel, bounded by:

(i) The shore line and channel buoys C 9, 575 yards 4° true from stack on Sleds Point;

(ii) Buoy C 7, 1575 yards 66° true from stack on Sleds Point.

Vessels shall not anchor so as to swing within 100 yards of the channel. No vessel may occupy this area without obtaining a permit from the captain of the port. When the captain of the port finds such action necessary to conserve space, he may require vessels in this anchorage to moor bow and stern, or to one another.

(12) *Anchorage No. 9.* Located in area between Stonehouse Cove and Fishing Point, bounded by:

(i) B & O RR Dock and buoy N 8;

(ii) Curtis Bay Channel line.

This anchorage is to be used only by vessels using nearby docks, while awaiting berths at piers. No vessel may remain in this anchorage more than twelve hours without obtaining a permit from the captain of the port.

§ 6.5-3 *Annapolis Harbor, Maryland.—The anchorage grounds.* (a) The following grounds for anchoring vessels in Annapolis Harbor, Maryland, are hereby defined and established, and the following rules and regulations relating thereto are adopted.

NOTE: Complaints arising under these regulations should be addressed to the District Engineer, United States Engineer Office, 332 Post Office Building, Baltimore, Md.

(1) *North anchorage.* Beginning at a point on the prolongation of the line of the northeast sea wall at the Naval Academy grounds, 80 feet from the face of the southeast sea wall of the same; thence N. 80°49' E.—1,410 feet to Black Can Buoy No. 15; thence S. 56°11' E.—1,815 feet; thence S. 79°32' W.—3,558; thence N. 52°20' W.—465 feet; thence N. 40°09' E.—1,500 feet, parallel to the southeast sea wall of the Naval Academy grounds to the point of beginning.

(2) *South anchorage.* Beginning at a point 250 feet S. 79°32' W. of a point on the prolongation of the southwest side of the North Anchorage 1,082.13 feet S. 52°20' E. of the face of the southeast sea wall at the Naval Academy grounds; first, S.—240 feet to a wharf at Eastport and, second, from the same point of beginning N. 79°32' E.—2,130 feet; thence S. 46°13' E.—3,240 feet to Black Spar Buoy No. 5.

(3) *Inner anchorage.* Beginning at a point N. 44°18' E.—130 feet from the east side of the north abutment of the draw in the Spa Creek Bridge; thence N. 6°35' E.—99 feet; thence N. 81°00' E.—435 feet; thence S. 9°00' W.—735 feet; thence S. 44°18' W.—465 feet to the point of beginning.

NOTE: Except in cases of great emergency, no vessel shall be anchored in Annapolis Harbor westward of the dredged channel and northward of Black Spar Buoy No. 5, outside the areas herein defined and established.

§ 6.5-10 *Patuxent River; restricted area adjacent to Naval Experimental Station near Solomons Island, Maryland.*

(a) The southerly limit of the area will be marked by a first class nun buoy at the southwest corner located 99°, 840 yards from Point Patience Light, the southeast corner by a first class can buoy 101°, 1,260 yards from said light, the west and east limits running to the shore from these buoys and approximately at right angles to a line connecting said buoys.

(b) No vessel shall enter or remain in the above area except those engaged in naval activities.

(c) The regulations in this section shall be enforced by the captain of the port and duly authorized representatives of the Navy Department.

§ 6.5-12 *Anacostia River, District of Columbia.* To prevent interference with the operations of the United States in the Anacostia River, D. C., the following regulations are imposed on private craft:

(a) No boat shall anchor in any area in the Anacostia River between its mouth and Bennings Bridge that will interfere with the operations of the United States in the river, including dredging, seawall construction, and delivery or disposition of materials. Prohibited area will be marked at the corners by horizontally striped white and black buoys, or by similarly marked posts on the shore.

(b) Whenever buoys are placed, marking as prohibited any area previously open to anchorage, all craft anchored therein will be removed within 24 hours. If not so removed, such craft will be subject to removal by the United States at the owner's risk, without any right of claims for loss or damage. Owners

of craft should mark their boats by card or otherwise with name and address to permit notification of necessity for removal.

§ 6.5-11 *United States Naval Torpedo Testing Range; five miles above Piney Point to Point Lookout, Maryland.* The torpedo testing range, which constitutes a danger zone is defined as follows: Bounded on the north by a line from buoy S "19DW" to Piney Point Light, thence to the (1 QK FL R) bell buoy at the southeastern tip of Saint Georges Bar, thence to Point Lookout Light, bounded on the east by a line from Point Lookout Light to buoy S "16W", bounded on the south by a line from S "16W" through buoys S "16AW", S "17W", S "18W", S "18AW", FL W "5A", to S "19W" and bounded on the west by a line from buoy S "19W" to buoy S "19DW".

§ 6.5-15 *Accotink Bay, Virginia; United States Military Reservation, Fort Belvoir, Virginia.* (a) The target ranges, which constitute a danger area, involve: All of Accotink Bay, the mouth of which the Post Commander shall have marked by a line of suitable buoys warning of the danger area; all of Accotink Creek south of a bridge which crosses Accotink Creek approximately 400 yards due south of U. S. Highway No. 1; and that portion of the waters of Pohick Bay bordering its north shore, which the Post Commander shall have marked off by suitable buoys warning of the danger area.

(b) When firing affecting the above area is in progress, it shall be the responsibility of the Post Commander to post guards at such locations that the waters in the danger area may be observed and to arrange signals whereby these guards may stop the firing should any person be seen in the waters of the danger area. When firing is in progress, The Post Commander shall cause to be displayed, both on the east shore of Accotink Bay at its mouth and near the danger area boundary on Accotink Creek, a red streamer which shall be visible to a person in a boat near those points.

(c) The Post Commander is hereby authorized by using such agencies and equipment necessary to stop all boats at the boundary of the danger area and prohibit their crossing that area until convenient to the firing schedule to do so.

(d) Persons desiring to cross the waters in the danger area shall first determine whether a red streamer is displayed on the east shore of Accotink Bay at its mouth or near the danger area boundary on Accotink Creek. If the red streamer is displayed, it will indicate that firing is in progress and that the waters in the danger area are covered by rifle fire and that the area shall not be entered until the streamer is lowered.

§ 6.5-20 *Willoughby Bay and Hampton Roads, Norfolk, Virginia—The anchorage area.* (a) The area beginning at a point on the northeast corner of the Naval Operating Base; thence North 82 degrees West, 4,850 feet; thence North 12 degrees East, 7,500 feet; thence South 80 degrees East, 2,150 feet; thence South

9 degrees West, 3,600 feet; thence South 45 degrees East, 2,000 feet; thence South 68 degrees East, 850 feet; thence South 87 degrees 30 minutes East, 7,300 feet; thence South 3 degrees East, 3,000 feet; thence South 69 degrees West, 2,200 feet; and thence South 20 degrees 30 minutes East, 550 feet; to a point on the shore line fronting the Naval Air Station extended, containing an area of about 1,630 acres. All bearings are referred to true meridian.

(b) *The regulations.* (1) All vessels excepting those operated by the Navy and Coast Guard and the Chesapeake Ferry Company shall be prohibited from entering that portion of the Seaplane Operating Area in Willoughby Bay at all times.

(2) Boats without lights shall be prohibited from operating in that portion of the Seaplane Operating Area in Hampton Roads west of the western end of Willoughby Spit.

(3) No vessel shall at any time moor or anchor within the Seaplane Operating Area.

(4) No fishing, oystering, clamming or crabbing, or any other activities will be permitted at any time within the limits of the Seaplane Operating Area.

(5) All vessels moving in the Seaplane Operating Area shall immediately proceed to leave the area when warned by aircraft employing the "buzzing" method which consists of low flight by an airplane and repeated opening and closing of its throttle.

(6) These regulations will be enforced by the Captain of the Port, Norfolk, Virginia, and by the Commanding Officer, Naval Air Station, Naval Operating Base, Norfolk, Virginia, or such responsible agent or agents as they may jointly designate.

§ 6.5-25 *Hampton Roads and the Harbors of Norfolk and Newport News, Virginia—(a) The anchorage grounds—*

(1) *Anchorage J-1, Willoughby Bay (for small boats).* To the westward of a line bearing 223° from the channelward end of the westerly fender of the Chesapeake Ferry Company terminal at Willoughby Spit to the clock tower on the Officers' Club at the Naval Operating Base; and to the northward of a line bearing 138° through Willoughby Spit Ferry Light to the intersection with the line first described.

(2) *Anchorage J-2, Willoughby Bay (for small boats).* To the eastward of a line bearing 169° from the southeasterly corner of the bulkhead of the Chesapeake Ferry Company terminal at Willoughby Spit to the northeasterly corner of the bulkhead at the Naval Air Station; to the northward of a line bearing 103° from Willoughby Spit Light through a spherical mooring buoy maintained by the Navy Department, and a triangular range target maintained by the War Department; to the southward of a line bearing 59° from the northeast corner of the bulkhead at the Naval Air Station to the intersection with the line last described, and to the eastward of a line bearing 330° from the point immediately east of the mouth of Mason Creek to the intersection with the line last described.

NOTE: Where special conditions justify, boats will be permitted to anchor channelward of the limits of Anchorage J-2, subject to written authority of the District Engineer in charge of the locality.

(1) *Temporary Anchorage A, Hampton Bar.* (i) To the westward of a line bearing 8° from a point "A" determined by the following cross bearings: Old Point Comfort Light, bearing 31°; range and beacon tower on west end of Fort Wool, bearing 100°; to the northward of a line bearing 229° from point "A" to a point "B", 425 yards distant; to the northeastward of a line bearing 289° from point "B" to the Elizabeth City County shore.

NOTE: This area is reserved for the use of vessels while undergoing examination by quarantine, customs, and immigration authorities. Upon completion of these examinations, vessels shall move promptly to a regular anchorage area.

(ii) The master of every steam vessel using this temporary anchorage shall keep his vessel in condition to move promptly under her own power upon notification by the Captain of the Port, and, when any such vessel is in charge of a pilot, the pilot shall remain on board until the vessel is safely anchored in a designated anchorage area. No sailing vessel, using this anchorage, shall be left unattended by a steam tugboat while undergoing examination by any of the authorities mentioned herein, except when her stay is likely to be of several hours' duration, when she shall be anchored in the western part of this temporary anchorage out of the way of other vessels before the tug and pilot leave her.

(iii) No master of a vessel awaiting or undergoing quarantine inspection shall release any part of the crew until the vessel has been passed by the proper quarantine officials and safely anchored, or moored, in one of the designated areas.

(2) *Anchorage B, Naval anchorage.* To the southward of a line extending 289° from point "B" defined under "Temporary Anchorage A"; to the westward of a line extending 3,680 yards, 229° from point "B" to point "C"; and to the northward of a line extending 292° from point "C" to the Elizabeth City County shore.

NOTE 1: This area is reserved for the use of naval vessels, but, in the absence of the fleet, the Captain of the Port, may, in his discretion, permit it to be used by merchant vessels. Upon receiving word that any part of the fleet is expected, the Captain of the Port shall cause a sufficient area in this anchorage, and also in Anchorage C, to be vacated to accommodate the number of vessels scheduled to arrive.

NOTE 2: The established anchorages for naval vessels having been found inadequate at times when an especially large number of vessels are gathered for parade or other purpose, and the Navy Department having requested the establishment of a numbered series of anchorages for such occasions in order that a naval vessel may be ordered to proceed to a designated numbered anchorage in the harbor, the following arrangements have been made: A key chart for naval anchorages in Hampton Roads, which provides for the emergent anchorage of naval vessels in Anchorages A, C and G, has been prepared. These designated anchorages with the exception of those in Naval Anchorage B, which are primarily for naval vessels, are not set aside for the exclusive use of naval vessels, but per-

mission will be given for naval vessels to use them when available. When the Captain of the Port receives notification from the proper naval authorities that it is desired to utilize certain of these specially numbered anchorages he will authorize the use by naval vessels of the required numbers, if they can be made available, the commercial conditions at the time being given proper consideration. If, in the opinion of the Captain of the Port, there are sufficient reasons why the numbers first asked for should not be used, he will confer with the naval officers making the request, and if other numbers can be agreed upon he will authorize their use, otherwise he will communicate the request to the Secretary of War with a statement of the circumstances and with his recommendations.

(3) *Anchorage C, Newport News Bar.* To the southward of the southern boundary of Anchorage B, to the westward of an extension of the line forming the eastern boundary of Anchorage B; to the northward of a line running through the red buoys marking the 40-foot dredged channel to Newport News; to the eastward of a line bearing north through Red Gas Buoy No. 8, at the western entrance to the Newport News Channel.

NOTE 1: Vessels shall be anchored so as to leave a clear fairway 200 yards wide from Newport News Channel Buoy No. 5 to the gas and bell buoy off the Chesapeake Ferry Company's slip at Newport News, thence 200 yards wide to the said ferry slip, except that in an emergency the fairway may be closed and occupied for the anchoring of naval vessels.

NOTE 2: See Note 2 under Anchorage B, above.

(4) *Anchorage D.* The area enclosed by lines drawn as follows: From Gas Buoy No. 1 at the entrance to the Newport News dredged channel to Bell Buoy No. 2, on the western side of the Norfolk Harbor dredged channel; thence 229° until Newport News Middle Ground Light bears 303°; thence 250° until Newport News Middle Ground Light bears 3°; thence bearing 3° for a distance of 775 yards to Anchorage Buoy E; thence bearing 49° on a line in extension of the southeast boundary of Anchorage B to intersection with the first line.

NOTE: This area is to be used by deep-draft vessels, wind-bound vessels from Lambert Point and Sewall Point, and vessels awaiting turn for docking. Other vessels may use this anchorage when permitted by the Captain of the Port. Vessels shall be anchored so as to leave a clear fairway 200 yards wide on a straight line between the slip of the Chesapeake Ferry Company at Pine Beach and Newport News Channel Buoy No. 5.

(5) *Anchorage E, middle ground anchorage.* To the southward of a line running through the black buoys marking the southern edge of the 40-foot dredged channel to Newport News; to the westward of the northwest boundary line of Anchorage D; to the northeastward of a line bearing 310° from Anchorage Buoy E.

NOTE: Vessels shall be anchored so as to leave a clear fairway 200 yards wide on a straight line between the slip of the Chesapeake Ferry Company at Pine Beach and Newport News Channel Buoy No. 5, except that in an emergency the fairway may be closed and occupied for the anchoring of naval vessels.

(6) *Anchorage F, anchorage for explosives and other dangerous articles.* To the southward of a line, bearing 310°, through two points determined by the following cross bearings; easterly point, Newport News Middle Ground Light, bearing 20°; Craney Island beacon, bearing 131°; Nansemond River Light, bearing 243°; westerly point, Newport News Middle Ground Light, bearing 89°; Nansemond River Light, bearing 219°; northern red light on the railroad pier at Newport News, bearing 327°45'. To the westward of a line bearing 183° through the above easterly point; to the eastward of a line bearing 183° through the above westerly point. The northeasterly limit of Anchorage F is parallel to and 425 yards southeast of the southeast boundary to Anchorage E. (See Note.)

NOTE: All vessels are forbidden to anchor between the northern boundary line of Anchorage F, and the southwestern boundary line of Anchorage E, or within a zone 425 yards wide on the eastern and the western sides of Anchorage F.

(7) *Anchorage F-1, anchorage for vessels carrying explosives and other dangerous articles and having drafts too great to permit them to use Anchorage F.* An area within Anchorage C to the westward of the eastern boundary of Anchorage C; to the northward of a line bearing 292° from the southeasterly corner of Anchorage C, 1,800 yards; to the eastward of a line bearing 49° to a point in the northern boundary of Anchorage C, 1,800 yards distant from the easterly corner of Anchorage C; to the southward of the northern boundary of Anchorage C.

NOTE: When Anchorage F-1 is not occupied by vessels carrying explosives, it may be used as a general anchorage in the same manner as other portions of Anchorage C, except that it must be vacated upon notice from the Captain of the Port when a vessel of a draft too great to permit it to use Anchorage F carrying explosives desires to anchor.

When Anchorage F-1 is occupied by a vessel carrying explosives, vessels shall not anchor in Anchorages B or C within a zone 425 yards wide on all sides of the area.

No vessel carrying explosives shall be anchored in area F-1 so as to swing within 500 yards of the Newport News dredged channel.

(8) *Anchorage G, Newport News.* To the southward of the following lines: From Fishing Point to Black Can Buoy No. 3 off Naseway Shoal; thence to a point fixed by the following cross bearings; northern red light on railroad pier, Newport News, bearing 135°; Nansemond River Light, bearing 180°; thence to a point determined by the following cross bearings; northern red light on railroad pier, Newport News, bearing 45°; Newport News Middle Ground Light, bearing 119°; Nansemond River Light, bearing 189°35'; thence 145° to Anchorage Buoy F, intersecting an extension of the line marking the northern boundary of Anchorage E; thence easterly to the westerly point of Anchorage E. To the westward of a line parallel to and 425 yards west of the western boundary of Anchorage F.

(9) *Anchorage G-1, James River.* To the northward of a line bearing 121° through a point on the Warwick County shore and a point 450 yards northerly of the midway point of the draw open-

ing in James River Bridge; and to the eastward of a line parallel to James River Bridge and easterly therefrom not less than 200 yards.

(10) *Anchorage G-2, James River.* To the westward of a line parallel to James River Bridge and westerly therefrom not less than 200 yards; to the northward of a line bearing 121° from a point 450 yards northerly of the midway point of the draw opening of James River Bridge, 6,100 yards northwesterly to a point; and to the eastward of a line bearing 30° from that point on the Warwick County shore.

(11) *Anchorage H, Craney Island Flats.* To the southward of the lines forming the southeastern boundary of Anchorage D; to the westward of a line through the red buoys marking the western side of the Norfolk Harbor Channel as far south as Craney Island beacon; to the northward of an east and west line joining Craney Island beacon and a point on the eastern boundary of Craney Island; generally eastward, northward, and westward of the northern portion of Craney Island between the point on the eastern boundary and the mainland west of the island; and to the eastward of a line parallel to and 425 yards easterly of the eastern boundary of Anchorage F.

NOTE: Vessels shall be anchored so as to leave a clear fairway 200 yards wide on a straight line between the slip of the Chesapeake Ferry Company at Pine Beach and Newport News Channel Buoy No. 5.

(12) *Anchorage H-1, West Norfolk.* To the southward and eastward of the southern and eastern boundaries of Craney Island and to the southward of an east and west line joining a point on the eastern boundary of Craney Island and Craney Island beacon; to the westward of a line through the red buoys marking the western side of the Norfolk Harbor Channel; to the northwestward of a line through Buoys Nos. 20 and 8, marking the northern side of the Western Branch Channel; and to the northeastward of a line through Buoy No. 8 and high stack at West Norfolk.

NOTE: No vessel after receiving its load shall remain more than 12 hours in this anchorage, except by special permit from the Captain of the Port.

(13) *Anchorage J, Sewall Point.* To the southward of a line bearing 87° from Gas Buoy No. 5 on the eastern side of the Norfolk Harbor Channel; to the northward of a line bearing 282° from the northwestern corner of the submarine basin, Naval Operating Base; to the eastward of a line through the black buoys marking the eastern side of the channel to Norfolk.

(14) *Anchorage K.* To the southward of lines bearing 87° and 220°, respectively, from Spar Buoy No. 2, marking the southern side of the channel to the Virginian Railway coal pier at Sewall Point; to the northward of a line through Spar Buoys Nos. 1 and 3, marking the northern side of the channel to the Norfolk & Western Railway terminal at Sewall Point; and to the eastward of a line through Can Buoy No. 11, marking the eastern side of the Norfolk Harbor Channel.

(15) *Anchorage K-1*. To the southward of a line through Spar Buoy No. 4, marking the southern side of the channel to the Standard Oil Company's pipe line pier; to the northward of a line 185 yards north of Pier No. 2 of the United States Army Supply Base; and to the eastward of the eastern side of the Norfolk Harbor Channel.

(16) *Anchorage K-2*. To the southward of two lines, one 185 yards south of Pier No. 1 of the United States Army Supply Base, and the other running easterly from the extreme tip of Tannar Point on the north side of Lafayette River, at its mouth, to the extreme tip of the most northerly point on the south side of the river; to the northward of a line bearing 112° from Gas Buoy No. 21, about 835 yards northerly of Lambert Point; and to the eastward of a line through Buoys Nos. 15, 19, and 21, marking the eastern side of Norfolk Harbor Channel.

(17) *Anchorage K-3, Lafayette River*. (For yachts and pleasure craft.) To the westward of Hampton Boulevard bridge crossing Lafayette River; and to the northward and eastward of a line running easterly from the extreme tip of Tanner Point on the north side of the river, at its mouth, to the extreme tip of the most northerly point on the south side of the river, this line constituting the dividing line between Anchorages K-2 and K-3.

NOTE: It will be understood that the establishment of this area shall not interfere with navigation and oyster cultivation.

(18) *Anchorage L, Lambert Point*. To the southeastward of a line bearing 51° from Gas Buoy No. 23 off Lambert Point; to the northwestward of a line bearing 51° from Can Buoy No. 25 off Lambert Point Creek; to the northeastward of a line through Gas Buoy No. 23 and Can Buoy No. 25 marking the eastern side of channel to Norfolk.

(19) *Anchorage M*. To the southeastward of a line bearing 47° from Can Buoy No. 27, 75 yards southeastward of the southernmost pier of the Norfolk & Western Railway on the east side of the channel to Norfolk, to the northeastward of two lines, one bearing 132° from Can Buoy No. 27, 530 yards to a point; and the other bearing 109° from that point.

(20) *Anchorage N, Norfolk, Virginia*. To the northeastward of a line running from the westerly end of the Pennsylvania Railroad pier in Norfolk to the southerly end of the pier at Port Norfolk; and between two lines at right angles to above line, one passing 200 feet northwest of the Chesapeake & Ohio Railroad pier in Norfolk and the other passing 109 feet southeast of the Nottingham & Wrenn pier; and to the southward of a line drawn 100 feet north of and parallel to an extension of the north side of West Freemason Street.

(21) *Anchorage N-1, Smith Creek*—(i) *Mowbray Arch*. Between Mowbray Arch and a line described as follows: Beginning at Ghent Bridge 150 feet from Mowbray Arch and continuing westerly the same distance therefrom to the intersection of the prolongation of the east side of Colonial Avenue; thence in a

straight line to a point on the south side of Mill Street prolonged and 70 feet from Mowbray Arch; thence parallel to and 70 feet from Mowbray Arch to the south side of Pembroke Avenue prolonged; thence along the prolongation of the south side of Pembroke Avenue to a point 50 feet from Mowbray Arch; thence in a straight line to a point on the south side of Fairfax Avenue prolonged and 40 feet from Mowbray Arch.

(ii) *The Hague*. Between the wall on the west side of the Hague and the straight line joining the point 40 feet easterly thereof in the south side of Fairfax Avenue prolonged, with the point 70 feet easterly from the wall in the perpendicular to the wall at the south end thereof.

NOTE: No floats, rafts, lighters, houseboats, or craft laid up for any reason shall be permitted within the Smith Creek anchorages, except by permission of the Captain of the Port. No vessel shall anchor, or moor, alongside any wharf or pier on Smith Creek, so as to extend more than 40 feet beyond the pierhead line, except in the authorized anchorages.

(22) *Anchorage O, Hospital Point*. To the southwestward of a line through the red buoys marking the western side of the Norfolk Harbor Channel; to the southward of a line bearing 242° from north tower elevator at Atlantic City.

(23) *Anchorage P, Port Norfolk*. To the southeastward of a line bearing 37° from the northeast corner of the Pennsylvania Railroad piers at Port Norfolk; to the southwestward of a line through the red buoys marking the southwestern side of channel to Norfolk; to the northwestward of the outside bulkhead at the north end of Pinner Point and its northeasterly extension.

(24) *Anchorage Q*. The area known as Spotico Creek Flats landward of the United States pierhead line, and not within 200 feet of wharves or other permanent improvements.

(25) *Anchorage R*. The area landward of the United States pierhead line on the south side of the Eastern Branch of the Elizabeth River extending from a point 700 feet to the eastward from Norfolk & Western Railway bridge to a point 250 feet from the Virginian Railway bridge and not within 200 feet of permanent improvements; *Provided*, That no vessel shall anchor within 100 feet of the eastern and western entrances of Steamboat Creek, or in a position that will obstruct passage thereto.

(26) *Anchorage S*. The area landward of the United States pierhead line on the northern side of the Eastern Branch of the Elizabeth River, between a point 250 feet from the Virginian Railway bridge and the western entrance of Broad Creek, not within 200 feet of permanent improvements, and exclusive of the area included between the combined pierhead and bulkhead lines in Moseley Creek.

(b) *The rules and regulations*. (1) Except in cases of great emergency no vessel shall be anchored in Hampton Roads or the harbors of Newport News and Norfolk, Virginia, outside of the anchorage areas hereby defined and established, nor be made fast to the exterior end of any pier, nor to any vessel lying at

the exterior end of any pier, or along any bulkhead in such manner as to obstruct or endanger the passage of any vessels to or from the adjacent wharf property, or impede the movements of any vessel entering or leaving adjacent slips.

(2) Except as provided in subparagraph (1) of this paragraph, vessels carrying explosives or other dangerous articles, including inflammable liquids, inflammable solids, oxidizing materials, corrosive liquids, compressed gases and poisonous substances, shall be anchored within the Anchorage Areas F and F-1 only, described above in § 6.5-20. Anchorage F is reserved for this special purpose and is not to be used by vessels carrying other classes of freight except in cases of emergency.

(3) Permits to anchor in channels within the limits of Hampton Roads and the harbors of Norfolk and Newport News, Virginia, may be granted by the Captain of the Port to wrecking plants legally engaged in recovering sunken property, when the application for such anchorage is approved by the District Engineer in charge of works of river and harbor improvements.

§ 6.5-30 *Area of forbidden anchorage; Hampton Roads, Virginia*. Except in cases of great emergency, no vessel shall anchor in the following area unless the owner, master, agent, or operator of such vessel has been issued a permit by the Captain of the Port, or U. S. District Engineer: Starting at a point on the 37th parallel located 256 degrees 30 min. true, 825 yards from Old Point Comfort Light; thence 108 degrees true, 315 yards; thence 34 degrees 30 min. true, 425 yards; thence 67 degrees true, 380 yards; thence 43 degrees 30 min. true, 2,650 yards; thence 90 degrees true, 3,020 yards; thence 172 degrees true, 2,040 yards, thence 252 degrees true, 5,230 yards to Fort Wool Light; thence 247 degrees true, 1,000 yards to Sewall Point Spit Lighted Bell Buoy #2; thence 348 degrees 30 min. true to point of origin.

SIXTH NAVAL DISTRICT

§ 6.6-1 *Waters of New River, North Carolina; firing sectors—The danger zone*. (a) The firing ranges include the waters within eight sectors located as follows:

(1) *Jacksonville River sector*. Bounded on the north by an east-west line passing through day marker No. 41, New River dredged channel; on the south by a line running S. 63°30' W. from Paradise Point to Ragged Point; including Northeast Creek up to a north-south line at Long. 77°23'30" W.; and South-west Creek up to a point where it narrows to 200' width; including all water areas to the high water line.

(2) *Morgan Bay River sector*. Bounded on the north by a line running S. 63°30' W. from Paradise Point to Ragged Point; on the south by a line running N. 74°30' W. from Hadnot Point to Holmes Point; including Wallace Creek up to a north-south line at Long. 77°22'00" W.; including all water areas to the high water line.

(3) *Farnell Bay River sector*. Bounded on the north by a line running N. 74°30' W. from Hadnot Point to Holmes Point;

on the south by a line running S. 67° E. from Town Point to the south side of the mouth of French Creek; including French Creek up to a north-south line at Long. 77°20'00" W.; including all water areas to the high water line.

(4) *Grey Point River sector.* Bounded on the north by a line running S. 67° E. from Town Point to the south side of the mouth of French Creek; on the south by a line running N. 68°30' W. from a point on the east side of New River opposite the head of Sneads Creek to the south side of the mouth of Stone Creek; including all water areas to the high water line.

(5) *Stone Creek sector.* That portion of the Grey Point River sector at the upper end of Stone Bay lying west of a north-south line at Long. 77°26'00" W.; including all water areas to the high water line.

(6) *Stone Bay River sector.* Bounded on the north by a line running N. 68°30' W. from a point on the east side of New River opposite the head of Sneads Creek, to the south side of the mouth of Stone Creek; on the south by Sneads Ferry Bridge; including all water areas to the high water line.

(7) *Courthouse Bay River sector.* Bounded on the north by Sneads Ferry Bridge; on the south by a line running S. 52° W. from Wilkins Bluff to Hall Point; including all water areas to the high water line.

(8) *Traps Bay River sector.* Bounded on the north by a line running S. 52° W. from Wilkins Bluff to Hall Point; on the south by a line running N. 80° W. from Cedar Point to Inland Waterway Beacon No. 70, at the mouth of New River; thence S. 74° W. to Hatch Point; including all water areas to the high water line.

(b) *The regulations.* (1) Sailing vessels or any water craft having a speed of less than 5 miles per hour will keep clear of the closed sectors at all times after notices of firing have been given. Any vessel or other water craft propelled by mechanical power at a speed greater than 5 miles per hour may enter the firing sectors without restriction except when the signals enumerated in subparagraphs (4) and (5) of this paragraph are being displayed. When the above signals are displayed all vessels in the sectors will clear immediately and no vessel will enter the sectors until the signals indicate that firing has ceased.

(2) Firing will take place during both daylight and nighttime hours, at irregular periods throughout the year.

(3) Two days in advance of the day when firing in any sector except the Stone Creek Sector is scheduled to begin, the Commanding Officer of the Marine Barracks, New River, North Carolina, will warn the public of the contemplated firing, stating the sector or sectors to be closed, through the public press and the U. S. Coast Guard. The Stone Creek sector may be closed without advance notice.

(4) A tower, 25 feet in height, shall be erected near the easterly shore at the upper and lower limits of each sector. On days when firing is scheduled, a red flag will be displayed on each of the towers bordering the sector or sectors to

be closed. These flags will be displayed not later than 8:00 a. m., and will be removed when firing ceases for the day.

(5) During night firing, red lights will be displayed on the towers.

(6) These regulations shall be enforced by the Captain of the Port and by the Commanding Officer, Marine Barracks, New River, North Carolina, or such responsible agent or agents as they may jointly designate.

§ 6.6-5 *Port of Charleston, South Carolina*—(a) *General anchorage.* The anchorage grounds shall include all the navigable portions of that harbor, and the portions of Cooper, Ashley, and Wando Rivers adjacent thereto, except the following:

(1) *Areas of prohibited anchorage* (i) That portion of Cooper River which is bounded on the north by a true east and west line through the north customhouse wharf, on the east by Shutes Folly Island, on the south by a true east and west line through the south shore of Shutes Folly Island, and on the west by the water front of Charleston.

(ii) A ship channel between the jetties and the navy yard 600 feet wide (or as much wider as an improved channel may hereafter be dredged), following the established ranges and usual courses and passing east of Drum Island. Between the north customhouse wharf and the Charleston Dry Dock & Machine Co.'s dock this shall include all the area between the eastern limit of said channel and the eastern water front of Charleston.

(iii) A ship channel 500 feet wide from the vicinity of the Charleston Dry Dock & Machine Co.'s dock north through Town Creek Channel, following the established ranges and usual courses and connecting at both ends with the main channel.

(iv) A ship channel in Ashley River from its mouth to Standard Wharf 240 feet wide following the established ranges and usual courses, and widened at the eastern end to connect with the main channel in Cooper River.

(v) The commonly used channel in Wando River, with width of 200 feet.

(vi) A channel 200 feet wide in Hog Island Channel from Cooper River to the Mount Pleasant Ferry terminal, having its northern limit along the line of lighted beacons in Hog Island Channel.

(vii) An area 1,200 feet wide extending from Ripley Shoal Light toward the head of the Seaboard Air Line wharf (foot of Hasell Street) to its junction with the prohibited area described in paragraph (a) (1) of this section.

(viii) An area 1,200 feet wide extending from Ripley Shoal Light to Fort Sumter Light, with its axis connecting those structures.

(ix) An area 1,200 feet wide extending from Fort Sumter Light to Old Fort Moultrie, with its axis connecting the centers of those structures.

(2) *Anchorage for explosives.* Vessels carrying gunpowder or other explosives in bulk may anchor only in that section of the Wando River, designated as "Anchorage for explosives", which lies on the west side of that river, between a point

opposite the south end of Daniel Island and a point about 1 mile to the north: *Provided*, That vessels carrying high explosives in bulk shall not anchor within 400 yards of each other, but this provision is not intended to prohibit lighters from tying up alongside ships for the transfer of cargo.

(b) *The regulations.* (1) Anchors must not be placed within the areas of prohibited anchorage, but vessels may be so anchored as to swing into these areas, provided that they are so placed, with reference to the customary winds, tides, and currents of the harbor, that they will so swing only during slack water.

(2) Vessels must be anchored in such way as not to interfere with the free navigation of channels of the port, including Cooper, Ashley, and Wando Rivers, or to obstruct the approach to any pier or entrance to any slip, or to impede the movement of any ferryboat.

(3) Except in cases of great emergency, no craft shall be so anchored that it can swing within 400 feet of any wharf or pier on the eastern water front of Charleston, S. C.

(4) Except in cases of great emergency, no light vessel (vessel not laden) nor small craft shall be anchored in Cooper River north of an east and west line through the north customhouse wharf unless proper anchorage space is not available elsewhere in the harbor, including the connected rivers.

§ 6.6-10 *Wilmington River, Thunderbolt Harbor, Georgia.* (a) All azimuths are referred to the true meridian. The area in Wilmington River, in the vicinity of Thunderbolt Harbor, Georgia, described below is hereby established as anchorage grounds for vessels, and the following rules and regulations relating thereto are hereby adopted:

To the westward of the following described line: A line bearing 183° (S. 3° W.), 480 feet, from the southeasterly corner of the outer end of the wharf of the Shrine Club to a buoy; thence bearing 204½° (S. 24½° W.), 2,280 feet, to the Maggioni Packing Plant.

Note: Temporary floats or buoys for marking anchors or moorings in place will be allowed in this area. Fixed mooring piles or stakes are prohibited.

(b) *The regulations.* (1) Except in cases of great emergency, no vessel shall anchor in Wilmington River, Georgia, between the State Highway Bridge, Thunderbolt, Georgia, and 4,000 feet to the southward, except in the anchorage areas hereby defined and established: *Provided, however*, That vessels may moor to any lawfully constructed wharf.

§ 6.6-15 *Turners Creek, Georgia.* (a) The area in Turners Creek, Georgia, in the vicinity of its mouth indicated on the map attached and more particularly described below, is hereby established as anchorage grounds for vessels, and the following rules and regulations relating thereto are hereby adopted:

To the southwestward of the following described line: A line beginning at a point on the northerly high water shore line of Wilmington Island 750 feet northwesterly from the Savannah Yacht Club

wharf and bearing 34°25' (N. 34°25' E.), 200 feet, to a buoy; thence bearing 124°25' (S. 55°35' E.), 1 800 feet, to a buoy; thence bearing 214°25' (S. 34°25' W.), 150 feet, to the high water line of Wilmington Island.

NOTE: Temporary floats or buoys for marking anchors or moorings in place will be allowed in this area. Fixed mooring piles or stakes are prohibited.

(b) *The regulations.* (1) Except in cases of great emergency, no vessels shall anchor in Turners Creek between its mouth in Wilmington River and a point 4,000 feet to the eastward except in the anchorage area hereby defined and established: *Provided, however,* That vessels may moor to any lawfully constructed wharf.

§ 6.6-20 *Jacksonville, Florida—(a) The anchorage area.* (1) *Anchorage A.* The northern limits of this anchorage shall be about 1,200 yards south of draw-bridge crossing the St. Johns River at Jacksonville, Florida, and extending on a line running east and west through Grassy Point Middle Ground Lower End Light No. 31. The southern limits of this anchorage from Grassy Point Middle Ground Light No. 34 shall be a line running east to the eastern edge of anchorage. The eastern edge of the anchorage shall be a line running between Hedricks Point and La Vista Point, South Jacksonville, Florida. The western edge of the anchorage shall be a line from Grassy Point Middle Ground Light No. 34 to Winter Point, Jacksonville, Florida.

NOTE: Permanent anchorage for deep draft vessels.

(2) *Anchorage B.* The northern limits shall be the southern limits of anchorage A. The eastern and western limits shall be the continuation of the eastern and western limits of anchorage A. The southern limits shall be a line east and west from La Vista Point, South Jacksonville, Florida, to Sadler Point, Ortega, Jacksonville, Florida.

NOTE: Permanent anchorage for shallow draft vessels.

(3) *Anchorage C.* The southern and eastern limits of this anchorage are the shores of the St. Johns River. The western and northern limits are from a point on the shore line north to Twenty Foot Rock Buoy No. 81, thence to Commodore Point Lighted Buoy No. 79, thence NE x N 600 yards, thence east to Empire Point. This anchorage shall be an anchorage for vessels exceeding twenty-four feet in draft. No vessel shall remain in this anchorage more than twenty-four hours without obtaining a permit from the captain of the port.

(4) *Anchorage D.* The area included within the following buoys and lights: From Terminal Channel Light No. 7 to Cross Channel Buoy No. 78, to Arlington Cut Buoy No. 76 to Terminal Channel Light No. 5 and to Terminal Channel Light No. 7. No vessels shall anchor within 300 feet of Terminal Channel or Arlington Cut.

NOTE: Permanent anchorage for light draft barges and schooners.

(5) *Anchorage E.* From Six Mile Creek Cut Range Front Light No. 73, due west to Texas Company wharf,

thence to Chaseville Middle Ground Black and Red Buoy, thence NE x E to shore line 1100 yards south of Chaseville, Florida. This anchorage shall be used only by vessels awaiting quarantine inspection, or by special permit from the captain of the port.

(6) *Anchorage F.* From Six Mile Creek Cut Range Front Light No. 73, to Chaseville Middle Ground Black and Red Buoy, thence NE x E to shore line 1100 yards south of Chaseville, Florida.

NOTE: Permanent anchorage for deep draft barges and schooners.

(7) *Anchorage G. (Explosive)* The area to the westward of the Trout River Cut, Maine Ship Channel, St. Johns River, and to the northward of Red Nun Buoy No. 66. No vessel shall anchor within 200 yards of the Trout River Cut.

SEVENTH NAVAL DISTRICT

§ 6.7-1 *Atlantic Ocean off Miami and Miami Beach, Florida—The anchorage grounds.* (a) The area to the eastward of a line bearing 12° (N. 12° E.) through a point X, which is 1½ nautical miles due east of the intersection of the Miami Beach shore line with the north jetty; to the northward of a line bearing 102° (S. 78° E.) and intersecting the 12° line at a point A, one-half nautical mile north of the said point X; and to the southward of a line bearing 102° (S. 78° E.) and intersecting the 12° line at a point B, 2½ nautical miles north of the said point X. The northern and southern extremities of the 12° line are marked by spar buoys. The entire anchorage area lies north of the entrance channel to Miami Harbor.

NOTE: Except in cases of great emergency, no vessel shall be anchored in the Atlantic Ocean in the vicinity of the entrance to the approach channels leading to the cities of Miami Beach and Miami, Fla., outside of the anchorage area hereby defined and established—that is, they shall not anchor shoreward of the line first named nor southward of the second nor northward of the third line—but may anchor as far to the eastward as may be desired.

§ 6.7-10 *Tampa Bay, Florida—(a) The anchorage grounds.* A rectangular area two nautical miles in length and 2,000 feet in width, the northwesterly corner of this area being located approximately 4,000 feet northerly of Hillsboro Bay Cut A range, and 300 feet east of Tampa Bay Cut E range produced northerly; the northerly line of this area bears 71° (North 71° East) from this northwesterly corner for a distance of two nautical miles. This northerly line will be marked by three yellow can buoys, one at each end and one in the middle.

(b) *Quarantine regulations.* (1) Vessels arriving at quarantine and awaiting inspection will anchor in the above prescribed quarantine anchorage area. As soon as cleared by the quarantine officer, vessels must vacate this area.

(2) No vessels, excepting those awaiting quarantine inspection or clearance, will anchor in the quarantine anchorage area except in cases of great emergency. All vessels so anchored will vacate this area as soon as the emergency ceases.

(3) All vessels anchored in the quarantine anchorage area shall lie at anchor with as short a cable as conditions will

permit and anchors must be placed well within the anchorage area, so that no portion of the hull or rigging shall at any time extend outside the boundaries of the anchorage area.

(c) *Regulations for target area; Tampa Bay, Florida.* The following regulations are hereby prescribed to govern the use and navigation of the waters of Tampa Bay, comprising a practice bombing target area of the United States Army Air Corps, lying in Tampa Bay, south of Porta Tampa:

(1) *The danger zone.* A 5,700-foot square area in Tampa Bay whose north-east boundary is a line about 3,000 feet off shore from and approximately parallel to the southwest shore of the Interbay Peninsula. The northeast side of the square is marked at its ends by unlighted channel day markers; the southeast end by Marker No. 4, located about 4,100 feet north of the lighted rear range beacon on the axis of Cut "F", Tampa Bay Channel, and the northwest end by Marker No. 2, a distance of 5,700 feet north 56½° west of day Marker No. 4. The area lies within latitudes 27°48'39" and 27°49'57" and longitude 82°31'27" and 82°32'55". The southwest corners of the square area are to be marked with single spar buoys projecting about 6 feet above the water and these buoys will be lighted at night.

(2) *The regulations.* (i) The fact that aerial target practice is to take place over the designated area shall be advertised to the public through the usual media for the dissemination of information.

(ii) Prior to the conducting of each bombing practice the area shall be patrolled by Army aircraft to insure that no water craft are within the area and any such watercraft seen in the vicinity shall be warned by means of signals that bombing practice is about to take place. The patrol aircraft shall employ the method of warning known as "buzzing", which consists of low flight by the airplane and repeated opening and closing of the throttle. Coast Guard and Army watercraft will also assist the planes in keeping public watercraft from approaching to the boundaries of the designated area.

(iii) Any such watercraft shall, upon being so warned, immediately vacate the area designated, and shall, until the conclusion of practice, remain at such a distance that it will be safe from falling objects.

(iv) The danger area will be opened to navigation except when bombing practice is being conducted. The bombing target (barge) will be anchored at the center of the designated area and will be lighted during the hours of darkness.

(d) *Regulations for target area; Orange Park, Florida.* The following regulations are hereby prescribed to govern the use and navigation of the waters of Doctors Lake, comprising a practice bombing target area of the United States Naval Air Corps, located near Orange Park, Florida:

(1) *The danger zone.* The area involved is Mill Cove, an arm of Doctors Lake, the danger zone lying southeasterly of a line tangent to Geigers Point, bearing south 30° West, running to the southerly shore of Mill Cove at its westerly

end. The target, which will be 11 feet square, constructed of 8-inch timber piles with 2-inch by 6-inch wales, braces, and rafters, and 1-inch by 6-inch battens, will be located in the center of Mill Cove approximately 1,000 feet from its easterly end. It will be surrounded by 8-inch piles 20 feet long placed on a circle 100 feet from the target with warning signs on alternate piles.

(2) *The regulations.* (i) The danger areas are open to navigation except when bombing practice is being conducted.

(ii) The northwestern limit of the danger area described above will be marked with three single piles or single spar buoys projecting about ten (10) feet above mean low water on which will be placed a sign stating: "Danger Zone, Keep Out! Aircraft Bombing Range."

(iii) Twelve piles will surround the target spaced equally on a circle of 100 feet radius, and on every other one will be placed a sign stating: "Danger! U. S. Naval Bombing Target. Keep Clear One Mile."

(iv) Prior to conduct of each bombing practice the area will be inspected by naval aircraft which will warn navigation to leave the area by zooming at a safe distance to the side. The "zooming" signal to warn vessels to leave the area prior to bombing practice, consists of an aircraft diving down at a safe distance to one side of the vessel and then rising suddenly.

(v) Upon perceiving this signal any watercraft within the danger zone shall immediately leave it, and no craft shall enter this area until practice has ceased.

§ 6.7-15 *Explosive anchorage grounds in vicinity of Mullet Key*—(a) *Anchorage A.* This anchorage to be used by vessels awaiting loading or unloading at Port Tampa that have explosives actually on board and where the duration of anchorage will exceed 12 hours. This area to be included in lines joining the following points; all bearings and distances are from Mullet Key Shoal Light:

- (1) Bearing 65°30' true, 4,480 yards.
- (2) Bearing 85° true, 4,900 yards.
- (3) Bearing 152°30' true, 1,600 yards.
- (4) Bearing 152°30' true, 220 yards.

(b) *Anchorage B.* This anchorage will be used as a temporary anchorage of vessels engaged in loading explosives at Port Tampa and when the duration of the anchorage period is less than 12 hours. The area bounded by lines joining the following points located from Cut F, front range light:

- (1) Bearing 107° true, 1,750 yards.
- (2) Bearing 125° true, 2,050 yards.
- (3) Bearing 180° true, 1,725 yards.
- (4) Bearing 222° true, 2,180 yards.
- (5) Bearing 251° true, 1,540 yards.

(c) *Examination anchorages.* (1) Bearing 94° true, 3,900 yards.

- (2) Bearing 111° true, 4,950 yards.
- (3) Bearing 163° true, 3,790 yards.
- (4) Bearing 171°30' true, 2,100 yards.

EIGHTH NAVAL DISTRICT

§ 6.8-1 *Mobile, Alabama*—(a) *Anchorage A.* (Explosive.) This anchorage includes the area within a radius of 750 yards from a point located 1,000 yards true north from Fort Morgan Light.

Anchorage A shall be used by vessels loading or discharging high explosives. It shall also be used by vessels carrying dangerous or inflammable cargoes requiring an anchorage. It may be used for a general anchorage when not required for vessels carrying explosive or dangerous or inflammable cargoes. No vessel shall occupy this anchorage without obtaining a permit from the captain of the port.

§ 6.8-3 *New Orleans, Louisiana*—(a) *The anchorage area*—(1) *Anchorage A.* (Woodland anchorage.) An area 2 miles long near the right descending bank, south side of the channel, not to exceed 600 feet from the bank. Upper limits approximately .9 mile downstream from Point Celeste and opposite Davant, La. Lower limits approximately .7 mile upstream from Point-A-La-Hache Ferry Landing.

(2) *Anchorage B.* (Phoenix anchorage.) An area 2 miles long near the left descending bank, northeast of the channel, not to exceed 600 feet from the bank. Upper limits approximately 1 mile downstream from Poverty Point Light and directly opposite Myrtle Grove, La. Lower limits approximately 4.5 miles upstream from Favret Light, and opposite Oakland, La.

(3) *Anchorage C.* (Baton Rouge anchorage.) An area .5 mile long near the left descending bank, east side of the channel, not to exceed 1,000 feet from the bank, vicinity Standard Oil Plant. Upper limits 2.8 miles downstream from Baton Rouge Railroad and Highway Bridge. Lower limits approximately .5 mile upstream from Baton Rouge Ferry Landing.

(4) *Anchorage D.* (Port Allen anchorage.) An area 1.3 miles long near the right descending bank, west side of the channel, not to exceed 1,000 feet from the bank. Upper limits approximately 1.5 miles downstream from Port Allen Ferry Landing, or .8 mile downstream from Limerick Light. Lower limits approximately 4 miles upstream from Red Eye Crossing front light.

(5) *Anchorage E.* (Manchac anchorage.) An area 1.3 miles long near the right descending bank, south side of the channel, not to exceed 1,000 feet from the bank. Upper limits approximately 1.4 miles downstream from Sardine Point Light. Lower limits approximately 1.5 miles upstream from Manchac point, and directly opposite Mulberry Grove Light.

(6) *Anchorage F.* (Plaquemine anchorage.) An area 1 mile long near the left descending bank, northeast side of the channel, not to exceed 1,000 feet from the bank, vicinity Lucky Plantation. Upper limits approximately .7 mile downstream from Melodeon Point Light directly opposite Pecan Light. Lower limits approximately 3.4 miles upstream from Granada Front Range Light and directly opposite St. Louis Plantation Light.

(7) *Anchorage G.* (Carville anchorage.) An area 1 mile long near the left descending bank, northwest side of the channel, not to exceed 600 feet from the bank, vicinity of U. S. Public Health Service Leper Colony. Upper limits approximately 1.6 miles downstream from

White Castle Light opposite Alhambra Light. Lower limits approximately 1.5 miles upstream from Maryland Light and opposite Belle Grove Plantation.

(8) *Anchorage H.* (Philadelphia Point anchorage.) An area 2.3 miles long near the right descending bank, southwest side of the channel, not to exceed 1,200 feet from the bank vicinity Elsie Landing. Upper limits approximately 1.5 miles downstream from Chatham Landing and directly opposite New River Light. Lower limits approximately .9 mile upstream from Philadelphia Point Landing and directly opposite Belle Helene Light.

(9) *Anchorage I.* (Donaldsonville anchorage.) An area 1 mile long near the right descending bank, south side of the channel, not to exceed 1,200 feet from the bank. Upper limits approximately .4 mile downstream from Donaldsonville Ferry Landing. Lower limits approximately .9 mile upstream from Rateau Light and directly opposite Brangier Point Light.

(10) *Anchorage J.* (Olga Landing anchorage.) An area 1.5 miles long near the right descending bank, west side of the channel, not to exceed 700 feet from the bank, vicinity Olga Landing. Upper limits approximately 2.8 miles downstream from Brilliant Point Light and directly opposite Uncle Sam Light. Lower limits approximately .8 mile upstream from St. James Light and directly opposite Convent Landing.

(11) *Anchorage K.* (Lutcher anchorage.) An area 1.7 miles long near the left descending bank, northwest side of the channel, not to exceed 600 feet from the bank, vicinity Lutcher, La. Upper limits approximately 1 mile downstream from St. Elmo Light and opposite Magnolia Landing. Lower limits approximately 2.6 miles upstream from Mt. Airy Light or .2 mile upstream from Gramercy Ferry Landing.

(12) *Anchorage L.* (Edgard anchorage.) An area 1.5 miles long near the right descending side of the channel, not to exceed 600 feet from the bank, vicinity Edgard Landing. Upper limits approximately 1.7 miles downstream from White Rose Light and opposite Reserve, La. Lower limits approximately 1 mile downstream from Edgard Landing or .7 mile upstream from California Light.

(13) *Anchorage M.* (Hahnville anchorage.) An area 1 mile long near the right descending bank, west of the channel not to exceed 1,000 feet from the bank, vicinity Hahnville Landing. Upper limits approximately 1.4 miles downstream from Taft Light and directly opposite Prospect Light. Lower limits approximately 1 mile upstream from Fashion Light and directly opposite 26 mile Point Light.

(14) *Anchorage N.* (Destrehan anchorage.) An area 1 mile long near the left descending bank, north side of the channel, not to exceed 600 feet from the bank, vicinity Pecan Grove Landing. Upper limits approximately .3 mile downstream from Destrehan Ferry Landing and opposite Luling, La. Lower limits approximately 1 mile upstream from St.

Rose, La., and directly opposite Lone Star.

(15) *Anchorage O.* (St. Rose anchorage) An area 1 mile long near the left descending bank, northwest side of the channel, not to exceed 600 feet from the bank. Upper limits approximately .4 mile downstream from Oil Loading Wharf at St. Rose, La., and directly opposite Ama Light. Lower limits approximately 1.9 miles upstream from Fairview Light, and directly opposite Ama, La.

(16) *Anchorage P.* (Nine Mile Point anchorage) An area .7 mile long near the right descending bank, west side of the channel, not to exceed 500 feet from the bank. Upper limits approximately .3 mile downstream from Nine Mile Point Light and directly opposite Oak Street, New Orleans. Lower limits directly opposite upper end of U. S. Engineer Depot, 2nd New Orleans District.

(17) *Anchorage Q.* (Quarantine anchorage) An area .9 mile long near the right descending bank, southwest side of the channel, not to exceed 800 feet from the bank. Upper limits approximately .4 mile downstream from Todd-Johnson Dry Dock and directly opposite Jackson Barracks. Lower limits directly opposite Chalmette Slip.

(18) *Anchorage R.* (New Orleans general anchorage) An area 3.5 miles long near the right descending bank, south side of the channel, not to exceed 800 feet from the bank. Upper limits approximately .7 mile downstream from U. S. Quarantine Station and directly opposite Chalmette Slip. Lower limits approximately 1.7 miles downstream from Cutoff Light and opposite Meraux, La.

(19) *Anchorage S.* (Twelve Mile Point anchorage) An area 1 mile long near the right descending bank, north side of the channel, not to exceed 800 feet from the bank. Upper limits approximately .5 mile downstream from Twelve Mile Point or opposite Caernarvon, La. Lower limits approximately 2 miles upstream from English Turn Navigation Light or opposite Braithwaite, La.

(20) *Anchorage No. 1.* (Explosive)¹ Located one-half mile up river from Oakville navigation light. The captain of the port shall designate anchorages up river or down river from the point named. The anchorage area is from the west bank of the river to a point 1,000 feet to the eastward, marked by a White Can Buoy.

This anchorage shall be reserved for vessels carrying explosives, without limit as to quantity.

¹ Explosive Anchorage 1 Light to be established on shore 980 yards 19° from Oakville Light, abreast of present Explosive Anchorage 1 Buoy "EX", the latter then to be discontinued. Light to be flashing green every 4 seconds, flash 0.4 second, eclipse 3.6 seconds, of 30 candlepower, 25 feet above mean high water on a black pole, with signboard facing the river and having the following inscription: "Explosive Anchorage No. 1—Vessels Handling Explosives Must Anchor Within 1,000 Feet From This Bank, U. S. Coast Guard"

(21) *Anchorage No. 2.* (Explosive)² Located 2,670 yards 156° from Saxonholm Light. The captain of the port will designate anchorages up river or down river from the point named. The anchorage area is from the west bank of the river to a point 900 feet to the eastward.

This anchorage shall be reserved for vessels carrying limited quantities of explosives. A permit to use the anchorage must be obtained from the captain of the port, who is authorized to limit the quantity of explosives on any vessel in the anchorage upon a finding by him that a greater amount would be unsafe.

(22) *Anchorage T.* (Home Place anchorage) An area 1.4 miles long near the right descending bank, southwest side of the channel, not to exceed 600 feet from the bank. Upper limits approximately .3 mile downstream from the Freeport Sulphur Company Wharf at Port Sulphur, La. Lower limits, Home Place Light.

(23) *Anchorage U.* (Buras anchorage) An area 2 miles long near the right descending bank, southwest side of the channel, not to exceed 800 feet from the bank. Upper limits approximately 2.8 miles downstream from Alberta Light or approximately .2 mile downstream from Gulf Refining Wharf at Buras, La., and directly opposite Ostrica Canal Lock. Lower limits approximately .9 mile upstream from Bayou Grand Liard Light or approximately .2 mile upstream from Gulf Refining Company Wharf at Triumph, La.

(24) *Anchorage V.* (Boothville anchorage) An area 3.2 miles long near the right descending bank, southwest side of the channel, not to exceed 800 feet from the bank. Upper limits approximately 2.8 miles downstream from Fort Jackson Light and directly opposite New Canal Light. Lower limits approximately 2.8 miles upstream from The Jump Light and directly opposite Michella Light.

(25) *Anchorage W.* (Pilottown anchorage) An area approximately 5.8 miles long near the right descending bank, west side of the channel, not to exceed 1,000 feet from the west bank. Upper limits approximately 2.8 miles downstream from The Jump Light, and opposite Wilder Flat Light. Lower limits approximately 2.1 miles upstream from Head of Passes Light and opposite the Pilot's Station at Pilottown, La.

(26) *Anchorage X.* (Southwest Pass anchorage) Vessels anchoring in the pass shall take position near the eastern bank,

² Explosive Anchorage 2 Light to be established about 80 feet from shore, in 6 feet, 2700 yards 157½° from Saxonholm Light, abreast of present Explosive Anchorage 2 Buoy "EX", the latter then to be discontinued. Light to be flashing green every 4 seconds, flash 0.4 second, eclipse 3.6 seconds, of 30 candlepower, 25 feet above mean high water on a black triangular structure on piles, with signboard facing the river and having the following inscription: "Explosive Anchorage No. 2—Vessels Handling Explosives Must Anchor Within 900 Feet From This Bank, U. S. Coast Guard"

above a point marked by a post, painted white, surmounted with round black target on channel end of spur dike No. 13.32 L, about 1.5 miles above Southwest Pass Lighthouse; and below a point also marked by a post, painted white, with round black target 1.5 miles below the Head of the Passes Light; and vessels so anchoring shall put out such extra moorings as may be necessary to prevent their being blown athwart the channel, and thus endangering the navigation of the pass.

(27) *Anchorage Y.* (South Pass anchorage.) Vessels anchoring in the pass shall take position near the eastern bank, above a point marked by a post, painted white, surmounted with a round black target, which is about .5 mile above South Pass Lighthouse; and below a point also marked by a post painted white, with round black target 1.5 miles below the Head of the Passes Light; and vessels so anchoring shall put out such extra moorings as may be necessary to prevent their being blown athwart the channel, and thus endangering the navigation of the pass.

(28) *Anchorage No. 3.* (Explosive) Located 1.4 miles up river from Oak Point Navigation Light. The captain of the port shall designate anchorages up or down river from the point named. The anchorage area extends from the west bank of the river to a point 1,000 feet to the eastward. This anchorage shall be reserved for vessels carrying explosives, without limit as to quantity.

§ 6.8-10 *Mississippi River*—(a) *Navigation regulations to govern speed of vessels in vicinity of explosive anchorages south of New Orleans.* The masters and pilots of all seagoing steamers, tugboats, and other vessels plying the Mississippi River south of New Orleans in the vicinity of Explosive Anchorage (sic) No. 1, Explosive Anchorage No. 2, and Explosive Barge Terminal shall regulate the speed of their vessel over the bed of the river so as not to exceed 7 miles per hour going downstream or 5 miles per hour going upstream.

(b) *Mississippi River in the vicinity of twelve-mile point between Violet and Shingle Point, Louisiana; movement of vessels.* (1) The movement of all vessels in the vicinity of Twelve Mile Point shall be governed by red and green traffic signal lights.

(c) *Location of signal lights.* (1) Upbound vessels will be controlled by traffic signal lights on "Cable Area South Range Rear Light Tower," 40 feet above mean low water and located on the left descending bank of the Mississippi River, about 245 yards from and bearing 197° from Poydras Light. (Poydras Light will be extinguished but the tower will remain in place.)

(2) Downbound vessels will be controlled by traffic signal lights on "Cable Area North Range Rear Light Tower," 40 feet above mean low water on the left descending bank of the Mississippi River, on the northerly bank of Violet Canal,

about 2,513 yards from and bearing 349°38' from Old Depot Light.

(d) *Signals.* (1) A red light displayed to vessels indicates that the course is not clear and that the vessels must stop.

(2) A green light displayed to vessels indicates that the course is clear and that vessels may proceed.

(3) When neither a red nor a green light is displayed, vessels shall be maneuvered in accordance with pilot rules applicable, and no attempt shall be made to follow any prescribed course over cable area.

(e) *Anchoring prohibited.* No vessel shall anchor at any time or place in the area between the north and south traffic signal lights.

(f) *Ascending vessels.* (1) An ascending vessel shall not proceed further up the river than Braithwaite Wharf when a red light is displayed from "Cable Area South Range Rear Light Tower," and shall keep close in to the left ascending bank of the river and so maneuver as to keep clear of descending vessels.

(2) All meetings and passings of vessels in this area shall be in accordance with customary river pilot rules, which at this particular reach shall be starboard to starboard.

(g) *Descending vessels.* (1) When a descending vessel reaches Saxonholm Light and a red light is displayed from "Cable Area North Range Rear Light Tower," the vessel shall immediately slow down and maneuver so that it can round to if the signal remains against the vessel.

(2) All meetings and passings of vessels in this area shall be in accordance with customary river pilot rules, which at this particular reach shall be starboard to starboard.

(h) *Use of cable area.* (1) Vessels properly equipped and others having previously made arrangements with the Commandant, Eighth Naval District, New Orleans, Louisiana, shall indicate their intention to use the Cable Area by flying their call letters when approaching the cable area. Ships equipped to use the cable area shall also fly the second repeater pennant of the International Code on separate halyards; and ships not equipped to use the cable area shall fly the first repeater pennant of the International Code below the second repeater during daylight conditions.

(2) In using the cable area, the vessel shall maneuver so that when between a point approximately 2,000 feet upstream and 2,000 feet downstream from the "Cable Area West Light," the vessel will be on a magnetic north or south course (06°17' true), indicated by alignment of front and rear range lights between "Cable Area Traffic Lights."

(3) While using the cable area the vessel shall hold a steady north or south magnetic course at medium speed.

(4) While using the cable area, the vessel shall keep close watch for and obey all signals which may be displayed from the control house located on the levee on the left descending bank of the river opposite the "Cable Area West Light," and shall also be prepared to take aboard a boarding party upon signal from a U. S. Coast Guard or Navy vessel operating in the area.

(5) Vessels not using the cable area are not obligated to follow the above-described course and should be maneuvered in accordance with pilot rules applicable.

(6) Under conditions of poor visibility, vessels shall exercise caution in using the cable area, and in emergencies be governed by the pilot rules applicable.

(i) *"Vessel" defined.* The term "vessel" shall include all ships, whether under their own power or in tow, and all barges in tow, and also all tugs or towboats without tows and all river craft of any description operating under their own power.

(j) *Enforcement.* These rules and regulations will be enforced by the Captain of the Port, New Orleans, Louisiana. The Captain of the Port is authorized to suspend these rules and regulations indefinitely, or for such periods as he may determine, when in his judgment such action is for any reason necessary, and he may prescribe the hours of each day during which these rules and regulations are inoperative, and such order will be effective upon publication in the FEDERAL REGISTER as prescribed by law and until otherwise ordered by the Captain of the Port, New Orleans, Louisiana.

(k) *Anchorage No. 5. (Restricted)* An area in Bolivar Roads to the northward of the ship channel within the following lines:

(1) Southeastward of a line having a bearing of 223° from the old tower on Bolivar Point;

(2) East of a line having a bearing of 359° from No. 4 channel buoy;

(3) North of a line having a bearing of 115° from No. 4 channel buoy;

(4) West of the westerly boundary of general anchorage No. 4.

This anchorage is to be used by vessels awaiting quarantine inspection, and by such other vessels as the captain of the port may permit.

§ 6.8-15 Corpus Christi Bay, Texas—

(a) *Special anchorage areas.* The following areas are designated as special anchorage areas wherein vessels not more than 65 feet in length, when at anchor, shall not be required to carry or exhibit anchor lights:

(1) *North anchorage area.* South and westward of the north breakwater; northward of a line 200 feet north and parallel to the maneuvering basin and bearing north 83°45' west, 737.9 feet from a point marked by a lead plug in the concrete cap of said breakwater, from which the Weather Service Display Tower bears south 80°45½' west; eastward of a line bearing thence north 18°11' east, 675.5 feet, thence due north, 725.1 feet to a lead plug in concrete cap of breakwater.

(2) *South anchorage area.* Southward of the southernmost T-head pier at the foot of Cooper Avenue and of a line bearing south 23°16' east, 340.6 feet from the southerly corner of said pier to a point on rubble breakwater; westward and northward of said breakwater; eastward of the Corpus Christi sea wall.

§ 6.8-20 Galveston, Texas—(a) *The anchorage area—(1) Anchorage No. 1. (Explosive)* A triangular area to the

westward of Port Bolivar, bounded by a line starting from a point bearing 293° true and 200 yards off Bolivar Peninsula Light and ranging true west for a distance of 550 yards, thence true south a distance of 750 yards, thence back to the starting point bearing 37° true.

(2) *Anchorage No. 2. (Explosive)* A rectangular area in Bolivar Roads bounded by a line starting from a point 250 yards true south of No. 9 channel buoy and ranging true east a distance of 1,300 yards, and between the lines ranging true south from each end of the northern boundary to the sand flats along the south jetty.

(3) *Anchorage No. 3. (General)* A triangular area in Bolivar Roads to the southward of a line connecting No. 9 and No. 11 channel buoys; westward of a line having a bearing of 180° from No. 9 channel buoy, and eastward of No. 11 channel buoy.

This anchorage shall be for the general use of naval and merchant vessels, and also for the use of vessels undergoing examination by quarantine, customs, or immigration authorities.

NOTE: This anchorage is intended for periods of less than thirty days.

(4) *Anchorage No. 4. (General)* An area in Bolivar Roads to the northward of the ship channel within the following lines:

(i) Northwestward of a line having a bearing of 62° from No. 8 channel buoy;

(ii) North of a line having a bearing of 271° from No. 8 channel buoy;

(iii) East of a line having a bearing of 20° from the Quarantine Station cupola on Pelican Island.

This anchorage is to be used by merchant vessels remaining at anchor for a period of time greater than thirty days; it may also be used by merchant vessels when anchorage No. 3 is overcrowded.

§ 6.8-25 Waters of Lake Borgne, Louisiana, north of Shell Beach, Louisiana; *Antiaircraft Gunnery Range, Eighth Naval District—(a) The danger zone.* (1) That portion of Lake Borgne inclosed by an arc described with Shell Beach, Louisiana (latitude 29°52'03" N., longitude 89°40'20" W.), as a center and radius of 8,000 yards between a line bearing 343° true and a line bearing 53° true.

(2) That portion of Lake Borgne inclosed by an arc described with Shell Beach, Louisiana (latitude and longitude as above), as a center and 18,000 yards radius between a line bearing 343° true and a line bearing 28° true.

(b) *The regulations.* (1) No vessel or other craft shall enter or remain within the areas during their use as firing ranges except as provided in paragraph (b) (4) of this section.

(2) Since firing practice will take place in the sectors at frequent and irregular intervals throughout the year without regard to season, advance notice shall be given of the date on which the first of such activities will begin. At intervals of not more than three months thereafter, notice will be sent out that firing practice is continuing. Such notices will appear in the local newspapers and in the "Notice to Mariners".

(3) When firing is in progress, a red flag will be displayed from mast or staff on the shore at Shell Beach, Louisiana, and at Point Aux Marchettes and Proctor Point, in Lake Borgne. During night firing, a searchlight will be in operation near the pivot point of the sectors at Shell Beach, Louisiana, and the beam of this light will be a warning that firing is in progress.

(4) Upon exchange of signals prescribed below, vessels bound from or to adjacent points east or west of the pivot point of the sectors may pass through that portion of Danger Zone Area lying immediately north of the pivot point.

(1) Signals by vessel. Vessels approaching this area which desire to pass through shall indicate by sounding two long, distinct blasts followed by one distinct short blast of a whistle, horn, or megaphone, when within a reasonable distance of the pivot point of the area at Shell Beach, Louisiana.

(ii) Answering signals. When it is safe to pass, this signal will be answered during daylight hours by dipping of the flag located at or near the pivot point at Shell Beach, Louisiana. At night answer to the signal will be given by blinking of the searchlight located at or near the pivot point at Shell Beach, Louisiana, three or more times.

(5) These regulations will be enforced by the Commandant, Eighth Naval District, and such agencies as he may designate.

§ 6.8-30 *Waters of the Gulf of Mexico; Army Air Corps, aerial towed target gunnery range, between Texas Point and High Island, Texas*—(a) *The danger zone.* The gunnery range covers an area between Texas Point and High Island, Texas, in the Gulf of Mexico, described as follows:

	N. latitude	W. longitude
NE Corner.....	29 40	93 55
NW Corner.....	29 33	94 23
SE Corner.....	29 17	93 55
SW Corner.....	29 08	94 23

(b) *The regulations.* (1) No vessel or other craft shall enter or remain within the area designated during its use for target practice except as provided in paragraph (b) (5) of this section.

(2) The fact that aerial target practice is to take place over the designated area shall be advertised to the public through the usual media for the dissemination of information. Inasmuch as such practice is likely to be engaged in throughout the year without regard to season, such advertising of firing shall be repeated at frequent intervals which shall not exceed three months and which shall be more frequent when, in the opinion of the Commanding Officer, responsible for the use of the range, such frequent repetition is necessary in the interests of public safety.

(3) Prior to the conduct of each target practice the area shall be patrolled by Army aircraft to insure that no watercraft are within the dangerous area and

any such watercraft seen in the vicinity shall be warned by means of signals that target practice is about to take place. The patrol aircraft shall employ the method of warning known as "buzzing" which consists of low flight by the airplane and repeated opening and closing of the throttle.

(4) Any such watercraft shall, upon being so warned, immediately vacate the designated area and shall remain outside its limits until the conclusion of practice.

(5) These regulations shall not deny access to or egress from harbors contiguous to this danger area by regular cargo-carrying vessels, nor shall they deny traverse of portions of the danger area in the case of such regular cargo-carrying vessels proceeding on established steamer lanes, nor shall they deny passage of vessels at all times within one mile of the shore in the area. In case of the presence of any such vessel in the danger area, the officer in charge of gunnery operations shall cause the cessation or postponement of fire until the vessel has cleared the part of the area. The vessel shall proceed on its normal course and not delay its progress.

(6) No marking of the area is proposed, and all aircraft and watercraft shall be presumed to know their whereabouts by distances and directions from landmarks or other topographical features along the shore.

(7) These regulations shall be enforced by the Captain and the Commanding Officer, Army Air Base, DeRidder, Louisiana.

§ 6.8-35 *Waters of Matagorda Bay, Texas; firing range, Coast Artillery Antiaircraft Training Center, Camp Hulen, Texas*—(a) *The danger zone.* The firing ranges for firing points near Turtle Point, near Well Point, and near the shore line between Indian Point and Indianola Island, inclusive, hereinafter referred to as the "restricted area", include the waters of Matagorda Bay and its tributaries within an area bounded as follows: (See U. S. C. & G. S. Chart No. 1284.) A line beginning at the neck of Turtle Point Peninsula and running southeasterly to Oliver Point; thence southerly along shore line to Palacios Point (except Oyster Lake); thence along a line bearing 130° true to a point one mile bayward from the north shore of the Matagorda Peninsula; thence southwesterly, along a line paralleling the north shore of Matagorda Peninsula at a distance of one mile to a point in Matagorda Bay bearing 48° true, 5,600 yards from the cupola on Saluria Coast Guard Station; thence northwesterly to the entrance to Boggy Bayou; thence along shore line to Gallinipper Point; thence along a line northeasterly to Rhodes Point; thence easterly along a line extending to the mouth of Carancahua Bay; thence along a line extending northeasterly to the point of beginning at the neck of Turtle Point Peninsula.

(b) *The regulations.* (1) Through traffic in either direction on the route of the Intracoastal Waterway and feeder channels to Palacios and Port Lavaca

may enter and proceed directly through the restricted area via the waterway and channels without hindrance or delay except as indicated below or when advised otherwise by the United States Coast Guard at Port O'Connor or by a representative of the Commanding Officer, Antiaircraft Training Center, Camp Hulen, Texas. When through intracoastal traffic is not permitted to enter the restricted area, during daylight hours patrol boats will be stationed at entrance to the canal near Port O'Connor and near Palacios Point and in the feeder channels on the Palacios and Port Lavaca sides of the restricted area to warn traffic approaching the danger area. When through traffic is not permitted during hours of darkness, occulting red light or lights will be displayed from a high tower at Camp Hulen and from a high tower between Indian Point and Indianola Island.

(2) Except under unusual circumstances, announcement of which shall be communicated to the surrounding communities, the restricted area is open throughout the year to the public for fishing and traffic without restriction from 5:30 p. m. Saturdays to 8:00 a. m. Mondays and National (not State) holidays from 5:30 p. m. of the preceding day to 8:00 a. m. on the day following the holiday. The restricted area is also open to the public for fishing and traffic without restriction on other days when firing is not to be conducted.

(3) When firing is to be held in all or part of the restricted area, large red flags will be displayed from elevated positions in the immediate vicinity of each firing point from which fire is to be conducted.

(4) Except for through intracoastal water traffic, no boats will enter the restricted area during the following periods without first obtaining clearance from Headquarters Antiaircraft Training Center at Camp Hulen, Texas: 8:00 a. m. to 5:30 p. m. on all week days except National, not State, holidays. Traffic other than through intracoastal traffic, desiring to enter the restricted area from Palacios, Port Lavaca or from direction of Matagorda during the restricted periods must obtain permission in advance from Headquarters Antiaircraft Training Center, Camp Hulen, Texas, extension #38 or #386. Traffic desiring to enter the restricted area from the vicinity of Port O'Connor must obtain permission in advance from the Coast Guard Station at Port O'Connor.

(5) At night when firing is scheduled, occulting red light or lights will be displayed from high towers at Camp Hulen and between Indian Point and Indianola Island. These occulting red lights will be displayed during the hours of darkness until the conclusion of the firing for the night. When these occulting red lights are displayed, no vessel of any type shall enter or remain in the restricted area without specific permission from the Commanding Officer, Antiaircraft Training Center, Camp Hulen, Texas. In addition, when notices have been published, announcing night firings in the restricted area no vessel of any kind will enter or remain in the restricted area during any such announced period of firing without specific permis-

sion from the Commanding Officer, Anti-aircraft Training Center, Camp Hulén, Texas.

(6) Vessels in or planning to enter the restricted area at any time should be on the lookout for the above listed warning signals and when the indicated danger signals are displayed, should not enter or remain in the restricted area except as definitely authorized by these regulations unless authorized in advance to do so by the Commanding Officer, Anti-aircraft Training Center, Camp Hulén, Texas.

(7) If an airplane zooms over any vessel in or entering the restricted area twice in succession, it should be taken as a warning to remain out of or promptly leave the restricted area.

(8) These regulations shall be enforced by the Commanding Officer, Anti-aircraft Training Center, Camp Hulén, Texas, through the use of such equipment and personnel as may be properly designated by him for the purpose and through the assistance of the United States Coast Guard.

§ 6.8-40 *Biloxi Bay, Biloxi, Mississippi*—(a) *The danger zone.* A restricted Seaplane Operating Area bounded as follows is hereby established: From the northeast end of the Coast Guard Air Station seaplane ramp 1,500 feet true east; then north true to a point 250 feet south of the highway bridge; then parallel to the highway bridge to the dredged channel; then following the inside of the dredged channel to a point of 1,500 feet west of Channel Beacon No. 36; then northwest true for 1,000 feet; then west true to beach and along beach to northeast end of Coast Guard seaplane ramp.

(b) *The regulations.* (1) No vessels except those operated by the United States Navy, United States Coast Guard, and vessels otherwise under the direct control of the United States shall moor or anchor within the Seaplane Operating Area at any time.

(2) No vessels except those operated by the United States Navy, United States Coast Guard and vessels otherwise under the direct control of the United States shall enter the Seaplane Operating Area at any time between sunset and sunrise.

(3) No fishing, placing of fishing stakes, or similar activities will be permitted at any time within the limits of the Seaplane Operating Area.

(4) All vessels moving within the Seaplane Operating Area shall immediately proceed to leave that area when warned by aircraft employing the "buzzing" method, which consists of low-flying by the airplane and repeated opening and closing of its throttle.

(5) These regulations shall be enforced by the Captain of the Fort of Pascogoula, Mississippi, the Commanding Officer of the Coast Guard Air Station, Biloxi, Mississippi, or by their duly designated representatives. Specific exemption from these regulations may be granted by such officers.

§ 6.8-45 *Regulations controlling movements of vessels and restricting placing of obstructions within the harbor area in Gulfport, Mississippi*—(a) *The restricted area.* The area affected by this

regulation is outlined as follows: Beginning at a point on a sea wall which is 505' more or less, west of the point of intersection of the west line of the city pier property and the seawall, thence 149° true and parallel with the west line of the city pier property 4,745' to a point, thence 92° true 2,570' to a point, thence 59° true 1,725' to a point, thence 326° true on a line with the small craft's harbor channel marker beacons 2,935' to the breakwater beacon. Thence 45° 100' along the breakwater. Thence 0° true to 635' along the breakwater and bulkhead of the Yacht Club and city pavilion land area. Thence 45° true 650' along the bulkhead of said area across the paved causeway to a point on the east line of seawall. Thence 0° true 1,120' to a point where the north line of the small craft's harbor intersects the east line of said seawall. Thence following the shoreline of the small craft harbor, the east pier, the Gulfport Harbor basin, and the west pier to a point of beginning.

(b) *The regulations.* (1) No vessel or boat shall enter this area during the hours between sunset and sunrise.

(2) No vessel or boat shall stop or fish in this area at any time.

(3) No person shall place fish stakes or other obstructions in this area at any time.

(4) Vessels or boats are not prohibited from entering or passing through this area on continuous passage during the hours between sunrise and sunset.

(5) Vessels or boats with permanent berthing facilities within the restricted area are not prohibited from securing at said berths nor entering the area and proceeding directly to their berths or departing from their berths and proceeding directly out of the restricted area during the hours between sunrise and sunset.

§ 6.8-47 *Waters of the Tennessee Valley Authority.* (a) Restricted areas are hereby established not exceeding twenty-five hundred (2,500) feet above and below each of the river structures of the Tennessee Valley Authority and of the War Department hereinafter listed. Such areas, including approaches through the locks at such of the structures enumerated where locks exist, shall be defined by the captain of the port by means of buoys, signs or other appropriate markings placed or posted in conspicuous and appropriate places.

(b) No vessel, boat, raft, or craft of any kind shall enter or remain in any restricted area established by this section, except when proceeding directly to a lock for passage therethrough and then only by way of the designated and buoy-marked channels of ingress and egress.

(c) The river structures of the Tennessee Valley Authority and of the War Department which are included by this regulation are as follows:

Pickwick Landing Dam, Tennessee River, Tennessee.

Wilson Dam, Tennessee River, Alabama.

General Joe Wheeler Dam, Tennessee River, Alabama.

Guntersville Dam, Tennessee River, Alabama.

Hales Bar Dam, Tennessee River, Tennessee.

Chickamauga Dam, Tennessee River, Tennessee.

Watts Bar Dam, Tennessee River, Tennessee.

Norris Dam, Clinch River, Tennessee.

Cherokee Dam, Holston River, Tennessee.

Hiwassee Dam, Hiwassee River, North Carolina.

Ocoee No. 1 Dam, Ocoee River, Tennessee.

Ocoee No. 2 Dam, Ocoee River, Tennessee.

Blue Ridge Dam, Toccoa River, Georgia.

Great Falls Dam, Caney Fork River, Tennessee.

Great Falls Intake Dam, Collins, Tennessee.

(d) Primary responsibility for the enforcement of this regulation shall rest upon the captain of the port, but officers and employees of the Tennessee Valley Authority stationed at the various river structures are authorized to assist the captain of the port under such mutual arrangements as may be made between officers in charge of each river structure and the captain of the port.

NINTH NAVAL DISTRICT

§ 6.9-1 *Duluth, Minnesota-Superior, Wisconsin*—(a) *The anchorage area*—

(1) *Anchorage A.* Located in the northeasterly part of Duluth Harbor Basin within the following limits: Beginning at Duluth Harbor Basin Lighted Buoy No. 3, thence 1,600 feet 241½°; thence 800 feet 188°; thence 4,950 feet 152°; thence 62° to Duluth Harbor Basin Lighted Buoy No. 11; thence northerly along the southeasterly limits of Duluth Harbor Basin to Duluth Harbor Basin Lighted Buoy No. 9; thence northwesterly along the northeasterly limits of Duluth Harbor Basin to Duluth Harbor Basin Lighted Buoy No. 3.

(2) *Anchorage B.* Located in the northeasterly part of Superior Harbor Basin within the following limits: Beginning at Superior Front Channel Lighted Buoy No. 2, thence 2,250 feet 135½°; thence 4,150 feet 118°; thence 55° to the northeasterly limits of Superior Harbor Basin; thence northwesterly along the northeasterly limits of Superior Harbor Basin to Superior Harbor Basin Lighted Buoy No. 4; thence southwesterly along the northwesterly limits of Superior Harbor Basin to Superior Front Channel Lighted Buoy No. 2.

(3) *Anchorage E (Explosive).* Located in Lake Superior, northeast of Minnesota Point and including a triangular area marked by three White Buoys at the following distances and bearings from Duluth South Breakwater Light (Duluth, Minnesota—Superior, Wisconsin):

(i) 12,600 feet 124½° true;

(ii) 21,500 feet 117° true;

(iii) 23,875 feet 133° true;

§ 6.9-3 *Waukegan Harbor, Illinois.* All vessels or craft are forbidden to tie to or lie alongside of the United States harbor piers at Waukegan, Illinois, except when they are engaged on Government business, or are compelled by stress of weather or accident, or to prevent loss of life or property. They are likewise forbidden to lie at anchor in the basin or channel of said harbor, except for refuge from the storms, or in any way to obstruct free navigation of said harbor.

§ 6.9-5 *Chicago Harbor, Illinois*—(a) *The anchorage grounds*—(1) *Anchorage*

A, exterior breakwater. Southwest of a line parallel with and 150 feet southwestward of the exterior breakwater; west of a line parallel with and 150 feet west of the south extension of the exterior breakwater; northeast of a line parallel with and 1,500 feet southward of the exterior breakwater; and east of a line parallel with the south extension of the exterior breakwater and 100 feet eastward of the west end of the exterior breakwater.

NOTE 1: This area is reserved for commercial vessels operated for profit.

NOTE 2: Floats or buoys for marking anchors or moorings in place, and fixed mooring piles or stakes are prohibited in this area.

(2) **Anchorage B, south arm.** West of a line parallel with and 150 feet west of the south arm of the exterior breakwater; north of a line perpendicular to the south arm at its south end; east of a line parallel with the south arm, about 2,200 feet therefrom and on line with the east face of the Municipal Pier; and south of a line perpendicular to the south arm 700 feet from its north end.

(3) **Anchorage C, shore arm.** South of a line parallel with and 150 feet southward of the shore arm of the exterior breakwater; west of a line parallel with the south extension of the exterior breakwater 100 feet westward of the east end of the shore arm, and on line with the east face of the solid fill at the shore end of the Municipal Pier; north of a line parallel with and 600 feet north of the north face of that fill; and east of a line parallel with and 600 feet lakeward of the Lake Shore Drive revetment.

NOTE 1: Commercial vessels operated for profit and measuring more than 50 gross tons are forbidden to anchor in this area.

NOTE 2: Temporary floats or buoys for marking anchors or moorings in place will be allowed in this area. Fixed mooring piles or stakes are prohibited.

(4) **Anchorage D, Grant Park North.** West of a line parallel with and 400 feet west of the easterly breakwater; north of a line perpendicular to the easterly breakwater at its south end; east of a line parallel with and 150 feet east of the Grant Park revetment; and south of a line perpendicular to the easterly breakwater and 150 feet south of the Illinois Naval Reserve pier.

NOTE 1: Commercial vessels operated for profit and measuring more than 50 gross tons are forbidden to anchor in this area.

NOTE 2: Temporary floats or buoys for marking anchors or moorings in place will be allowed in this area. Fixed mooring piles or stakes are prohibited.

NOTE 3: Steamers and motor vessels measuring over 5 gross tons are forbidden to use this area as a through channelway.

(5) **Anchorage E, Grant Park South.** Northwest of a line parallel with and 150 feet shoreward of the southerly breakwater; east of a line parallel with and 150 feet east of the Grant Park revetment; and south of a line perpendicular to the north section of the southerly breakwater at its north end.

NOTE 1: Commercial vessels operated for profit and measuring more than 50 gross tons are forbidden to anchor in this area.

NOTE 2: Temporary floats or buoys for marking anchors or moorings in place will be al-

lowed in this area. Fixed mooring piles or stakes are prohibited.

NOTE 3: Steamers and motor vessels measuring over 5 gross tons are forbidden to use this area as a through channelway.

(6) **Anchorage F. (Explosive).** Located in Lake Michigan between Hammond Intake Crib Light and Calumet Harbor Breakwater, and including the area located by four White Spar Buoys, at the following distances and bearings from Calumet Harbor south end light:

- (i) 3,800 feet 252° true;
- (ii) 4,400 feet 182° true;
- (iii) 6,100 feet 178° true;
- (iv) 6,500 feet 205° true;

§ 6.9-15 **Restricted areas off the City of Chicago.** (a) The following areas in Lake Michigan are hereby designated as restricted areas: Areas within a radius of 300 feet from the following water intake cribs located in Lake Michigan, off the City of Chicago:

Wilson Avenue Water Intake Crib;
Carter Harrison Water Intake Crib;
Four Mile Water Intake Crib;
Hyde Park-Dunn 68th Street Water Intake;
and
Filtration Plant Crib;

and for a distance of 300 feet from the submerged pipe lines connecting such water intake cribs from the shore.

(1) No vessel of any kind, except those engaged in naval operations, shall enter, navigate, anchor, or moor within a radius of 300 feet from the aforementioned water intake cribs without first obtaining permission to do so from the Captain of the Port of Chicago, Illinois.

(2) Vessels may enter and navigate within the areas extending for a distance of 300 feet from the pipe lines connecting the aforesaid water intake cribs with the shore, but shall not anchor or moor within such areas without first obtaining permission to do so from the Captain of the Port of Chicago, Illinois.

(3) The aforesaid restricted areas will be designated by appropriate warning signs posted at or near each such water intake crib.

(4) The waters within 100 feet of the pier at Chicago, Illinois, located at the entrance of the Chicago River, leased by the United States Navy, and usually referred to as the Navy Pier.

(5) No vessel of any kind, except those engaged in naval operations, shall navigate, anchor, or moor in the aforementioned area without first obtaining permission to do so from the Captain of the Port, Chicago, Illinois, or from the Commandant of the Ninth Naval District.

(6) The above described restricted area will be designated by appropriate warning signs posted upon the Navy Pier.

§ 6.9-20 **United States Naval Training Station, Great Lakes, Illinois—(a) Restricted area for Naval operations.** (1) The area extending in a north and south direction from the Great Lakes, Illinois, south breakwater to an east-west line projecting eastward from the shore termination of the north fence of the United States Naval Training Station, Great Lakes, Illinois, and extending into Lake Michigan for a distance of one mile from the shore line.

(2) No vessel of any kind, except those engaged in Naval operations, shall enter, navigate, anchor, or moor in the aforesaid restricted area without first obtaining permission to do so from the Captain of the Port, Chicago, Illinois, or from the Commandant, United States Naval Training Station, Great Lakes, Illinois.

(3) The danger area. The following area in Lake Michigan adjacent to the United States Naval Training Station, Great Lakes, Illinois, is hereby designated as a danger area:

(4) The area extending in a north and south direction from an east-west line projected eastward from the outer end of the innermost leg of the Great Lakes, Illinois, north breakwater to the breakwater at Waukegan, Illinois, and extending three miles into Lake Michigan.

(b) **The regulations.** (1) When firing affecting the above area is in progress, it shall be the responsibility of the Commandant of the United States Naval Training Station, Great Lakes, Illinois, to post guards at such locations that the waters in the danger area may be observed and to arrange signals whereby these guards may stop the firing should any person or vessel be seen in the waters of the danger area. When firing is in progress, the Commandant shall cause red flags to be displayed on shore near the rifle butts, and red streamers at other points along the shore which may be readily discernible to a person in a vessel within the danger zone.

(2) The Commandant is hereby authorized to use such agencies and equipment as shall be necessary to stop all vessels at the boundary of the danger area and prohibit their crossing that area until such time as shall be convenient to the firing schedule.

(3) Persons desiring to cross the waters within the danger area shall first determine whether red flags and streamers are displayed along the shore. If such streamers are displayed it will indicate that firing is in progress, and that the waters in the danger area are covered by rifle fire and should not be entered until the flags and streamers are lowered.

(4) Wherever possible, the Commandant will warn the public of the contemplated times of firing and the areas involved two days in advance of the scheduled date, through the public press and the United States Coast Guard. The danger area may, however, be closed without advance notice.

(5) These regulations shall be enforced by the Commandant of the United States Naval Training Station, Great Lakes, Illinois, and by the Captain of the Port, Chicago, Illinois, or by such responsible agent or agents as they, or either of them, may designate.

§ 6.9-25 **Lake Michigan—(a) restricted areas.** Areas within a radius of 300 feet from the submerged water intake cribs at Gary, Indiana; Buffington, Indiana; Indiana Harbor, Indiana; Whiting, Indiana; Hammond, Indiana; and Calumet, Illinois, and for a distance of 300 feet from the submerged pipe lines connecting these water intake cribs with the shore.

(1) No vessel of any kind, except those engaged in Naval operations, shall enter,

navigate, anchor, or moor within a radius of 300 feet from the aforementioned water intake cribs without first obtaining permission to do so from the Captain of the Port, Chicago, Illinois.

(2) Vessels may enter and navigate within the areas extending for a distance of 300 feet from the pipe lines connecting the aforesaid water intake cribs with the shore, but shall not anchor or moor within such areas without first obtaining permission to do so from the Captain of the Port of Chicago, Illinois.

§ 6.9-30 *St. Mary's River, Michigan*

(a) Rules and regulations governing the movement and anchorage of vessels and rafts in the St. Mary's River from Point Iroquois on Lake Superior to Point Detour on Lake Huron, except the waters of the St. Mary's Falls Canal, heretofore promulgated by the Secretary of Commerce (Code of Federal Regulations, title 33, Part 323), are hereby reaffirmed and continued in force.

(b) *St. Mary's Falls Canal and Locks, Michigan; regulations for protection; small craft and rafts.* All small craft other than those owned and operated by the United States desiring to transit the locks shall obtain clearance from the Captain of the Port of Sault Ste. Marie prior to entering the canal zone. No small craft other than those owned and operated by the United States shall dock at the Southwest Pier, Southeast Pier, or Brady Pier at any time. Small craft other than those owned and operated by the United States, not desiring to transit the locks are prohibited from entering the following areas:

(1) *Above the locks.* The area east and south of the line through the Michigan Northern Power Company's dock (1,000 feet west of the Southwest Pier Light) northwest to the International boundary near black spar buoy No. 1, thence easterly along the boundary to the Compensating Works.

(2) *Below the locks.* The area south and west of the line from the ferry dock and coincident with the ferry lane to the International boundary thence along that boundary west to the Compensating Works.

NOTE: The above-described areas are patrolled and guarded.

(c) *All other craft and vessels—(1) Personnel authorized to land.* The master or mate, only may go from a vessel while in the locks to the canal office. Two deck hands may leave the vessel to assist in handling the mooring lines and shall reboard the vessel as soon as the vessel has been moored. No other person may leave or board vessels in the locks except in emergency.

(2) *Docking at piers.* No vessel shall dock or tie up at the Southwest Pier, Southeast Pier, or Brady Pier without specific authority from the Assistant Chief Lockmaster.

(3) *Throwing objects overboard.* Throwing overboard of any rubbish or other object in the canal or in the areas above or below the locks as described in paragraphs (b) (1) and (b) (2) of this section, or in the approaches to these areas, is forbidden.

(4) *Discharge of firearms.* No firearms of any kind shall be discharged from vessels while in the canal zone.

(5) *Smoking on and in vicinity of tankers.* When tankers are transiting the canal and lock, smoking is prohibited on canal walls and walks within 50 feet of the face of walls, and on board the tanker transiting the locks except in such places as may be designated in the ship's regulations.

(6) *Embarking and debarking.* No passengers will be permitted to board or disembark from ships while transiting the canal zone except by authority of the District Commander.

(7) *Photography.* The taking of pictures and aerial photographs of the canal zone or any of the installations therein is prohibited. Ship's masters and the military guard are responsible for the enforcement of this regulation.

(8) *Tugs required.* All barges or other vessels navigating within the limits of St. Marys Falls Canal, whether approaching or leaving the locks and not operating under their own power, will be required to be assisted by one or more tugs of sufficient power to insure full control at all times.

(9) *Passenger vessels restricted.* Transit of the locks by passengers or excursion vessels over two hundred (200) gross registered tons is prohibited.

(10) *Examination of vessel.* The Coast Guard shall make a special examination of each vessel prior to its approaching St. Marys Falls Canal for each transit. Such examination shall include the inspection of openings to all closed compartments, the forepeak, blind hold, dunnage room, windlass room, and chain locker; examination of bolt fastenings being such as to detect whether any tampering has been done. Entry of such inspection shall be made in the ship's log. Following the inspection and prior to entering the canal, a square yellow flag, showing a black ball in the center, and being not less than 3 feet by 3 feet in size, shall be flown from the forward part of the ship. Vessels complying with the above regulations and displaying the flag may be permitted to enter the canal at the discretion of the United States Coast Guard. The Coast Guard has authority to board vessels at any time for the purpose of making investigations or examinations.

(11) *Other applicable regulations.* These regulations shall be supplementary to the "Regulations to Govern the Use, Administration, and Navigation of St. Marys Falls Canal and Locks, Michigan."

(d) *St. Marys River patrol.* The St. Marys River patrol comprises all of the personnel and equipment of the Coast Guard employed by the captain of the port in the enforcement of the rules and regulations in this part. The local regulations are as follows:

(1) *District Engineer.* The officer of the United States Army Engineers in charge of the district is authorized to declare any channel closed when by reason of low water, obstruction, or obscurity in the channel or other cause, he deems such action necessary for the

safety of shipping; and under contrary circumstances, or for the expediting of vessel passage, to declare any channel open. He or his local representative decides the proper disposition of dredging and wrecking outfits legally engaged in improving or clearing a channel, and the allowable maximum speed and draft of vessels in channels which are impaired temporarily. His decisions with respect to the foregoing are duly communicated to the captain of the port. The movements of vessels in the St. Marys Falls Canal are under the direction of the district engineer or his local representative.

(2) *Lookout stations.* Lookout stations of the St. Marys River patrol are numbered and located as follows:

No. 1 on Johnson Point, Sailors Encampment, Middle Neebish Channel.

No. 2 on upper end of dike, Dike Cut, Middle Neebish Channel.

No. 3 off Mission Point, Little Rapids Cut.

No. 4 at upper end of Rock Cut, West Neebish Channel.

No. 5 at Moon Island, lower end of West Neebish Channel.

No. 6 off Brush Point, upper St. Marys River.

No. 7 at Nine Mile Point, Sugar Island.

(3) *Dispatch boats.* A dispatch boat of the St. Marys River patrol is customarily located at each of the following places:

(i) Sailors Encampment Mill Dock, Neebish Island.

(ii) In the vicinity of Dike Cut, Middle Neebish Channel, or Rock Cut, West Neebish Channel.

(iii) At the wharf off Big Point, upper St. Marys River.

These boats are used to direct the anchoring and movements of vessels in their vicinity.

(4) *Routing of traffic in channels.* The routing of traffic through the several dredged channels is contingent upon the physical conditions in them; and the vessel masters should be prepared upon notice from the patrol, or through published notification, to follow such alternate route as may be prescribed, or to proceed with caution. Under normal conditions traffic passes up the Middle Neebish Channel, and down the West Neebish Channel; but it may be necessary in emergency to pass two-way traffic in either of these channels. It may also become necessary to close either or both channels for a short time owing to obscurity of navigation marks, in which case vessels should be prepared to anchor and wait a clearing away of obscurity.

(5) *Visual signals at lookout stations.* The following signals are hoisted at patrol lookout stations to indicate changes in the conditions of channel passage; and masters of vessels approaching the entrance to the several channels should be on the alert for such signals:

(i) *Closure of channel.* Indicated by two red balls by day, two red lights by night, hoisted vertically about 6 feet apart.

(ii) *Channel partially obstructed but passable.* Indicated by a red ball over a

white ball by day, a red light over a white light by night, hoisted vertically about 6 feet apart.

(iii) *Special signal for No. 1 Lookout Station.* Displayed when a downbound vessel enters the Dark Hole while an upbound vessel is between Everens Point and Johnson Point. Indicated by a white ball by day, a white light over a red light by night, hoisted vertically about 6 feet apart.

(iv) *Tow signal for No. 1 Lookout Station.* Displayed when a downbound tow enters the Dark Hole while an upbound vessel is between Everens Point and Johnson Point. Indicated by a white ball over a red ball by day, a white light over two lights by night, hoisted vertically about 6 feet apart.

Boats of the patrol may carry signal (i) as required. Signals (iii) and (iv) will be used only when two-way traffic is being passed through the Middle Neebish Channel.

(6) *For temporary closure of Middle Neebish Channel.* With two-way traffic passing through Middle Neebish Channel, closure and obstruction signals will be shown from Lookout Stations Nos. 1, 2, and 7. With one-way traffic in the channel, the signals will be shown only from Lookout Station No. 1.

(7) *For temporary closure of West Neebish Channel.* With two-way traffic passing through West Neebish Channel, closure and obstruction signals will be shown from Lookout Stations Nos. 4, 5, and 7. With one-way traffic in the channel, the signals will be shown from Lookout Stations Nos. 4 and 7.

(8) *Sound signals used by patrol.* (i) Two short and one long blast of whistle or horn indicate that the signalling unit desires to speak to a passing vessel, and the signaled vessel will check speed and await orders. Vessels should use this signal to speak a lookout station or passing patrol boat.

(ii) Three long blasts of whistle or horn indicate that the vessel signaled is moving at too high a rate of speed. This signal may be used by dredging and wrecking plants working in channels.

(iii) Fog bells have been established at Lookout Stations Nos. 4 and 5, and will be sounded in response to the fog signal of a vessel which may happen to be caught by fog in the West Neebish Channel when nearing those points. The signal consists of a group of four strokes of the bell, the strokes being separated by one-second intervals.

(9) *Definition.* The word "vessel" as used herein shall be held to include all types of floating craft and equipment. Where special provisions apply only to rafts, dredges, etc., the type will be specified by its class designation.

(10) *Obedience to instructions.* All persons in charge of or operating vessels in the St. Marys River are required to yield prompt and implicit obedience to the directions of the captain of the port and the officers and men of the St. Marys River patrol, acting under his instructions, in connection with the enforcement of the rules and regulations in this part.

(11) *Anchorage grounds.* The authorized anchorage grounds are those areas outside of the dredged channels, and clear of the steering courses in other portions of the St. Marys River, between Point Iroquois and Point Detour. Vessels shall be anchored so as not to swing into channel limits or across steering courses.

(12) *Emergency anchoring.* A vessel may be permitted in an emergency, due to breakdown of machinery or other accident or obscurity of navigation marks, to anchor in a dredged channel; but the vessels shall be anchored as near the edge of the channel as possible, and shall get under way and proceed as soon as the emergency ceases, unless otherwise directed.

(13) *Forbidden anchorage.* It is forbidden to anchor a vessel at any time in the area to the southward of the Point aux Pins Range, lying between Lookout Station No. 6 and the waterworks intake crib off Big Point; also within a quarter mile of the said intake crib in any direction.

(14) *Dredging and wrecking plants in channel.* Duly authorized dredging and wrecking plants, when engaged in improving or clearing a channel, will be permitted to anchor or moor in the channel under such conditions as may be prescribed by the district engineer or his local representative.

(15) *Shifting anchorage when directed.* The captain of the port, or the St. Marys River patrol acting under his instructions, is empowered to cause any anchored vessel to shift anchorage when and as directed, whenever in the judgment of the enforcing officer such action is deemed necessary for the safety of vessels, the safe or expeditious passage of shipping, or the preservation or effective operation of Government installations. In enforcing this section the officer will have due regard for the hazards of navigation and vessel handling which may exist at the time, and under such circumstances will permit a reasonable delay in compliance by the vessel directed to move.

(16) *Order of departure from anchorage.* Whenever vessels collect in any part of the river or on anchorage grounds, by reason of temporary closure of channel or impediment to navigation, the order of getting under way and proceeding by the vessels so collected shall be the order in which they arrived at the place of assembly, unless otherwise directed by a unit of the patrol. The patrol is authorized to advance any vessel in the order of procedure to expedite the movement of mails, passengers, or cargo of a perishable nature, or to facilitate passage through the locks as indicated to the patrol by the officer in charge of the St. Marys Falls Canal.

(17) *Visual signals for dredges and wrecking plants.* Dredges and wrecking plants while engaged in working on the St. Marys River shall display the visual signals prescribed for them by the War Department Rules and Regulations.

(18) *Visual signals on vessel aground in channel.* (i) A vessel aground in a dredged channel, completely blocking the

channel, shall carry from sunset to sunrise two red lights hoisted vertically not less than 6 feet apart, in such position and height as to be readily visible to vessels bound up and down the channel.

(ii) A vessel aground in a dredged channel, but so as to permit passage with safety, shall carry from sunset to sunrise a red light over a white light hoisted vertically not less than 6 feet apart, in such position and height as to be readily visible to vessels bound up and down the channel.

(19) *Sound signals for vessel aground in channel.* (i) A vessel aground in and completely blocking a dredged channel shall sound several short and rapid blasts of her whistle upon the approach of another vessel bound up or down the channel. The approaching vessel shall stop and repeat this signal to another vessel coming up astern, and make proper dispositions to avoid fouling the grounded vessel.

(ii) A vessel aground in a dredged channel, but so as to permit passage with safety, shall sound three distinct blasts of her whistle upon the approach of another vessel bound up or down the channel. The approaching vessel shall answer with the same signal, slow down, and proceed with caution until clear.

(20) *Special sound signal for Middle Neebish Channel.* In passing through Middle Neebish Channel, a downbound vessel shall sound a 10-second blast of her whistle at the Dark Hole Gas Buoy and an upbound vessel shall sound the same signal abreast of Everens Point.

(21) *Temporary closure of channel.* A vessel approaching a channel entrance and observing that the closure signal is shown, or upon being advised by the patrol that the channel is closed, shall come to anchor and not proceed through the channel until the closure signal is lowered, or instructions are received from the patrol to proceed.

(22) *Speed limit between Everens Point and Big Point.* Vessels of 500 gross tons or over shall at no time exceed a speed of 12 statute miles per hour through any portion of the St. Marys River between Everens Point and Big Point.

(23) *Speed limit in Middle Neebish Dike Cut.* Vessels of 50 gross tons or over shall at no time exceed a speed of 10 statute miles per hour in the Middle Neebish Dike Cut, the West Neebish Rock Cut, or the Sailors Encampment Channel below Johnson Point.

(24) *Speed limit; two-way traffic.* When one of the lower channels is closed, making it necessary to accommodate two-way traffic in the Middle Neebish or the West Neebish Channel, vessels of 500 gross tons or over shall not exceed a speed of 10 statute miles per hour in the following named reaches:

(i) Between Everens Point, Lake Munuscong, and Nine Mile Point, Lake Nicelet.

(ii) Between Nine Mile Point, Lake Nicelet, and the lower end of West Neebish Channel in Lake Munuscong.

(25) *Speed limit approaching St. Marys Falls Canal.* Vessels approaching the St. Marys Falls Canal shall at all

times reduce speed to the extent of being under full control with ability to maneuver in accordance with the instructions of the officers in charge of the St. Marys Falls Canal before entering the canal.

(26) *Pipe Island passages.* Vessels of 500 gross tons or over shall leave Pipe Island Shoal and Pipe Island on the port hand in passing them, except that upbound vessels intending to stop at one of the Detour coal wharves above Watson Reefs Gas Buoy may pass to the shoal and island.

(27) *Directional Neebish Channels.*
(i) When both the Middle Neebish Channel and the West Neebish Channel are available to traffic, vessels of 100 gross tons or over shall pass upbound through the Middle Neebish Channel and downbound through the West Neebish Channel. Vessels over the prescribed tonnage making regular local stops in either of those channels may run counter to the general traffic direction only on written permit issued by the Captain of the Port, for such terms and under such conditions of renewal or revocation as he may prescribe. A vessel thus running counter to general traffic shall keep off the channel range when an approaching vessel is on or entering that range.

(ii) West Neebish Channel shall be closed to all small craft of less than 100 gross tons, except that owned or operated by the United States of America or the Dominion of Canada and/or tugs regularly engaged in commercial towing. All such traffic, either upbound or downbound, shall use the middle Neebish Channel under the provisions of the Rules and Regulations Relating to Anchorage and Navigation in the St. Mary's River, as hereby amended.

(28) *Speed through dredged channels.* The minimum speed at which any vessel or two will be permitted to make regular passage through any dredged channel shall be 5 miles an hour over the ground; and any craft which can not make this speed shall not enter any of the channels until the patrol has been communicated with, and directions received as to further procedure.

(29) *Navigation of dredged channels by sail.* Vessels of 10 gross tons or over shall not navigate any dredged channel under sail power; and such vessel capable of propulsion by both machinery and sail shall not carry sail in any of the dredged channels.

(30) *Obstruction of traffic; retarding other vessels.* No vessel shall maneuver so as to affect adversely the relative position of another vessel when entering any of the cuts, nor attempt to obstruct traffic, nor unnecessarily retard a following vessel, nor increase speed after having signaled permission to an overtaking vessel to pass.

(31) *Rafts in channels.* No raft shall enter any of the dredged channels between Everens Point and the improved channel above Round Island without first having communicated with the patrol and obtained permission and directions as to route and procedure. So long as rafts are in any portion of the passages between the points named they shall be under the control of the patrol, and shall obey all instructions as to time and man-

ner of movement or stoppage. They shall use the Lake George Channel when it will serve their passage toward destination.

(32) *Reporting obstruction of channel.* A vessel observing an obstruction of the channel caused by an accident of any nature at any point in the St. Marys River, between Point Detour and Point Iroquois, shall report the same to the canal office or the first lookout station or boat of the patrol passed.

§ 6.9-35 *Detroit, Michigan*—(a) *The anchorage area*—(1) *Anchorage A.* (Restricted) Located in the Detroit River south of the Rouge River Short Cut Canal. The anchorage area is bounded on the west by the shore line, and on the east by a line joining the following two points referred by distance and bearings to the Rouge Canal Inner Entrance Light: (i) 950 feet 148° true; (ii) 4,025 feet 189° true. From these two points lines drawn perpendicular to the shore line define the northern and southern boundaries of the anchorage area. This is a restricted anchorage, and shall not be used without a permit from the captain of the port, who is authorized to restrict the anchorage to vessels carrying dangerous or inflammable cargoes, and to limit the period for which any vessel may remain in the anchorage.

(2) *Anchorage E.* (Explosive) Located in Lake Erie, south of the Detroit River, and including a rectangular area marked by four White Buoys at the following distances and bearings from Detroit River Light: (i) 32,800 feet 158½° true; (ii) 30,600 feet 178° true; (iii) 41,800 feet 178½° true; (iv) 43,500 feet 163¾° true. Downbound freight vessels of 100 gross tons or over or tugs regularly engaged in commercial towing shall pass through the Livingston channel as far as the Detroit River Light. Deep laden vessels shall enter Lake Erie through the 1,200 foot channel passing east of the lighthouse, while light draft vessels and moderately laden vessels may enter Lake Erie through the old downbound channel west of the light. All down-bound craft of less than 100 gross tons, except tugs regularly engaged in commercial towing, and all passenger or excursion vessels regardless of size, shall pass through the Amherstburg Channel.

§ 6.9-40 *Monroe Harbor, Michigan.* (a) No vessel shall exceed a speed of six miles per hour in the river channel nor ten miles per hour in the lake channel.

(b) No vessel or other craft shall moor or anchor in or along any improved channel or basin in such a manner as to interfere with the improvement or maintenance operations therein. Whenever in the opinion of the captain of the port any vessel or craft is so moored or anchored, the owner thereof shall cause such vessel or craft to be moved upon notification from, and within the time specified by, said captain of the port.

(c) No tow shall enter or pass through the river portion of the channel with a towline more than two hundred feet in length.

§ 6.9-45 *Cleveland, Ohio*—(a) *The anchorage area*—(1) *Anchorage A.* The northwesterly portion of the West Basin of Cleveland Harbor between the north-

west limits of the West Basin and a line parallel to and 1050 feet distant from the West Breakwater; and from the southwest limits of the West Basin to a line perpendicular to the West Breakwater, 2050 feet southwesterly along the West Breakwater from Cleveland West Breakwater Light.

(2) *Anchorage B.* The southeasterly portion of the East Basin of Cleveland Harbor between the mainland and a line parallel to and 1250 feet distant from the East Breakwater; from opposite Cleveland East Entrance Light to opposite Cleveland Harbor Channel Buoy No. 1.

(3) *Anchorage B.* (Explosive) Located in Lake Erie, northwest of Cleveland Harbor East Breakwater, and including a rectangular area marked by four White Spar Buoys at the following distance and bearings from Cleveland East Pierhead Light: (i) 2,050 feet 38½° true; (ii) 2,050 feet 68° true; (iii) 7,050 feet 57° true; (iv) 7,050 feet 49° true.

§ 6.9-50 *Vermilion Harbor, Ohio, use, administration and navigation.* (a) No vessel shall exceed a speed of six miles per hour.

(b) No vessel shall while moored or at anchor, or by slow passage or otherwise while underway, unreasonably obstruct the free passage and progress of other vessels.

(c) No vessel or other craft shall moor or anchor to any structure of the United States without the consent of the District Engineer.

(d) No vessel or other craft shall moor or anchor in or along any improved channel or basin in such a manner as to interfere with the improvement or maintenance operations therein. Whenever in the opinion of the District Engineer any vessel or craft is so moored or anchored, the owner thereof shall cause such vessel or craft to be moved upon notification from, and within the time specified by, said District Engineer.

§ 6.9-55 *Western rivers*—(a) *Restricted areas for locks and dams on the upper Mississippi River.* An area not to exceed 2,000 feet above and 1,000 feet below each of the following locks and dams:

Lock and Dam No. 2
Lock and Dam No. 3
Lock and Dam No. 4
Lock and Dam No. 5
Lock and Dam No. 5A
Lock and Dam No. 6
Lock and Dam No. 7
Lock and Dam No. 8
Lock and Dam No. 9
Lock and Dam No. 10
Lock and Dam No. 11
Lock and Dam No. 13
Lock and Dam No. 14
Lock and Dam No. 16
Lock and Dam No. 17
Lock and Dam No. 18
Lock and Dam No. 20
Lock and Dam No. 21
Lock and Dam No. 22
Lock and Dam No. 24
Lock and Dam No. 25

(b) *Other restricted areas in Western rivers*—(1) *Illinois River*—(i) *Peoria, Illinois.* (Upper area) From mile 166.2 to mile 162.3 from right bank to 9 foot contour line on left.

(ii) *Peoria, Illinois.* (Lower area) From mile 162.8 to 162.5 from right bank to 9 foot contour line on left, from 162.5 to 160.5 from bank to bank.

(2) *Kanawha River*—(i) *Charleston, West Virginia.* From mile 54.5 to mile 55.8 from bank to bank on back channel around Blaines Island.

(3) *Ohio River*—(i) *Pittsburgh, Pennsylvania.* (Emsworth Dam area) Includes all waters of the Ohio River from the sailing line to the North Shore of Neville Island, between mile 6.2 and mile 8.5.

(ii) *Evansville, Indiana.* From Main Street mile 792.3 to mile 794.2 to the sailing line on the Indiana side. Including Sou-Ind. Gas & Elec. Co. and Mo. Valley Bridge and Iron Co.

(iii) *Louisville, Kentucky.* (Area A) Area A at Jeffersonville Boat and Machine Company, mile 601.5 to mile 602.0, right bank, extends 200 feet riverward of the normal pool line.

(iv) *Louisville, Kentucky.* (Area B) Area B extends 2,000 feet above and parallel to Ohio Falls Bridge, mile 604.4. Upstream limits of the restricted area pass through head of the Louisville Portland Canal.

(v) *Cincinnati waterworks intake pier.* From left of sailing line at approximately mile 462.8, Ohio River, downstream to mile 463.0, plainly marked by 4 nun buoys painted white. The area marked by the buoys extends 500 feet upstream from the Cincinnati Water Works Intake Pier and 1,000 feet downstream from pier.

(vi) *Point Pleasant, West Virginia.* From mile 263.3 to mile 264.0, extending 450 feet from left bank, normal pool line.

(vii) *Cairo, Illinois.* Extends from approximately mile 977.2, a line drawn across Ohio River 2,500 feet upstream from Illinois Central Railroad Bridge, mile 977.7 downstream to approximately mile 980.9, a point 2,500 feet below Ill-Kentucky Highway Bridge, mile 980.4, extending straight across the Ohio River from Illinois to Kentucky.

(4) *Mississippi River*—(i) *Minneapolis, Minnesota.* Entire navigational river front, both sides between Washington Avenue Highway Bridge, mile 852.7, to Lock and Dam No. 1, mile 847.6, a distance of approximately 5.1 miles.

(ii) *St. Paul, Minnesota.* From mile 847.6 downstream to mile 836.9, including both left and right banks of river, all bridges, oil and municipal barge terminals.

(iii) *Dubuque Iowa.* From mile 580.5 downstream to mile 579.0, including all bridges, abutments, the Municipal Barge Terminal, and the harbor entrance to the Dubuque Boat and Iron Works on right bank.

(iv) *Savanna-Bellevue.* Restricted area extends from mile 544.6 to mile 558.0 along the left bank of the Mississippi River.

(v) *Rock Island, Illinois.* Extends from a line from the left bank, at mile 481.0, across the lower end of Island No. 310 to the right bank, the area extends upstream, and includes the entire river to the lower approach to Lock and Dam No. 15; from the lower approach to Lock and Dam No. 15, upstream to mile 488.0. The area includes all waters

from mid-channel to the left bank, including Sylvan Slough and Moline Pool; from Moline-Bettendorf Highway Bridge upstream to mile 487.0. All waters from the sailing line to the right bank are also restricted.

(vi) *Keokuk, Iowa.* (Upper area) From right bank a line straight across river from Jetty entrance to South point of Cheney Creek on left bank; from this line to Dam No. 19, mile 364.2, including Lock No. 19 safety harbor.

(vii) *Keokuk, Iowa.* (Lower area) From lower end of Lock and Dam No. 19, mile 364.2, to 2,500 feet downstream, below Highway and Railroad Bridge, this lower line extending straight across river from Keokuk City Landing, right bank, to Island 403 on left bank.

(viii) *Quincy, Illinois.* The area in Quincy Bay from Upper Bay Bridge mile 327.9 to 1,500 feet above the lower Bay Bridge mile 327.4 including all sloughs adjacent.

(ix) *Alton, Illinois.* (Upper area) Includes all waters from bank to bank, from Lock & Dam 26 to a point 2,500 feet upstream, approximate mileage, 203.4 and all waters from the sailing line to left bank from 2,500 feet upstream from the dam to mile 204.5.

(x) *Alton, Illinois.* (Lower area) From Lock and Dam No. 26, mile 202.9, downstream 2,500 feet to a line straight across river from right bank to left bank, mile 202.5.

(xi) *Wood River, Illinois.* From mile 198.0 to mile 187.0 along left bank which includes oil loading terminals of Standard, Shell, and Phillips Oil Companies.

(xii) *St. Louis, Missouri.* (Upper area) Extends from Salt Point Light, mile 184.3, line straight across to Illinois bank, downstream to Eads Bridge, including both banks, mile 180.0.

(xiii) *St. Louis, Missouri.* (Lower area) Includes entire river from Eads Bridge, mile 180.0 to mile 176.0 and all waters from the sailing line to the Missouri Shore from mile 176.0 to mile 171.0.

(xiv) *Cape Girardeau, Missouri.* All waters to right of sailing line from mile 54.0 to approximately mile 51.8, a point 1,000 feet upstream from Cape Girardeau Highway Bridge. From approximately mile 51.8 to approximately mile 51.4, a point 1,000 feet downstream from Cape Girardeau Highway Bridge, the restricted area extends from bank to bank.

(xv) *Cape Girardeau, Missouri.* (Thebes Bridge area) From approximately mile 43.9, a point 1,000 feet upstream from Thebes Railway Bridge, to approximately mile 43.5, a point 1,000 feet downstream from Thebes Railway Bridge, the restricted area extends from bank to bank.

(xvi) *Cairo, Illinois.* Extends from mile 1 on line straight across Mississippi River from the Illinois bank to the Missouri bank, upstream one mile to mile 2, Mississippi River, to a line drawn straight across river from Illinois bank through Angelo Towhead to the Missouri bank.

(xvii) *Memphis, Tennessee.* From mile 226.0 to mile 230.0 including Wolf River from mouth to Jones Steel Corporation. Also including Tennessee Chute from mouth to Standard Oil overhead

pipe line, approximately ¼ mile below mouth.

(xviii) *Helena, Arkansas.* From mile 306.5 to mile 308.0 from bank to bank.

(5) *Missouri River*—(i) *Omaha, Nebraska.* The restricted area includes all waters of the Missouri River from bank to bank, at normal stage, from Omaha Highway Bridge, mile 628.4 to mile 629.5, including the Omaha Steel Works approximately mile 628.7 right bank, Missouri River.

(ii) *Leavenworth, Kansas.* All waters from bank to bank between Four Mile Creek, approximately mile 408.1 to Five Mile Creek, mile 407.0, including the Missouri Valley Bridge & Iron Co. shipyard on the right bank.

(iii) *Kansas City, Missouri.* (Upper area)—(Kansas City, Kansas) to include entire river, from bank to bank, from mile 384.6 downstream to Fairfax Highway Bridge, approximately mile 384.0.

(iv) *Kansas City, Missouri.* (Lower area) To include all waters on the Kansas River, bank to bank, from the Intercity Viaduct to the mouth. Also includes waters of the Missouri River to the right of the sailing line from mile 379.0 to mile 378.8.

(v) *Weldon Springs, Missouri.* The restricted area includes all waters from the left bank to mid-channel between mile 47 to mile 50.0.

(6) *Cumberland River*—(i) *Nashville, Tennessee.* The restricted area extends from mile 190.4, the L & N Railroad Bridge, to mile 191.4, from bank to bank.

(7) *Tennessee River*—(i) *Chickamauga Lake.* (Volunteer Ordnance Works) The restricted area includes all waters to the left of a semi-circular buoyed line, which extends from the left bank at mile 473.1, out 1,000 feet into the river, at an arc, to the left bank at mile 472.6. The upper limit of the area is 1,000 feet upstream from Pumphouse No. 1, and the lower limit of the area is 1,000 feet downstream from pumphouse No. 2, of the Volunteer Ordnance Works.

(ii) *Decatur, Alabama.* An area along the left bank of the Tennessee River from the water's edge riverward a distance of 200 feet and extending from mile 303.5 to mile 304.0.

(c) *The regulations.* (1) No vessel shall enter, anchor, moor, or pass through the restricted areas as above set forth in § 6.9-55 (a) and (b), between the hours of sunset and sunrise, unless previous permission in writing has been granted by the captain of the port within whose jurisdiction such restricted area lies: *Provided*, That this requirement shall not apply to:

(i) Vessels owned or operated by the United States Government.

(ii) Tows, towboats with tows, tankers and tank barges in tow, dredges under tow, or any other commercial vessel whose overall length exceeds sixty-five feet.

(iii) Vessels primarily engaged in the transportation of passengers for hire over regularly scheduled routes, in accordance with instructions and regulations issued by the captain of the port.

(2) Vessels passing through restricted areas may, at any time, be boarded and inspected. When ordered by a Coast

Guard patrol, such vessel shall immediately slow down and come to a complete stop until permission to continue the voyage is granted by the Officer in Charge.

(3) All commercial vessels included under subparagraph (1) (ii) and (1) (iii) above are required to have a special license issued by the Captain of the Port in order to enter or pass through a restricted area. When operating in accordance with the terms of such license, but at no other time, the vessel shall fly the International Flag "I", in such a manner as to be clearly visible at all times within a reasonable distance.

(4) No vessel shall be operated in a restricted area at a speed in excess of six miles per hour.

(5) Fishing, hunting, trapping, or related activities within a restricted area are prohibited.

(6) No pictures shall be taken of restricted areas. The master, owner or operator of commercial vessels shall cause an appropriate notice to be posted in a conspicuous place on the vessel, stating that all cameras, firearms or visual aids such as binoculars shall be deposited with the purser or other appropriate officer for the duration of the voyage. On vessels engaged in hauling passengers for hire the notice shall be posted at the passenger entrance. The master, owner and operator shall be responsible for any violation of the requirements of this section. No cameras shall be carried on pleasure craft unless prior permission has been obtained from the captain of the port.

(7) No person shall have firearms, explosives, or highly inflammable materials in his possession on board any vessel without a permit from the captain of the port, except in the cases specified below:

(i) Licensed pilots, masters, mates, engineers, and certificated tankermen on documented vessels may carry a pistol for the purpose of protection, provided that written permission has been obtained from the owner or operator of the vessel.

(ii) Hunters proceeding through restricted areas in undocumented or unnumbered vessels may carry shotguns to and from hunting grounds that are outside of said restricted areas, provided that the provisions of federal and local law and regulations applicable to hunting are complied with.

No person who has been arrested and convicted of a crime involving violence or destruction shall carry firearms without a permit issued by the captain of the port.

(8) Nothing contained in these rules and regulations shall be construed as relieving any vessel, common carrier, owner, shipper, master of a vessel, person in charge thereof, or other person from any liability or penalty incurred by reason of the violation or breach of any other regulation or of any law.

§6.9-56 *Waters connecting Lake Huron and Lake Erie; St. Claire River, Lake St. Claire, the Detroit River.* The

following waters connecting Lake Huron and Lake Erie are hereby designated as a restricted area:

(a) *The restricted areas.* All ship channels connecting Lake Huron and Lake Erie between latitude 43°05'00" North in Lake Huron and latitude 41°56'00" North in Lake Erie, including the St. Claire River, Lake St. Claire, the Detroit River.

(b) *The regulations.* (1) No vessel of any kind shall move in the restricted area for purposes of fishing unless a special permit is obtained from the Captain of the Port.

(2) No boat under 100 feet in overall length used for recreational purposes shall be permitted to operate in the restricted area during the hours between sunset and sunrise unless a special permit is obtained from the Captain of the Port.

TENTH NAVAL DISTRICT

§ 6.10-1 *San Juan, Puerto Rico*—(a) *The anchorage area.* Anchorage grounds in San Juan Harbor are bounded as follows:

(1) On the north by a line between Puntilla Point Light and Isle Grande Light;

(2) On the south by a line between Buoy No. 12 and Buoy No. 18.

(3) On the east by a line from Buoy No. 18 through positions of buoys marking the eastern edge of the harbor.

(4) On the west by a line starting from a point 463 yards westward from Buoy No. 18 (on a line between Buoy No. 12 and Buoy No. 18) and extending 25° true to the northern boundary line.

(i) Anchorage A comprises that part of the anchorage area described above which lies north of a line bearing 112° from Puntilla Point Light and between the east and west boundary line. Anchorage A shall be a general anchorage, vessels awaiting customs or quarantine shall use this anchorage. No vessel shall remain in this anchorage more than 12 hours without a permit from the captain of the port.

(ii) Anchorage B (restricted) comprises that part of the anchorage area described above, bounded on the north by a line bearing 112° from Puntilla Point Light, on the south by a line between Buoy No. 12 and Buoy No. 18 and on the east and west by the lines defining the anchorage area. No vessels shall anchor in Anchorage B without a permit from the captain of the port.

(iii) Anchorage D comprises that part of San Antonio Channel which lies to the eastward of longitude 66°05'45" west. Anchorage D shall be a yacht and small craft anchorage.

(iv) Seaplane area (restricted) comprises that portion of San Juan Bay located to the east and south of a line extending from Iola Grande Light to Buoy No. 16, thence to Buoy No. 14, thence due south to a line running due west from Catano Point is designated a restricted seaplane operating area. Except as noted in subparagraph (2) of this paragraph, no vessel shall operate or anchor within this area excepting those attendant upon seaplane operations.

(5) Limited portions of the area are exempted as described below:

(i) Areas in Catano and Pueblo Viejo Bays located west of a north and south line passing through Catano Point. These areas may be utilized for the anchorage of small craft.

(ii) The channel and turning basin to the Graving Dock and the channel connecting the Graving Dock turning basin with the Martin Pena Channel. These areas may be utilized for the passage of vessels to and from the Graving Dock and the Martin Pena Channel.

(iii) The channel from the U. S. Army Terminal in Pueblo Viejo Bay connecting with the Graving Dock Channel at a point near Buoy No. 16. This area may be utilized for the passage of vessels to and from the U. S. Army Terminal.

(6) In the event of an emergency, the movement of vessels in the areas exempted from the restrictions outlined above may be prohibited during such periods when their presence would endanger aircraft using the restricted areas.

§ 6.10-10 *St. Thomas Harbor, Charlotte Amalie, Virgin Islands*—(a) *The anchorage area*—(1) *Anchorage A.* (Inner harbor anchorage) The area inclosed by lines drawn as follows:

(i) To the southward of a line bearing 85° from a point (A) located 450 yards bearing 85° from center of Ballast Island;

(ii) To the eastward of a line bearing 146° from point (A) to a point (B), 800 yards distant;

(iii) To the northward of a line bearing 70° from point (B) to a point (C), 860 yards distant;

(iv) To the westward of a line bearing 340° from point (C) to a point (D), 525 yards distant.

(2) *Anchorage B.* (Outer harbor anchorage) The area inclosed by lines drawn as follows:

(i) To the westward of a line bearing 180° from Scorpion Rock (F1 W) Gas Buoy No. 1 to a point (A), 860 yards distant;

(ii) To the northward of a line bearing 253° from point (A) to a point (B), 1530 yards distant;

(iii) To the eastward of a line bearing 0° from point (B) to Sprat Point, Water Island;

(iv) To the southward of a line drawn from Sprat Point to Cowell Point, Hassel Island; thence to the Gas Buoy on Scorpion Rock. (St. Thomas Harbor, Charlotte Amalie, Virgin Islands)

This area shall be used by vessels undergoing examination by quarantine, customs, immigration, and coast guard authorities. Upon completion of these examinations, vessels shall move promptly to a regular anchorage area. This anchorage shall also be used for vessels having drafts too great to permit them to use the inner harbor anchorage. No vessel shall remain more than 48 hours in this anchorage without a permit from the captain of the port.

(3) *Anchorage C, Water Island anchorage.* (Explosive.) The area inclosed as follows:

(i) To the southward and eastward of Water Island in the Limestone Bay Area;

(ii) To the northward of the extended line of the south boundary of Anchorage B to Flamingo Point, Water Island;

(iii) To the eastward of the line marking the westward boundary of anchorage B.

(4) *Anchorage D, East Gregerie Channel anchorage.* The area bounded as follows:

(i) On the northeast by Hassel Island;

(ii) On the southeast by the northern boundary of Anchorage B;

(iii) On the southwest by Water Island;

(iv) On the northwest by a line running from Banana Point, Water Island, to Hassel Island, parallel to the southeast boundary.

This area shall be reserved for the use of naval vessels, but in their absence, the captain of the port may permit it to be used by merchant vessels.

(5) *Anchorage E.* (Small craft anchorage.) The area bounded as follows:

(i) The shoreline, and the

(ii) Extended northern boundary line of Anchorage A.

This anchorage shall be used by small vessels undergoing examination and also by small vessels anchoring under permit from the captain of the port.

ELEVENTH NAVAL DISTRICT

§ 6.11-1 *San Diego Harbor, California*—(a) *General anchorage.* The anchorage grounds for general use shall include all the navigable portion of the harbor except the following:

(1) A lane from San Diego to Coronado, the easterly limit of which is uniformly 500 feet east of the center line of Atlantic Street, San Diego, prolonged southward, and the westerly limit a straight line which, where intersecting the established United States Pierhead lines, is west of said center line of Atlantic Street, a distance of 500 feet at the north end and 760 feet at the south end.

(2) The area lying westerly of a line extending from Ballast Point Light to the northeast corner of Navy Dock (just southerly of La Playa Light) thence to the shore end of the Quarantine Dock, which line bears approximately north 8°30' west.

(b) *Special anchorage for vessels of the United States Government.* The aforesaid area lying westerly of a line extending from Ballast Point Light to the northeast corner of Navy Dock (just southerly of La Playa Light) thence to the shore end of the Quarantine Dock, which line bears approximately north 8°30' west.

(c) *The regulations.* (1) No vessel shall anchor in the lane reserved from the general anchorage grounds.

(2) The special anchorage ground for vessels of the United States Government is reserved exclusively for the anchorage of such vessels and of authorized harbor pilot boats. No other vessel shall anchor in this area.

(3) Vessels anchoring in portions of the harbor other than those above-described shall leave a free passage for

other craft, and shall not unreasonably obstruct the approach to the wharves in the harbor.

(d) *Special anchorage for seaplanes.* All of that area in the central part of San Diego Bay inclosed by lines connecting the following points as follows:

S. 25,016 E. 12,420; S. 27,720 E. 16,258; S. 30,490 E. 18,073; S. 31,933 E. 18,239; S. 34,404 E. 19,132; S. 39,271 E. 19,556; S. 41,815 E. 14,009; S. 41,454 E. 13,836; S. 40,983 E. 14,862; S. 35,649 E. 12,581; S. 36,229 E. 11,316; S. 33,132 E. 9,650; S. 30,136 E. 7,810; S. 25,016 E. 12,420.

NOTE: The above points are rectangular coordinates and are referred to the U.S.C. and G. S. station "Old Town" as their origin.

(1) The area designated above is hereby set aside for the use of seaplanes and their attendant plant and, except as specified herein, navigation within that area is restricted to seaplanes, their attendant plant, and vessels under the control of the United States.

(2) At such periods as the area may not be required for the use of seaplanes and their attendant plant, navigation by other craft may be permitted; provided permission is obtained from the Commandant, Eleventh Naval District, San Diego, California, prior to entering the restricted area.

(3) The area will be plainly marked by the United States Navy Department by marine contact seadrome lights flashing amber.

§ 6.11-5 *Los Angeles Harbor, California*—(a) *Anchorage A.* (Yacht and small craft anchorage.) The area northwesterly of a line having a bearing of 215° true from the southwest corner of the six-story concrete warehouse on Pier 1 and passing through the westerly white cross on the San Pedro breakwater; and northerly of a line parallel to and 200 feet distant from the axis of the San Pedro breakwater: *Provided*, That no vessel shall anchor in the entrance to nor the easterly 250 feet of West Channel, nor in the entrance to the dredged slip to eastward of West Channel.

NOTE: Temporary floats or buoys for marking anchors or moorings in place will be allowed in this area. Fixed mooring piles or stakes are prohibited except in that portion east of the easterly sides of the west channel and the dredged slip.

(b) *Anchorage B.* (Naval and temporary anchorage) The area southeasterly of a line having a bearing of 215° true from the southwest corner of the six-story concrete warehouse on Pier 1, and passing through the westerly white cross on the San Pedro breakwater; southwesterly of a line having a bearing of 135°30' true from the most southerly of two radio towers on U. S. Reservation in San Pedro and passing through the easterly white cross on the San Pedro breakwater; southwesterly of a line having a bearing of 118°30' true from the tall concrete stack located immediately south of the U. S. Reservation in San Pedro; southerly of a line having a bearing of 72°30' true from the east end of 40th Street in San Pedro and passing through the roof of the small naval land-

ing near the shore end of the San Pedro breakwater; southwesterly of a line having a bearing of 120° true from the second door from the south end of the one-story wooden transit shed of the Outer Harbor Wharf & Dock Co. (this line being the southwesterly side of the main fairway); southwesterly of a line having a bearing of 314° true from the flashing green light on the end of the San Pedro breakwater and passing through the tank near the viaduct at the foot of 16th Street, San Pedro; and northerly of a line parallel to and 200 feet distant from the axis of the San Pedro breakwater.

NOTE: In this area the requirements of the naval service will predominate. Floats or buoys for marking anchors or moorings in place will be allowed the Navy in this area. Vessels other than those of the Navy may anchor temporarily in this area when necessary and space permits, but shall move promptly when the necessity passes or whenever the anchorage is needed for naval vessels. Fixed mooring piles or stakes are prohibited.

(c) *Anchorage C.* (General and quarantine anchorage) The area easterly of the southward prolongation of the westerly side of Reservation Point; northeasterly of a line having a bearing of 120° true from a triangular signal atop the one-story transit shed on Pier 1 (this line being the northeasterly side of the main fairway); northwesterly of a line parallel to and 200 feet distant from the axis of the detached breakwater or prolongation thereof; southwesterly of line having a bearing of 128° true from the flashing red beacon outside the outer mole at Fish Harbor; westerly of a line having a bearing of 159°15' true from the concrete stack of the Pacific Coast Borax Company on Mormon Island in Wilmington; and southerly of a line having a bearing of 67° true from the tall concrete stack located immediately south of the U. S. Reservation in San Pedro: *Provided*, That no vessel shall anchor within 100 feet of the dredged channel to Fish Harbor or in a position that will obstruct the entrance to this channel.

NOTE: This anchorage area (together with Anchorage Area E) is reserved for commercial ships of all sizes. All vessels requiring examination by quarantine, custom or immigration authorities for this port or for Long Beach, will anchor in this area. Vessels requiring such examination, upon finding this area full or finding weather or sea too heavy to permit of boarding by these authorities, may anchor for examination in any available berth in Anchorage B. Floats or buoys for marking anchors or moorings in place and fixed mooring piles or stakes are prohibited.

(d) *Anchorage D.* (Naval and temporary anchorage) The area easterly of a line having a bearing of 159°15' true from the concrete stack of the Pacific Coast Borax Company on Mormon Island in Wilmington; northeasterly of a line having a bearing of 128° true from the flashing red beacon outside the outer mole at Fish Harbor; northwesterly of a line parallel to and 200 feet distant from the axis of the detached breakwater; westerly of the boundary line between the cities of Los Angeles and Long Beach, having a bearing of 160°43'36.5" true from a rock jetty located on the bound-

ary; and southeasterly of a line having a bearing of 41°30' true from the fixed red light atop the southeast corner of the six-story concrete warehouse on Pier 1, and passing through the most southwesterly stack of the Southern California Edison Company at West Long Beach.

NOTE: In this area the requirements of the naval service will predominate. Vessels other than those of the Navy may anchor temporarily in this area when necessary and space permits but shall move promptly when the necessity passes or whenever the anchorage is needed for naval vessels. Floats or buoys for marking anchors or moorings in place and fixed mooring piles or stakes are prohibited.

(e) *Anchorage E.* (General anchorage) The area northerly of a line having a bearing of 67° true from the tall concrete stack located immediately south of the U. S. Reservation in San Pedro; westerly of a line having a bearing of 159°15' true from the concrete stack of the Pacific Coast Borax Company on Mormon Island in Wilmington; northwesterly of a line having a bearing of 41°30' true from the fixed red light atop the southeast corner of the six-story concrete warehouse on Pier 1, and passing through the most southwesterly stack of the Southern California Edison Company at West Long Beach; and southwesterly of the boundary line between the cities of Los Angeles and Long Beach, having a bearing of 160°43'36.5" true from a rock jetty located on the boundary: *Provided*, That no vessel shall anchor within 100 feet of the dredged channel to Fish Harbor or in a position that will obstruct the entrance to this channel.

NOTE: This anchorage area (together with Anchorage C) is reserved for commercial ships of all sizes. Floats or buoys for marking anchors or moorings in place and fixed piles or stakes are prohibited.

§ 6.11-10 *Isthmus Cove, Santa Catalina Island, California*—(a) *Anchorage grounds.* (1) *General anchorage.* All of the navigable waters of Isthmus Cove shoreward of a line connecting the promontories known as Lion Head and Blue Cavern Point, except the Zone of Restricted Anchorage.

(2) *Zone of restricted anchorage.* An area, 300 feet wide, extending from shore 1,200 feet seaward of the outer end of Wilmington Transportation Company Wharf, centered on a line 20 feet westerly of and parallel to the centerline of said wharf.

(b) *Rules and regulations.* (1) The general anchorage shall be available for anchorage of all types of craft. Temporary floats or buoys for marking anchors in place will be permitted in this area, provided that the upper half of any such float or buoy is painted white, to improve visibility at night.

(2) Commercial vessels, of 15 feet draft or over, may anchor in the zone of restricted anchorage during the hours between sunrise and sunset. The use of this zone for anchorage is forbidden to all other craft at all times.

TWELFTH NAVAL DISTRICT

§ 6.12-1 *San Luis Obispo Bay, California.* Eastward of the San Luis Obispo County wharf, northward of a line bearing 116° true from the south-

east corner of San Luis Obispo County wharf, westward of a line bearing 210° true from the most seaward extremity of Fossil Point (See U.S.C. & G.S. No. 5386.)

§ 6.12-5 *San Francisco Bay, California*—(a) *Restricted area.* The following areas in San Francisco Bay, California, are hereby designated restricted areas for Naval operations: An area in San Francisco Bay, the six corners of which are the following true bearings and distances from the point described: (a) 253°, 3,175 yards from Point Stuart Light; (b) 233°, 1,590 yards from Point Stuart Light; (c) 280°, 1,370 yards from Alcatraz Light; (d) 215°, 2,375 yards from Alcatraz Light; (e) 226°, 3,200 yards from Alcatraz Light; (f) 234°, 3,705 yards from Alcatraz Light.

NOTE: No vessels except those engaged in Naval operations shall navigate or anchor in the above-described area without the permission of the captain of the port, but vessels may cross such area provided the crossing is made in strict accordance with directions contained in an order of the captain of the port published through the usual channels of notice to mariners.

(b) *Additional restricted areas.* The area in San Francisco Bay, California, inclosed within the following lines is also hereby designated a restricted area for Naval operations and no vessels except those engaged in Naval operations shall cross, navigate, or anchor in such area without the permission of the captain of the port: From Bluff Point 53° true, 1,300 yards to lighted buoy "1" located 2,110 yards, 101° true, from Stand Pipe, Naval Net Depot, thence 323° true, 1,800 yards to lighted buoy "3", thence 3,000 yards, 270° true, to the shore line, thence southeasterly along the shore line to Bluff Point.

(c) *A portion of Anchorage (general) B No. 6; restricted seaplane area.* San Francisco Bay at Oakland, California, is hereby defined and established as a temporary restricted seaplane area, and the following regulations relating thereto are hereby adopted:

(1) The area: The truncated triangular area between the Berkeley Auto Ferry Pier and the San Francisco-Oakland Bay Bridge, the four corners of which are the following distances and true bearings from the easterly pier of the cantilever span of the above bridge (the pier marked H on U. S. Coast and Geodetic Survey charts 5532 and 5535: northwest corner 3532 yards, 348¾°; northeast corner, 4813 yards, 54¾°; southeast corner 4560 yards, 59½°; southwest corner, 555 yards, 31½°.

NOTE: The area will be marked by the U. S. Coast Guard in accordance with standard practice for the designation of anchorage areas and such other buoys as may be selected by the U. S. Coast Guard and the Civil Aeronautics Authority for the guidance of seaplanes.

(2) No surface watercraft shall be operated or anchored in this area except those attendant upon seaplane operations.

(d) *Anchorage (general) No. 9; restricted seaplane area.* The following portions designated Section A, and Section B, of General Anchorage No. 9, San Francisco Bay, are hereby defined and

established as restricted seaplane areas through which no water craft shall be operated or anchored except those attendant upon seaplane operations of the United States Navy: *Provided*, That this restriction with respect to Section B shall not take effect until the completion of the dredging of seaplane channels therein as announced by the district engineer in charge of the locality:

(1) *Section A.* That portion of San Francisco Bay, abutting on the south side of the channel to the United States Naval Air Station at Alameda, the corners of which are the following distances and true bearings from the chimney of the pumping plant at the Hunters Point dry docks (Point Avisadero); 4,700 yards, 13½°; 5,715 yards, 17½°; 6,700 yards, 37°; 7,185 yards, 49½°; 7,115 yards, 86°; 1,870 yards, 74½°.

(2) *Section B.* That portion of San Francisco Bay abutting on the east side of the above Section A, the corners of which are the following distances and bearings from the chimney of the pumping plant at the Hunters Point dry docks (Point Avisadero); 7,185 yards, 49½°; 9,400 yards, 70½°; 9,250 yards, 73½°; 7,115 yards, 86°.

NOTE: The above areas will be marked by the United States Coast Guard in accordance with standard practice for the designation of anchorage areas and such other buoys as may be selected by the United States Navy, the Civil Aeronautics Authority and the Coast Guard.

§ 6.12-10 *General anchorage areas for San Francisco Bay, San Pablo Bay, Carquinez Strait Suisun Bay, New York Slough and San Joaquin River, California*—(a) *Anchorage No. 2.* (General.) The portion of Richardson Bay north of a line having a bearing of 257° from Peninsula Point to the interlocking switch tower of the Northwestern Pacific Railroad at Sausalito, except so much of the above area as is included in Naval Anchorage No. 11.

(b) *Anchorage No. 3* (General) The area in Belvedere Cove, west of a line having a bearing of 25½° from Peninsula Point to the west fender of the Northwestern Pacific Railroad ferry slip at Tiburon.

(c) *Anchorage No. 4.* (General) The area on the west side of upper San Francisco Bay west of a line having a bearing of 5° from Bluff Point and just touching the west side of Red Rock; west of a line having a bearing of 333° from Point Simpton (Angel Island) through the ferry apron on the outer end of the Richmond-San Rafael ferry wharf at San Quentin; and south of a line having a bearing of 86° and tangent to the south face of the San Quentin prison building; excluding, however, so much of the above area as is within the outer boundary of the forbidden anchorage zone surrounding Explosives Anchorage No. 13, and also Quarantine Anchorage No. 17 when that anchorage is being used for quarantine purposes.

(d) *Anchorage No. 5.* (General) The area on the east side of the upper part of San Francisco Bay, south of the Point Orient wharf of the Standard Oil Company; east of a line having a bearing of 170° from the southwest corner of the

said Point Orient wharf and passing through the red and black nun buoy on the north end of Southampton Shoal; and north of a line having a bearing of 93° from the said buoy at the north end of Southampton Shoal to the north end of the train shed of the Santa Fe Railroad Company at Point Richmond, excluding from this area, however, the entrance channel, 400 feet wide, to Richmond Inner Harbor. (For use of this anchorage see rules and regulations below.)

(e) *Anchorage No. 6.* (General) The area on the east side of San Francisco Bay south of a line having a bearing of 280° from the southern extremity of Point Isabel to the northern extremity of Brooks Island, thence along the northwesterly shore of Brooks Island to the training wall extending westerly therefrom, thence westerly along said training wall to its bayward end; east of a line having a bearing of 162° from the bayward end of the above training wall; east of a line having a bearing of 324° and tangent to the outer end of the most westerly corner of the Key System Ferry Slip; and north of a line having a bearing of 71° from the northwest corner of Yerba Buena Island, excluding from this area, however, the cable areas therein.

(f) *Modification of Anchorage No. 7.* (General) The area west of Treasure Island within the following lines: North of a line bearing 237° from the northwest corner of Yerba Buena Island; east of a line bearing 329½° from the center anchorage pier of the San Francisco-Oakland Bay Bridge and passing through Point Blunt Light, Angel Island; east of a line bearing 2½° from the tower of the Ferry Building at San Francisco to the west of the transit shed at Parr-Richmond Terminal No. 1, Point Richmond; west of a line bearing 330½° from File D of the Transbay Bridge to the easterly tangent of Quarry Point, Angel Island. (Amending title 33, part 202.90 (a) (7).)

(g) *Anchorage No. 8.* (General) The area east of the city of San Francisco inclosed within the following lines; south of a line having a bearing of 241½° from the outer end of the north fender of the passenger ferry slip at Alameda Mole and passing through the northeast corner of Pier 50, San Francisco; east of a line having a bearing of 344° from the Chimney of the pumping plant at the Hunters Point Dry Dock (Point Avisadero); north of a line having a bearing of 90° from the northeast corner of Pier 54, San Francisco; and northwest of a line having a bearing of 216° from the outer end of the extreme north fender of the automobile ferry slips at the Oakland Mole and passing through the northeast corner of the largest building of the sugar refinery at Potrero Point.

(h) *Anchorage No. 9.* (General) The area in San Francisco Bay south of a line having a bearing of 268° from the outer end of the south fender of the automobile ferry slip at the end of the Alameda Mole and just touching the northwest corner of Pier 14 San Francisco; southeast of a line having a bearing of 216° from the "A" in the Albers'

sign on the north side of Oakland Mole and passing through the flagstaff of the Catholic orphan asylum northwest of Hunters Point, San Francisco; east of a line having a bearing of 344° from the chimney of the pumping plant at the Hunters Point Dry Dock (Point Avisadero); northeast of a line having a bearing of 146° from the west side of Mission Rock; and north of a line 1,000 yards north of the Hayward-San Mateo Highway Bridge and parallel thereto; excluding from this area, however, Explosives Anchorage No. 14, Explosives Storage Anchorage No. 15, Explosives Storage Anchorage No. 16, the forbidden anchorages surrounding these three anchorage areas, and the cable area adjacent to Alameda Mole. All of San Leandro Bay is also included in this anchorage.

(i) *Anchorage No. 10.* (Naval) The triangular area immediately east of Sausalito; northwest of a line having a bearing of 234° from Point Stuart Light to the outer end of a wharf on the Sausalito shore; and southwest of a line having a bearing of 303° from Alcatraz light, (For use of this anchorage see rules and regulations below.)

(j) *Anchorage No. 11.* (Naval) The area in and adjacent to Richardson Bay south of a line having a bearing 270° from Peninsula Point; west of the line having a bearing 204° from the southeast end of the ferry landing near Point Tiburon and passing through Yellow Bluff Light; north of the line having a bearing of 271° from Point Knox and passing through Sausalito Point; east of a line having a bearing of 0° from Yellow Bluff Light. (For use of this anchorage see rules and regulations below.)

(k) *Anchorage No. 12.* (Naval) The area east of the city of San Francisco inclosed within lines described as follows; south of a line having a bearing of 268° from the outer end of the south fender of the automobile ferry slip at the end of the Alameda Mole and just touching the northerly corner of Pier 14, San Francisco; southeast of a line having a bearing of 344° from the chimney of the pumping plant at Hunters Point Dry Dock (Point Avisadero) (this line passes approximately 1,550 feet away from the end of Pier 32, San Francisco); north of a line having a bearing of 241½° from the outer end of the north fender of the passenger ferry slip at Alameda Mole and passing through the northeast corner of Pier 50, San Francisco; and northwest of a line having a bearing of 216° from the outer end of the extreme north fender of the automobile ferry slips at the Oakland Mole and passing through the northeast corner of the largest building of the sugar refinery at Potrero Point. (For use of this anchorage see rules and regulations below.)

(l) *Anchorage No. 13.* (Explosives) The circular area having a radius of 1,000 feet about a white buoy used to mark the location of this anchorage the center of which is 2,400 yards 113½° from the most northerly extremity of California Point. (For use of this anchorage see rules and regulations below.) The circular zone 1,500 feet wide partially surrounding this Explosives Anchorage No. 13 is forbidden

anchorage and shall not be used as anchorage by any vessels.

(m) *Anchorage No. 14.* (Explosives) The circular area having a radius of 1,500 feet about a white buoy used to mark the location of this anchorage, the center of which is 3,000 yards, 103° from the chimney of the pumping plant at the Hunters Point dry docks (Point Avisadero). (For use of this anchorage, see rules and regulations below.) The circular zone 1,500 feet wide surrounding this Explosive Anchorage No. 14 is forbidden anchorage and shall not be used by any vessels. This anchorage and the surrounding zone of forbidden anchorage may be temporarily discontinued by the captain of the port when the area occupied by them is needed for general anchorage purposes.

(n) *Anchorage No. 15.* (Explosive storage) The area 3,000 feet square, whose center is marked by a white buoy and bears 124½° from the chimney of the pumping plant at Hunters Point Dry Dock (Point Avisadero), and 198° from the West Radio Tower on the westerly extremity of Bay Farm Island, and whose sides are due north and south and east and west. (For use of this anchorage see rules and regulations below.) The square zone 1,500 feet wide surrounding this Explosives Storage Anchorage No. 15 is forbidden anchorage and shall not be used by any vessels.

(o) *Anchorage No. 16.* (Explosives storage) The area 3,000 feet square, the northeast corner of which is marked by a white pile dolphin bearing 270°, 2,900 yards from Roberts Landing and whose sides are due north and south and east and west. (For use of this anchorage see rules and regulations below.) The square zone 1,500 feet wide surrounding this Explosives Storage Anchorage No. 16 is forbidden anchorage and shall not be used by any vessels.

(p) *Anchorage No. 17.* (Quarantine.) The area 3,000 feet square, the easterly side of which is coincident with the easterly boundary of Anchorage No. 4, and the northerly side of which, if extended westerly, would pass through the northeasterly tip of California Point. (The above anchorage was established by the Surgeon General with the approval of the Secretary of the Treasury, and is under the jurisdiction of the Medical Officer in Charge of the Port of San Francisco. Its description is included in these regulations for information only.)

NOTE: Paragraphs (q) to (v) apply to San Pablo Bay, Calif.

(q) *Anchorage No. 18.* (General) The area adjacent to the west shore of San Pablo Bay north of a line having a bearing of 270° from the easterly of The Sisters Islands; west of a line having a bearing of 5½° from the easterly of the above islands and passing through Light and Echo Board 2 marking the dredged channel to the mouth of Petaluma Creek; and south of a line having a bearing of 120° from the northerly of two high transmission towers near the mouth of Novato Creek, excluding from this area, however, the channel to Hamilton Field and the extension of said channel easterly to the boundary of the anchorage.

(r) *Anchorage No. 19.* (General) The area lying east of a line bearing 0° from a group of tanks on the top of the hill about one-half mile southeast of Point San Pablo; and north of a line bearing 51° from the easterly of The Sisters Islands to a point opposite Buoy 3 marking the dredged channel across Pinole Shoal; thence bearing 58°, parallel to the northerly line of said channel and distant 500 feet therefrom to a point opposite the angle in said channel; thence bearing 78½° parallel to the northerly line of said channel and distant 500 feet therefrom to a point directly south of the end of the long dike extending from Mare Island southwesterly into San Pablo Bay; thence bearing 0° to the end of said dike; thence along said dike in a northeasterly direction to Mare Island.

(s) *Anchorage No. 20.* (General) The area on the southern side of San Pablo Bay between Point San Pablo and the Union Oil Company's wharf at Oleum; southeast of a line bearing 42° from the northwest corner of the wharf at Parr-Richmond Terminal No. 4 at Point San Pablo, and south of a line bearing 248½° from the northwest corner of the Union Oil Company's wharf at Oleum; excepting the two Explosives Anchorages 22 and 23.

(t) *Anchorage No. 21.* (Naval) The rectangular area south of Mare Island whose northerly boundary is a line 3,000 feet long, having a bearing of 78½° and being parallel to and distant 500 feet northerly from the northerly line of the dredged channel across Pinole Shoal extended; and whose easterly boundary is a line of 1,500 feet long having a bearing of 348½° from the shot tower of the Selby Smelting Works.

(u) *Anchorage No. 22.* (Explosives) The circular area having a radius of 1,500 feet and whose center is at the northwest corner of the Giant Powder Company's wharf at Pinole Point.

(v) *Anchorage No. 23.* (Explosives) The circular area having a radius of 1,500 feet and whose center is at the northwest corner of the Hercules Powder Company's wharf at Refugio Landing.

§ 6.12-15 *Hamilton Field Air Base—*

(a) *The danger zone.* The bombing area danger zone heretofore established in San Pablo Bay, California, adjacent to Hamilton Field Air Base (5 F.R. 3892) is hereby enlarged to include the firing range at Hamilton Field, the danger zone being redefined as follows:

(1) The area in San Pablo Bay, California, bounded as follows: Beginning at a point on the western shore of the Bay 180 feet south of the south side of the Hamilton Field Boat House, thence south 54° east (true) 6,950 yards, thence true north 7,380 yards, thence true west 4,200 yards to the shore line, thence southerly along the shore line to the point of beginning.

(2) No vessel or other craft, except vessels of the United States, or vessels duly authorized by the captain of the port or the Commanding Officer, Hamilton Field, California, shall navigate, anchor, or moor within the above area. The provisions of this subparagraph shall

be enforced by the captain of the port and the Commanding Officer, Hamilton Field, California.

§ 6.12-20 *U. S. Air Corps firing range; Tubbs Island—*(a) *The danger zone.* The sector in San Pablo Bay, California, the northeasterly limit of which bears South 68° East, 9,300 yards from the easterly end of the line of targets of the United States Air Corps firing range on Tubbs Island, and the westerly limit of which bears South 8° East, 9,300 yards from the westerly end of said line of targets.

(b) *The regulations.* (1) Except as provided in subparagraphs (2) and (3) of this paragraph, no vessels shall be operated or anchored in the above area, except vessels operated by the United States.

(2) No firing will be done on Saturdays, Sundays, or National holidays, and vessels may be operated in the above area on such days.

(3) Persons desiring to navigate vessels across the restricted area at other times than those specified above shall give advice of their intention to do so to the Commanding Officer, Hamilton Field, California, not less than four hours in advance of the time they desire to take their vessels across the area.

(4) These regulations shall be enforced by the Commanding General, Hamilton Field, California, and such agencies as he may designate.

(i) The following regulations are hereby prescribed to govern the use, administration, and navigation of the waters of Mare Island Strait, Carquinez Strait, and San Pablo Bay in the vicinity of the United States Navy Yard, Mare Island, California; and of San Francisco Bay and Oakland Harbor in the vicinity of the United States Naval Air Station, Alameda, California, and the Naval Supply Depot, Oakland, California:

(a) No vessel or other craft, except vessels of the United States Government or vessels duly authorized by the Commandant, United States Navy Yard, Mare Island, California, shall navigate, anchor, or moor in the waters of Mare Island Strait, Carquinez Strait, and San Pablo Bay, California, within one hundred yards of the shore line of that part of the Navy Yard, Mare Island, south of the causeway between the City of Vallejo and Mare Island, and extending continuously therefrom southeasterly, southwesterly, and northwesterly, around said Navy Yard to its northwesterly limit on the waters of San Pablo Bay, and the waters within fifty yards of any part of the berthing piers at said Navy Yard.

(b) No vessel or other craft, except vessels of the United States Government or vessels duly authorized by the Commandant, United States Naval Air Station, Alameda, California, shall navigate, anchor, or moor in the waters of San Francisco Bay within one hundred yards of said Naval Air Station.

(c) No vessel, without special authority from the Captain of the Port, shall lie, anchor, or moor in the waters of the entrance channel to Oakland Inner Harbor (San Antonio Estuary) between the westerly end of the rock wall on the south

side of said channel and the easterly boundary of the Alameda Naval Air Station. Vessels may proceed through said channel in process of ordinary navigation or may moor alongside wharves on the Oakland side of said channel.

(d) No vessel other than a vessel of the United States Government or a vessel duly authorized thereto by proper Federal authority shall traverse the waters of San Francisco Bay within 100 yards of the Naval Supply Depot, Oakland, nor lie, anchor, or moor within said waters, except that this order shall not apply to the use of the Southern Pacific Company and the Western Pacific Railroad Company of their piers, slips and wharves adjacent to the Naval Supply Depot.

§ 6.12-25 *Carquinez Strait—*(a) *Anchorage No. 24.* (General) The area on the north side of Carquinez Strait between Dillon Point and the remaining wing of the former train ferry slip at Benicia north of a line having a bearing of 121° from the easterly side of Dillon Point and passing through the Benicia Tannery tank; thence northeast of a line having a bearing of 165° and passing through the flashing red navigation light at Port Costa; thence north of a line bearing 125° from the high transmission on Dillon Point, excluding from this anchorage, however, the cable area therein.

(b) *Anchorage No. 25.* (General) The area on the south side of Carquinez Strait northwest of the City of Martinez lying southwest of a line having a bearing of 108° from the Port Costa Brick Company's stack about 1,000 feet south of the Associated Oil Company's Port Costa dock, and westerly of a line bearing 154° from the Benicia tannery tank.

§ 6.12-30 *Suisun Bay—*(a) *Anchorage No. 26.* (General) The area on the west side of Suisun Bay adjacent east and northeast of the city of Benicia lying north of a line having a bearing of 77½° from the channel end of the Army Point wharf to the Point Edith Light and Echo Board; northwest of a line having a bearing of 35° from the west end of the channel face of the Shell Company's wharf at Martinez; and south of a line having a bearing of 90° from the Southern Pacific Company's water tank at Goodyear.

(b) *Anchorage No. 27.* (General) The area in the northeast portion of Suisun Bay lying east of a line bearing 0° from Seal Island Echo Board; north of a line bearing 82° from Seal Island Echo Board to Roe Island Light, thence bearing 101° to Middle Ground Light, thence bearing 88° to Chipps Island.

§ 6.12-35 *San Joaquin River—*(a) *Anchorage No. 28.* (General) The area adjacent to Lower Sherman Island lying southeasterly of a line 1,350 feet long bearing 238° from the Point Sacramento Light; easterly of a line bearing 163½° from the west end of said 1,350-foot line; and northerly of a line bearing 27° from the New York Slough (east end) Light to Sherman Island.

(b) *Anchorage No. 29.* (General) The entire water area southerly of West Island between West Island and the mainland lying between lines bearing

180° from the eastern extremity of West Island and 211° from the western extremity of West Island.

§ 6.12-40 *Special limitations*—(a) *Anchorage No. 5.* Vessels may anchor in this anchorage immediately adjacent to the channel to Richmond Inner Harbor. *Provided, however,* That ships obstructing the said channel must move from their position immediately if and when the fairway is required by vessels navigating the channel.

(b) *Anchorage No. 10.* This anchorage is for the use of public vessels of the United States, but may be used by yachts when not required for use by public vessels. All yachts making use of this anchorage shall be prepared to move immediately upon notice, should the anchorage be required for public vessels. With the permission of the Captain of the Port, permanent yacht moorings may be placed within this anchorage, not more than 900 feet from the shore and not outside of the limiting lines of the anchorage.

(c) *Anchorage No. 11.* This anchorage is reserved for the exclusive use of vessels and seaplanes of the United States Navy.

(d) *Anchorage No. 12.* This anchorage is reserved for the use of vessels of the United States or foreign navies and for other public vessels of the United States; with the permission of the Captain of the Port this anchorage may be used temporarily by vessels other than public vessels but vessels availing themselves of this privilege must hold themselves in readiness to shift berth immediately upon receiving notice to do so.

(e) *Anchorage Nos. 13 and 14.* These anchorages are for the use of vessels loaded with, loading, or unloading, explosives, and these anchorages shall not be used by any other vessels. This provision is not intended to prohibit lighters and barges from tying up alongside of ships for the transfer of cargo. The circular zones 1,500 feet wide surrounding the Explosives Anchorages Nos. 13 and 14 are forbidden anchorages and no vessel shall anchor therein.

(f) *Anchorage Nos. 15 and 16.* These anchorages are for the purpose of storage of explosives. Barges and vessels shall be anchored so as not to approach one another closer than 500 feet. All barges using these anchorages for storage purposes shall anchor with two or more anchors. The Captain of the Port may authorize the placing of moorings within these areas, provided these moorings be so placed that barges at one mooring shall at all times be not less than 500 feet from barges at an adjacent mooring. The square zones 1,500 feet wide surrounding Explosives Storage Anchorages Nos. 15 and 16 are forbidden anchorages and no vessel shall anchor therein.

§ 6.12-45 *Special regulation applying to the San Joaquin deep-water channel and the Stockton turning basin*—(a) *Explosives Storage Anchorage No. 15.* Vessels anchored in San Joaquin deep-water channel or the Stockton turning basin because of distress or heavy fog shall be placed as near the edge of the channel or turning basin as possible, so as not to

interfere with the free navigation thereof, nor obstruct the approach to, any pier. They shall move from such position as soon as the emergency ceases or when so ordered by the District Engineer, United States Engineer Department, in charge of the locality, or by his duly authorized representative.

(b) *Explosives storage anchorage No. 16.* No vessel shall be permanently moored in areas adjacent to the deep-water channel or in any stream tributary to said deep-water channel within one-half mile of its junction with the channel, except on permission in writing from the District Engineer, United States Engineer Department at Large, in charge of the improvement.

§ 6.12-46 *Regulations for California Naval Areas.* The following regulations are hereby prescribed to govern the use, administration, and navigation of the waters of Mare Island Strait, Carquinez Strait, and San Pablo Bay in the vicinity of the United States Navy Yard, Mare Island, California; and of San Francisco Bay and Oakland Harbor in the vicinity of the United States Naval Air Station, Alameda, California, and the Naval Supply Depot, Oakland, California:

(a) No vessel or other craft, except vessels of the United States Government or vessels duly authorized by the Commandant, United States Navy Yard, Mare Island, California, shall navigate, anchor, or moor in the waters of Mare Island Strait, Carquinez Strait, and San Pablo Bay, California, within one hundred yards of the shore line of that part of the Navy Yard, Mare Island, south of the causeway between the City of Vallejo and Mare Island and extending continuously therefrom southeasterly, southwesterly, and northwesterly around said Navy Yard to its northwesterly limit on the waters of San Pablo Bay, and the waters within fifty yards of any part of the berthing piers at said Navy Yard.

(b) No vessel or other craft, except vessels of the United States Government or vessels duly authorized by the Commandant, United States Naval Air Station, Alameda, California, shall navigate, anchor, or moor in the waters of San Francisco Bay within one hundred yards of said Naval Air Station.

(c) No vessel, without special authority from the Captain of the Port, shall lie, anchor, or moor in the waters of the entrance channel to Oakland Inner Harbor (San Antonio Estuary) between the westerly end of the rock wall on the south side of said channel and the easterly boundary of the Alameda Naval Air Station. Vessels may proceed through said channel in process of ordinary navigation or may moor alongside wharves on the Oakland side of said channel.

(d) No vessel other than a vessel of the United States Government or a vessel duly authorized thereto by proper Federal authority shall traverse the waters of San Francisco Bay within 100 yards of the Naval Supply Depot, Oakland, nor lie, anchor, or moor within said waters, except that this order shall not apply to the use by the Southern Pacific Company and the Western Pacific Railroad Company of their piers, slips and wharves adjacent to the Naval Supply Depot.

THIRTEENTH NAVAL DISTRICT

§ 6.13-1 *Astoria, Oregon*—(a) *The anchorage area*—(1) *Anchorage A.* Located in the Columbia River northeastward of Astoria in the general vicinity of Tongue Point. It is a rectangular area bounded by the following points:

- (i) 675 yards 253½° true from Tongue Point Light;
- (ii) 950 yards 284° true from Tongue Point Light;
- (iii) 2,125 yards 261° true from Tongue Point Light;
- (iv) 2,015 yards 247½° true from Tongue Point Light.

This anchorage is to be used by vessels awaiting quarantine inspection. No vessel may remain in this anchorage more than 12 hours without a permit from the captain of the port.

(2) *Anchorage B. (Restricted)* Located in the Columbia River near Tongue Point. It is the area included within the following points:

- (i) 675 yards 253½° true from Tongue Point Light;
- (ii) 950 yards 284° true from Tongue Point Light;
- (iii) 1,425 yards 24° true from Tongue Point Light;
- (iv) 1,200 yards 42° true from Tongue Point Light.

This anchorage shall not be used without a permit from the captain of the port.

(3) *Anchorage C. (Explosive)* Located in the Columbia River, comprising a circular area of 800 yards diameter, the center of the circle being 800 yards true north of Knappton Channel Light.

§ 6.13-5 *Puget Sound, Washington*—

(a) *The anchorage area*—(1) *Anchorage A. (Explosive)* (Located at Kingston) The anchorage area line within the segment of a circle struck from a point 2,300 yards 144° from Apple Cove Point Light with a radius of 1,500 yards and extending from 216° true to 324° true. Explosives shall be handled under the supervision of the captain of the port of Seattle.

(2) *Anchorage B. (Explosive)* (Located at Blake Island) The anchorage area is bounded by the following lines: A line bearing 90° from the south tangent of Blake Island for a distance of 2,000 yards; thence 360° for 1,400 yards; thence 270° for 1,300 yards to east point of Blake Island. Explosives shall be handled under the supervision of the Captain of the port of Seattle.

NOTE: The outer limits of this anchorage are marked by two White Nun Buoys marked EX/N and EX/S—5,500 yards 220° true and 6,750 yards 212° true respectively, from Alki Point Lighthouse.

In addition to the explosive anchorage defined above, the captain of the port of Seattle may issue special permits for vessels to anchor to load or discharge explosives in the area extending 1,000 yards to the northward of the northern shoreline of Blake Island.

(3) *Anchorage C. (Elliott Bay anchorages)* The anchorage is defined as follows:

(i) Beginning at the northeast corner of Harbor Islands thence northerly in a straight line to a point intersecting a line drawn along the south side of King Street; thence west on said line to a

point intersecting the east line of the West Waterway; thence along said east line to the northwest corner of Harbor Island.

(ii) Beginning at the point of intersection of the outer harbor line with a straight line drawn along the west line of the West Waterway; thence north to a point intersecting a straight line drawn along the south side of Dearborn Street; thence in a westerly direction to the southeast corner of the West Seattle Ferry Dock.

(4) *Anchorage D.* (Smith Cove anchorage) The anchorage is defined as follows:

(i) Beginning at a point at the junction of the outer harbor line and a line drawn along the north side of Denny Way; thence westerly on said line for a distance of approximately 2000 feet; thence in a northwesterly direction paralleling the outer harbor line to a point intersecting a straight line drawn along the east side of the Great Northern Dock.

JAMES FORRESTAL,
Acting Secretary of the Navy.

Approved: September 29, 1942.

FRANKLIN D ROOSEVELT
The White House.

[F. R. Doc. 42-9946; Filed, October 5, 1942; 4:01 p. m.]

PART 6—REGULATIONS FOR SECURITY OF PORTS AND THE CONTROL OF VESSELS IN THE NAVIGABLE WATERS OF THE UNITED STATES

SUBPART D—GENERAL LICENSES

Sec.
6.200 General License No. 1.
6.210 Classification of vessels.

AUTHORITY: §§ 6.200 and 6.210 issued under 40 Stat. 220, 55 Stat. 763; 50 U.S.C. 191, 191a, b, c, 192, Proc. 2412; 5 F.R. 2419, E.O. 8929; 6 F.R. 5581, § 6.18 of this chapter.

Pursuant to the authority vested in the Commandant of the Coast Guard by § 6.18, Subpart A of these regulations, it is hereby found that the granting of general licenses for the class of vessels and under the conditions hereinafter specified, would not be inimical to the interests of national defense or port security and the following general licenses are hereby issued.

§ 6.200 *General License No. 1.* (a) All vessels, exclusive of those covered by § 6.19 of this part, which are now in or which may hereafter enter local waters of the United States, its territories, or possessions, may move within, but may not depart from, local waters of the United States, its territories, or possessions. This license shall not apply to the following:

(1) Any vessel under 100 feet in overall length when operating within 100 feet of any navy yard, shipbuilding plant, power plant, oil terminal, marine terminal, munitions plant, military or naval arsenal or depot, warehouse, freight pier, bridge pier or abutment, shore terminal, or facility of any tunnel. This restriction does not extend to (i) barges, scows, rafts, and similar craft having no means of self-propulsion or, (ii) vessels proceeding to, or departing from, a pier or other waterfront facility with the prior per-

mission of the owner or operator of such pier or facility.

(2) Any vessel which is not a common carrier primarily engaged in the transportation of passengers for hire over regularly scheduled routes that has an enemy alien on board in any capacity: *Provided*, That the enemy alien may be on board a common carrier primarily engaged in the transportation of passengers for hire over regularly scheduled routes in the capacity of a passenger: *Provided further*, That such enemy alien shall have complied with the applicable travel regulations of the Attorney General or other proper federal authority.

(3) Waters of the state of Rhode Island commonly known as the west passage of Narragansett Bay and Sakonnet River.

(b) This general license is granted on the following terms and conditions:

(1) That it may be revoked by the Commandant of the Coast Guard, whenever he finds its continuance in force would be inimical to the interests of the national war effort and of the safety and protection of vessels or the territorial waters.

(2) That the Commandant of the Coast Guard may, in his discretion, exclude individual vessels from this general license upon notification to the owners, agents, masters, or operators thereof, but any vessel so excluded may be granted an individual license under the provisions of §§ 6.15 and 6.16 of Subpart A.

(3) That the issuance of this general license does not in any manner relieve any vessel covered thereby or its owner, master, or operator from compliance with the provisions of any other applicable laws and regulations.

(4) That all vessels shall comply with instructions and orders issued by a United States routing officer, commander of a sea frontier or other competent naval authority of the United States, or of any of the United Nations concerning routes of any voyage, darkening of ship, use of radio equipment, or other security measures. Failure of any vessel to comply with any such instruction or order shall constitute basis for excluding such vessel from the provisions of this license by the Commandant of the Coast Guard.

§ 6.210 *Classification of vessels.* By virtue of the authority vested in me by §§ 6.14 and 6.18 of Subpart A, the following classifications of vessels are hereby prescribed for the purposes of permitting a captain of the port to exempt any or all persons aboard any class of vessels from the requirement of personal identification provided for in § 6.14 of Subpart A (Classification may include two or more of the following categories mentioned in paragraphs (a) to (p) of this section):

(a) Vessels operating exclusively in territorial waters within the jurisdiction of a captain of the port;

(b) Vessels documented or numbered under the laws of the United States, owned, controlled, and operated by citizens or corporations of the United States;

(c) Undocumented or unnumbered vessels, owned, controlled, and operated by citizens or corporations of the United States, operating exclusively in territorial waters;

(d) Vessels documented under the laws of a foreign country;

(e) Vessels owned by citizens of a foreign country but not documented under the laws of such foreign country;

(f) Undocumented or unnumbered vessels, of which the masters, operators, or other persons in charge are citizens of the United States, and of which the personnel complements of such vessels are more than 50 per centum citizens of the United States;

(g) Vessels used for commercial purposes;

(h) Vessels not used for commercial purposes;

(i) Vessels having mechanical power;

(j) Vessels not having mechanical power;

(k) Vessels less than 16 feet in length;

(l) Vessels from 16 feet to 65 feet in length;

(m) Vessels from 65 feet to 100 feet in length;

(n) Vessels more than 100 feet in length;

(o) Vessels not operating within 100 feet of any navy yard, shipbuilding plant, power plant, oil terminal, marine terminal, munitions plant, military or naval arsenal or depot, warehouse, or freight piers;

(p) Vessels not carrying explosives as cargo.

Approved: October 5, 1942.

R. R. WAESCHE,
Commandant.

[F. R. Doc. 42-9945; Filed, October 5, 1942; 4:02 p. m.]

TITLE 36—PARKS AND FORESTS

Chapter II—Forest Service

PART 261—TRESPASS

SITGREAVES NATIONAL FOREST; ORDER FOR THE REMOVAL OF TRESPASSING HORSES, MULES, AND BURROS

Sitgreaves National Forest Chevalon Ranger District; and all of the Heber Ranger District excepting Heber Community, Pearce Seep, and Pearce Wash Allotments.

Whereas a number of horses, mules, and burros are trespassing and grazing on land in the Chevalon Ranger District and in the western part of the Heber Ranger District, Sitgreaves National Forest, in the State of Arizona; and

Whereas these horses, mules, and burros are consuming forage needed for domestic livestock, are causing extra expense to establishing permittees, and are injuring national-forest lands;

Now, therefore, 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), and the Act of February 1, 1905 (33 Stat. 628, 16 U.S.C. 472), the following order for the occupancy, use, protection, and administration of land in the Chevalon Ranger District and in the Heber Ranger District, excepting the Heber Community, Pearce Seep, and Pearce Wash Allotments, Sitgreaves National Forest, is issued:

§ 261.50 *Temporary closure from livestock grazing.* (a) The Chevalon Ranger District and the Heber Ranger D.s-

tract, excepting the Heber Community, Pearce Seep, and Pearce Wash Allotments, Sitgreaves National Forest, are hereby close for the period beginning December 1, 1942, and ending February 28, 1943, to the grazing of horses, mules, and burros, except those horses, mules, and burros that are lawfully grazing on or crossing land in such allotments pursuant to the regulations of the Secretary of Agriculture, or that are used in connection with operations authorized by such regulations, or that are used as riding, pack, or draft animals by persons traveling over such land.

(b) Officers of the United States Forest Service are hereby authorized to dispose of, in the most humane manner, all horses, mules, and burros found trespassing or grazing in violation of this order.

(c) Public notice of intention to dispose of such horses, mules, and burros shall be given by posting notices in public places or advertising in a newspaper of general circulation in the locality in which the Sitgreaves National Forest is located.

Done at Washington, D. C., this 8th day of October, 1942. Witness my hand and the seal of the Department of Agriculture.

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

[F. R. Doc. 42-10114; Filed, October 9, 1942;
11:16 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations

[Service Order 87]

PART 95—CAR SERVICE

SUSPENSION OF DEMURRAGE RULES, ETC.

At a Session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 8th day of October, A. D. 1942.

It appearing, that, due to the existing state of war, an emergency exists which, in the opinion of the Commission, requires immediate action to prevent delay and shortage of railroad equipment and congestion of traffic; and

It further appearing, that delay of railroad equipment and congestion of traffic exists at Atlantic seaboard ports where tidewater coal is trans-shipped;

It is ordered, That:

AUTHORITY: § 95.500, issued under 40 Stat. 101, 41 Stat. 476, 49 Stat. 543, 54 Stat. 901; 49 U.S.C. 1 (10)-(17).

§ 95.500 *Suspension of demurrage rules, Trunk Line Tariff Bureau Tariff No. 139-C I. C. C. No. A-751 (coal)*. (a) The operation of demurrage rules contained in Trunk Line Tariff Bureau Tariff No. 139-C I. C. C. No. A-751, and supplements thereto, is hereby suspended, to the extent that the free time allowed on cars loaded with bituminous and cannel coal and the coal products described in said tariff exceeds six days; that the average free time on cars delivered to storage plants for subsequent delivery to

vessels exceeds three days; that the settlement period for the average account exceeds two months; and that the operation of all of the provisions of said tariff inconsistent with this order is hereby suspended.

(b) This order shall become effective 7:00 A. M. November 1, 1942, and shall remain in force until further order of the Commission; that the railroads parties to the above-named tariff on or before the effective date hereof, and upon not less than ten days' notice to the Commission and to the public, shall publish, file and post a supplement to said tariff substantially in the form authorized in Rule 9 (k) of Tariff Circular No. 20 announcing the suspension of the operation of any of the provisions therein, effective 7:00 A. M. November 1, 1942; and that copies of this order be served upon carriers parties to this tariff and the Association of American Railroads, Car Service Division, and that notice of this order be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register, The National Archives.

By the Commission, division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 42-10112; Filed, October 9, 1942;
11:28 a. m.]

[No. 14104]

PART 146—INTERCHANGEABLE MILEAGE TICKETS

ISSUE, SALE AND USE OF INTERCHANGEABLE MILEAGE TICKETS

At a General Session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 5th day of October, A. D. 1942.

Upon further consideration of the record in the above-entitled proceeding, of the Report of the Commission on Further Hearing therein reported at 98 I. C. C. 298, of order entered therein on April 13, 1925, and of section 22 of the Interstate Commerce Act, as amended, and good cause appearing:

It is ordered:

The order of April 13, 1925 (§ 146.0 *Issue, sale and use of interchangeable mileage tickets*) is hereby vacated and set aside.

By the Commission.

W. P. BARTEL,
Secretary.

[F. R. Doc. 42-10111; Filed, October 9, 1942;
11:28 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 22—MOUNTAIN REGION NATIONAL WILDLIFE REFUGES

LAKE MASON NATIONAL WILDLIFE REFUGE, MONTANA; HUNTING

Under authority of section 84 of the act of March 4, 1909, as amended by

the act of April 15, 1924, 43 Stat. 98, the administration of which was transferred to the Secretary of the Interior on July 1, 1939, by Reorganization Plan No. II¹ (53 Stat. 1431), and in extension of § 12.9 of the regulations of December 19, 1940,² for the administration of national wildlife refuges under the jurisdiction of the Fish and Wildlife Service, the following regulations governing hunting within Lake Mason National Wildlife Refuge, Montana, are prescribed:

§ 22.534 *Lake Mason National Wildlife Refuge, Montana; hunting*. Migratory waterfowl (except those species for which no open season is prescribed by the Migratory Bird Treaty Act regulations) and costs may be taken within the area hereinafter described of the Lake Mason National Wildlife Refuge, Montana, during the season prescribed therefor for Montana by the Migratory Bird Treaty Act regulations, in accordance with the provisions of the regulations dated December 19, 1940,² for the administration of national wildlife refuges under the jurisdiction of the Fish and Wildlife Service and in accordance with the regulations promulgated pursuant to the authority contained in the Migratory Bird Treaty Act, when, in manner, by means, and to the extent not prohibited by either Federal or State law or regulation, and under the following special provisions, conditions, restrictions, and requirements:

(a) *Area open to hunting*. All the lands of the refuge controlled by the United States within secs. 1, 2, 3, and 12, T. 10 N., R. 23 E.; secs. 20, 21, 27, 28, 34, and 35, T. 11 N., R. 23 E.; and secs. 7, 17, 18, 20, 21, 28, and 34, T. 10 N., R. 24 E., Montana Principal Meridian, shall be open to hunting.

(b) *State laws*. Any person while hunting within the refuge must comply with the applicable State laws and regulations.

(c) *Hunting licenses and permits*. Any person who hunts within the refuge shall be in possession of a valid State hunting license, if such license is required, and, if hunting migratory waterfowl, a properly validated migratory-bird hunting stamp. The license and the stamp shall serve as a Federal permit for hunting on the refuge and must be carried on the person of the licensee while so hunting. The license and the stamp must be exhibited upon the request of any representative of the Montana State Fish and Game Commission authorized to enforce the State game laws, or of any representative of the Department of the Interior. Upon request of the officer in charge, the licensee must also exhibit for inspection all birds killed by him or in his possession.

(d) *Disorderly conduct; intoxication*. No person who is visibly intoxicated will be permitted to enter upon the refuge for the purpose of hunting, and any person who indulges in any disorderly conduct on the refuge will be removed therefrom by the officer in charge and dealt with as prescribed by law.

¹ 4 F.R. 2731.

² 5 F.R. 5294.

(e) *Hunting dogs.* Each person hunting on the public shooting grounds will be permitted to take his hunting dogs, not to exceed two in number, upon such areas for the purpose of retrieving dead or wounded birds, but such dogs shall not be permitted to run at large on the public shooting grounds or elsewhere on the refuge.

(f) *Entry upon refuge; firearms.* Persons entering the refuge for the purpose of hunting shall use such routes of travel as may be designated by suitable posting by the officer in charge and shall not otherwise enter upon the refuge. The carrying or being in possession of firearms within the areas of the refuge not open to public hunting is prohibited, except that such firearms may be possessed or transported across such closed areas provided they are unloaded, and broken or properly encased. The carrying or being in possession of rifled firearms or the use of single-ball or slug-loaded shotgun shells on the refuge is prohibited.

(g) *Penalties.* Failure of a permittee to comply with any of the conditions, restrictions, or requirements of the regulations in this section will be sufficient cause for removing him from the refuge and for refusing him further hunting privileges on the refuge.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

SEPTEMBER 26, 1942.

[F. R. Doc. 42-10101; Filed, October 9, 1942;
9:45 a. m.]

PART 25—SOUTHERN REGION NATIONAL
WILDLIFE REFUGES

REELFOOT NATIONAL WILDLIFE REFUGE,
TENNESSEE; FISHING

Pursuant to the provisions of section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222; 16 U.S.C. 715i), as amended, the administration of which was transferred to the Secretary of the Interior on July 1, 1939, in accordance with Reorganization Plan No. II¹ (53 Stat. 1431), and in extension of § 12.3 of the Regulations for the Administration of National Wildlife Refuges, dated December 19, 1940,² the following is hereby ordered:

§ 25.762 *Reelfoot National Wildlife Refuge, Tennessee; fishing.* Noncommercial fishing is permitted in all waters of the Reelfoot National Wildlife Refuge, Tennessee, each year during the open season prescribed therefor by the Tennessee Department of Conservation, except during the open season for hunting migratory waterfowl and the seven days preceding the said season prescribed by the regulations promulgated pursuant to the authority contained in the Migratory Bird Treaty Act of July 3, 1918, as amended, in accordance with the provisions of the Regulations for the Administration of National Wildlife Refuges Under the Jurisdiction of the Fish and Wildlife Service, dated December 19,

¹ 4 F. R. 2731.

² 5 F. R. 5284.

1940,² and subject to the following conditions, restrictions, and requirements:

(a) *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of Tennessee. Fishing shall be by hook and line only, as defined by State law.

(b) *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid fishing license issued by the Tennessee Department of Conservation, if such license is required. This license shall serve as a Federal permit for fishing in the waters of the refuge and must be carried on the person of the licensee while so fishing. The license must be exhibited upon the request of any representative of the Tennessee Department of Conservation or of the Fish and Wildlife Service.

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

(d) *Temporary restrictions.* During periods of waterfowl concentration on the refuge, fishing will not be permitted in such areas of the refuge as, in the judgment of the officer in charge, should be closed to fishing in order to provide adequate protection for such waterfowl concentrations and are posted suitably by such officer.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

SEPTEMBER 26, 1942.

[F. R. Doc. 42-10102; Filed, October 9, 1942;
9:45 a. m.]

PART 27—SOUTHEASTERN REGION NATIONAL
WILDLIFE REFUGES

SANTEE NATIONAL WILDLIFE REFUGE, SOUTH
CAROLINA; FISHING

Pursuant to the provisions of section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222; 16 U.S.C. 715i), as amended, the administration of which was transferred to the Secretary of the Interior on July 1, 1939, in accordance with Reorganization Plan No. II¹ (53 Stat. 1431), and in extension of § 12.3 of Regulations for the Administration of National Wildlife Refuges, dated December 19, 1940,² the following is hereby ordered:

§ 27.801 *Santee National Wildlife Refuge, South Carolina; fishing.* Until further notice fish may be taken, for either commercial or noncommercial purposes, in such maximum numbers and at such times and under such conditions as the Director of the Fish and Wildlife Service may determine will effect the harvesting of surplus fish, on those areas of the Santee National Wildlife Refuge, South Carolina, herein or hereafter designated as open to public fishing, in accordance with State law and the provisions of the Regulations for the Administration of National Wildlife Refuges Under the Jurisdiction of the Fish and Wildlife Service, dated De-

ember 19, 1940,² and subject to the following special provisions, conditions, restrictions, and requirements:

(a) *Areas open to fishing.* Jacks Creek Pool (but not including the two rearing ponds), Dingle Pond, and such part of the Pinopolis Pond as shall be designated by the officer in charge of the refuge shall be open to public sport or noncommercial fishing during the period beginning at such time between June 25 and July 10 of each year as the officer in charge shall designate by suitable posting and ending September 30, inclusive. The use of inboard and outboard motorboats is prohibited in these waters except for official purposes. No boat of any description shall be allowed to remain in these waters overnight without permission of the officer in charge.

All other waters of the refuge, including the Pinopolis Reservoir and the Santee Reservoir, under the control of the Fish and Wildlife Service, Department of the Interior, shall be open to commercial and noncommercial fishing as permitted by State law or regulation, except during the open season for hunting migratory waterfowl prescribed by the regulations promulgated pursuant to the authority contained in the Migratory Bird Treaty Act of July 3, 1918, as amended.

(b) *State fishing laws.* Any person who fishes within any areas of the refuge open to fishing must comply with the applicable fishing laws and regulations of the State of South Carolina.

(c) *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid fishing license and a permit issued by the State of South Carolina, if such license and permit are required. The license and permit shall serve as a Federal permit for fishing in the waters of the refuge and must be carried on the person of the permittee while so fishing. They must be exhibited upon the request of any State or Federal officer authorized to enforce the game and fish laws of South Carolina or of the United States and upon request of any such officer the permittee must also exhibit for inspection all fishes taken by him or in his possession.

(d) *Routes of travel.* Persons entering or crossing the refuge for the purpose of fishing as permitted by this order shall use only such routes of travel as shall be designated by suitable posting by the officer in charge of the refuge.

(e) *Penalties.* Failure of any person fishing on the refuge to comply with any of the provisions, conditions, restrictions, or requirements of the regulations in this section or the violation by him of any of the provisions of State or Federal laws or regulations applicable to fishing on the refuge will be sufficient cause for removing him from the refuge and for refusing him further fishing privileges in the waters of the refuge.

(f) *State cooperation in the management of fishing.* State cooperation may be enlisted in the regulation, management, and operation of public fishing as herein or hereafter authorized, in which event the provisions of this order shall be

incorporated in any cooperative agreement entered into by the Director of the Fish and Wildlife Service and the appropriate State official for such purposes.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

SEPTEMBER 25, 1942.

[F. R. Doc. 42-10100; Filed, October 9, 1942;
9:45 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket Nos. A-1538 and A-1589]

JOHN P. PRUSHNOK

ORDER POSTPONING HEARING

In the matter of the petitions of John P. Prushnok, for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 1.

Petitioner, John P. Prushnok, a code member in District 1, having moved that the hearing in the above-entitled matter, scheduled for October 9, 1942, at 10 o'clock in the forenoon of that day, be postponed for a period of two weeks because of the illness of petitioner; and

It appearing that good cause for the postponement has been shown;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be and it hereby is postponed from October 9, 1942 until 10 o'clock in the forenoon of October 29, 1942, at the place and before the officer heretofore designated.

Dated: October 8, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42-10097; Filed, October 9, 1942;
9:07 a. m.]

[Docket No. B-335]

BALDWIN FUEL COMPANY

NOTICE OF AND ORDER FOR HEARING

In the matter of James Hare, Sr. and James Hare, Jr., individually and as co-partners, doing business under the name and style of Baldwin Fuel Company, code member.

A complaint dated October 2, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on October 6, 1942, by Bituminous Coal Producers Board for District No. 17, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by James Hare, Sr., and James Hare, Jr., doing business under the name and style of Baldwin Fuel Company, (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder:

It is ordered, That a hearing in respect to the subject matter of such complaint be held on November 16, 1942, at 10:00 a. m. at a hearing room of the Bituminous Coal Division at the Post Office Building, Pueblo, Colorado.

It is further ordered, That Charles O. Fowler, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

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

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that the Code Member located at Gunnison, Colorado, whose

Code Membership became effective as of July 8, 1937, operator of the Star Mine, Mine Index No. 213, located at Gunnison County, Colorado, Subdistrict No. 11 of District No. 17 has wilfully violated:

1. Section 4 II (e) and (g) of the Act and Part II (e) and (g) of the Code by selling and delivering by truck, subsequent to September 30, 1940, coal produced at the aforesaid mine at delivered prices below the effective minimum f. o. b. mine prices established therefor in the Schedule of Effective Minimum Prices for District No. 17 for All Shipments, plus an amount at least equal, as nearly as practicable, to the actual transportation, handling and incidental charges from the transportation facilities at the mine to the point from which all such charges were assumed and directly paid by the purchaser, as required by Price Instruction and Exception No. 14, as amended and contained in the aforesaid schedule, including the following transactions:

The sale and delivery during the period December 16, 1940 to November 25, 1941, both dates inclusive, of approximately 114.69 net tons of 1½" x 0 slack coal (Size Group No. 13) to Suzie Miller, at Gunnison, Colorado, a distance of approximately 18 miles from the aforesaid mine, at a delivered price of \$2.34 per net ton which was less than the effective minimum f. o. b. mine price for said coal of \$1.95 per net ton plus the amount required to be added by said Price Instruction and Exception No. 14; and

2. Section 4 II (e) of the Act and Part II (e) of the Code by selling for truck shipment, subsequent to September 30, 1940, coal produced at the aforesaid mine at prices below the effective minimum prices therefor as set forth in the aforesaid schedule, including the following transactions:

(a) Sales to the State of Colorado for use by the State Highway Department, during the period November 6, 1940, to December 18, 1941, both dates inclusive, of approximately 74.87 net tons of 1½" lump coal (Size Group No. 5) at approximately \$4.11 per net ton f. o. b. said mine, whereas the effective minimum f. o. b. mine price for said coal was \$4.25 per net ton as set forth in the aforesaid schedule;

(b) Sales to Loyal Morgan, Monte Vista, Colorado, during the period November 6, 1940, to March 1, 1941, both dates inclusive, of approximately 13 net tons of 1½" x 0 slack coal (Size Group No. 13) at approximately \$1.25 per net ton f. o. b. said mine, whereas the effective minimum f. o. b. mine price for said coal was \$1.95 per net ton as set forth in the aforesaid schedule;

(c) Sales to Loyal Morgan, Monte Vista, Colorado, during the period November 6, 1940, to March 1, 1941, both dates inclusive, of approximately 30 net tons of 1½" lump coal (Size Group No. 5) at \$3.00 per net ton f. o. b. said mine, whereas the effective minimum f. o. b. mine price for said coal was \$4.25 per net ton as set forth in the aforesaid schedule;

(d) Sales to Frank Ansell, Alamosa, Colorado, during the period November 9, 1940, to September 27, 1941, both dates

inclusive, of approximately 103.31 net tons of $1\frac{1}{2}$ " x 0 slack coal (Size Group No. 13) at \$1.90 per net ton f. o. b. said mine, whereas the effective minimum f. o. b. mine price for said coal was \$1.95 per net ton, as set forth in the aforesaid schedule;

(e) Sales to Brentz M. Gilder, Monte Vista, Colorado, during the period October 31, 1940, to November 30, 1941, both dates inclusive, of approximately 166.642 net tons of $1\frac{1}{2}$ " lump coal, (Size Group No. 5) at \$3.00 per net ton f. o. b. said mine, whereas the effective minimum f. o. b. mine price for said coal was \$4.25 per net ton as set forth in the aforesaid schedule;

(f) Sales to Brentz M. Gilder, Monte Vista, Colorado, during the period October 31, 1940, to November 30, 1941, both dates inclusive, of approximately 176.99 net tons of $1\frac{1}{2}$ " x 0 slack coal, (Size Group No. 13) at \$1.25 per net ton f. o. b. said mine, whereas the effective minimum f. o. b. mine price for said coal was \$1.95 per net ton, as set forth in the aforesaid schedule;

(g) Sales to L. W. Gross, Saguache, Colorado, during the period October 31, 1940, to May 23, 1941, both dates inclusive, of approximately 269 net tons of $1\frac{1}{2}$ " lump coal (Size Group No. 5) at approximately \$4.03 per net ton f. o. b. said mine, whereas the effective minimum f. o. b. mine price for said coal was \$4.25 per net ton as set forth in the aforesaid schedule;

(h) Sales to L. W. Gross, Saguache, Colorado, during the period October 31, 1940, to May 23, 1941, both dates, inclusive, of approximately 15.9 net tons of $1\frac{1}{2}$ " x 0 slack coal (Size Group No. 13) at approximately \$1.84 per net ton f. o. b. said mine, whereas the effective minimum f. o. b. mine price for said coal was \$1.95 per net ton, as set forth in the aforesaid schedule.

Dated: October 8, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42-10107; Filed, October 9, 1942;
11:25 a. m.]

[Docket No. B-336]

CANON NATIONAL COAL COMPANY
NOTICE OF AND ORDER FOR HEARING

In the matter of Frank Jermance, Raymond Jermance, Edmond Jermance, Math Grahek, Joe A. Mehle and Frank A. Boitz, individually and as co-partners, doing business under the name and style of Canon National Coal Company, Code Member.

A complaint dated October 2, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on October 5, 1942, by Bituminous Coal Producers Board for District No. 17, a district board, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by Frank Jermance, Raymond Jermance, Edmond Jermance, Math Grahek, Joe A. Mehle and Frank A. Boitz, individually and as co-partners, doing business under the

name and style of Canon National Coal Company, (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder;

It is ordered, That a hearing in respect to the subject matter of such complaint be held on November 14, 1942, at 10 a. m., at a hearing room of the Bituminous Coal Division at Post Office Building, Pueblo, Colorado.

It is further ordered, That Charles O. Fowler, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by Section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

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

Notice is also hereby given that any application, pursuant to § 301.132 of the

Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that the Code Member located at Florence, Colorado, whose Code Membership became effective as of December 29, 1938, operator of the Canon National Mine, Mine Index No. 239, in Fremont County, Colorado, Subdistrict No. 3 of District No. 17, has wilfully violated:

1. Section 4 II (e) and (i) 8 of the Act, Part II (e) and (i) 8 of the Code, Rule 2 of section XII and Rule 8 of section XIII of the Marketing Rules and Regulations by selling to various purchasers for truck shipment, subsequent to September 30, 1940, coal produced at the aforesaid mine below the effective minimum prices established therefor, and intentionally misrepresenting the sizes of said coal, as follows:

(a) Sales to Ed Neumeister doing business as the Neumeister Coal Company, Pueblo, Colorado, during the period from October 16, 1940 to July 29, 1941, of approximately 497.80 tons of 3' x 6' Nut coal (Size Group No. 5) at \$3.35 per net ton f. o. b. the mine, whereas the effective minimum price for said coal (pursuant to Price Instruction No. 15) was \$3.50 per net ton as set forth in the Schedule, and intentional misrepresentation of the size of said coal in that it was falsely recorded on the truck sales tickets as $1\frac{1}{2}$ " x 6";

(b) Sale to K. E. Yoakum, Pueblo, Colorado, on or about August 1, 4, and 6, 1941, of approximately 15.40 tons of 3' x 8' coal (Size Group No. 4) at \$3.35 and \$3.50 per net ton f. o. b. the mine, whereas the effective minimum price for said coal (pursuant to Price Instruction No. 15) was \$3.75 per net ton as set forth in said Schedule, and intentional misrepresentation of the size of said coal in that it was falsely recorded on the truck sales tickets as $1\frac{1}{2}$ " x 6";

(c) Sales to the Southern Colorado Power Company, Canon City and Pueblo, Colorado, subsequent to October 1, 1940, of an undetermined quantity of $\frac{3}{4}$ " x $1\frac{1}{4}$ " pea coal (which falls in Size Group No. 10 pursuant to Price Instruction No. 5 of said schedule) at \$1.45 per ton f. o. b. the mine, whereas the effective minimum price for said coal was \$2.85 per net ton f. o. b. mine (pursuant to Price Instruction No. 15) as set forth in the Schedule of Effective Minimum Prices for District No. 17 For All Shipments, and intentional misrepresentation of the size of said coal in that it was falsely recorded on the truck sales tickets as $\frac{3}{4}$ " x 0 slack;

2. Section 4 II (e) of the Act and Part II (e) of the Code by selling to E. M. Cunningham on or about January 8, 1941, approximately 9.3 tons of 3' lump coal (Size Group No. 3) at approximately \$4.11 per net ton f. o. b. the mine, whereas the effective minimum price for said coal was \$4.25 per net ton as set forth in the Schedule of Effective Minimum Prices for District No. 17 For All Shipments; and

3. Section 4 II (e) of the Act and Part II (e) of the Code and section X of the Marketing Rules and Regulations by selling to various purchasers during the period from December 10, 1940, to May 31, 1941, both dates inclusive, substantial quantities of coal produced at the aforesaid mine at prices below the effective minimum prices established therefor, granting allowances from the effective minimum prices for said coal for alleged substandard preparation or quality, which allowances were not made in accordance with the provisions of section X of the Marketing Rules and Regulations.

Dated: October 8, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42-10108; Filed, October 9, 1942;
11:24 a. m.]

[Docket No. 1861-FD]

VANCEUNEBROCK COAL COMPANY

ORDER GRANTING APPLICATION FOR RESTORATION OF CODE MEMBERSHIP

A written complaint dated August 8, 1942 having been filed on August 11, 1941, by the Bituminous Coal Producers Board for District No. 12 as complainant, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 alleging wilful violation by Vanceunebrook Coal Company, a partnership composed of John F. and Florent Vanceunebrook, of the Bituminous Coal Code and the rules and regulations thereunder; and

An order having been entered herein on July 25, 1942, canceling and revoking the code membership of Vanceunebrook Coal Company, effective fifteen (15) days from the date thereof; and

Said order of cancellation and revocation having been duly served upon Vanceunebrook Coal Company on July 31, 1942; and

Vanceunebrook Coal Company having filed with the Division on September 25, 1942 its application dated September 23, 1942, for restoration of its code membership; and

It appearing from said application and from other information in possession of the Division that Vanceunebrook Coal Company on September 4, 1942, paid to the Collector of Internal Revenue at Des Moines, Iowa, the sum of \$383.51 as provided in said order of July 25, 1942, as a condition precedent to the restoration of its code membership;

Now, therefore, it is ordered, That said application of the Vanceunebrook Coal Company dated September 23, 1942; for restoration of its code membership be, and the same hereby is, granted.

It is further ordered, That said restoration of the code membership of the Vanceunebrook Coal Company, a partnership composed of John F. and Florent Vanceunebrook as partners, be effective simultaneously with the effective date of

said order of revocation and cancellation of code membership.

Dated: October 8, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42-10106; Filed, October 9, 1942;
11:25 a. m.]

[Docket No. B-3]

C. E. WERNER, JR.

ORDER RESTORING REGISTRATION

In the matter of C. E. Werner, Jr., registered distributor, Registration No. 9584.

An order having been issued in the above-entitled matter on July 11, 1942, suspending the registration of the above-named registered distributor for a period of sixty (60) days beginning fifteen (15) days after date of issuance of said order; and

Said order having been duly served on the above-named registered distributor on July 21, 1942; and

An affidavit dated September 21, 1942, having been filed by the above-named registered distributor with the Bituminous Coal Division on September 24, 1942, pursuant to the provisions of § 304.15 of the Rules and Regulations for the Registration of Distributors and of said order of suspension issued herein on July 11, 1942; and

It appearing from said affidavit that C. E. Werner, Jr., in accordance with the Findings and said order dated July 11, 1942, made herein, has refunded improperly accepted discounts to the code members named below as follows:

Moore Coal Company.....	\$120.48
Block Coal & Coke Company.....	67.29
High Point Coal Company.....	7.15
Royal Jellico Coal Company.....	28.82

and that said affidavit complies with the provisions of said § 304.15 of the Rules and Regulations for the Registration of Distributors and of said order of suspension issued on July 11, 1942;

Now, therefore, it is ordered, That the registration of C. E. Werner, Jr., as a registered distributor, Registration No. 9584, be, and the same hereby is, restored effective as of 12:01 a. m. on September 29, 1942.

Dated: October 8, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42-10105; Filed, October 9, 1942;
11:25 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

UNION MANUFACTURING CO.

NOTICE OF ORAL ARGUMENT, ETC.

Notice of oral argument and the filing of briefs in the matter of the petition for

review of the determination of reasonable cost to the Union Manufacturing Company of Union Point, Georgia, and to any affiliated persons of board, lodging and other facilities customarily furnished to the employees of the Union Manufacturing Company.

Whereas after public notice, a hearing was held at Union Point, Georgia, June 27, 1941, before Mr. Harold Stein, who was designated as the duly authorized representative of the Administrator to hear and determine:

The reasonable cost to the Union Manufacturing Company and to any affiliated persons, within the meaning of § 531.1 (a) of Regulations, Part 531, of board, lodging and other facilities, customarily furnished by said company and affiliated persons to employees of the Union Manufacturing Company; at 1

Whereas the findings and determinations of the said Harold Stein was duly filed with the Administrator on March 26, 1942; and

Whereas notice was given by publication in the FEDERAL REGISTER, April 15, 1942, pursuant to the provisions of § 531.3 of the regulations that any aggrieved persons might within 15 days after the date of publication apply for reconsideration of such determination or file a petition for review of the determination by the Administrator; and

Whereas petitions for review have been filed by the Union Manufacturing Company, the Union Improvement Company and others within the specified period; and

Whereas it has been deemed advisable to grant such petitions for review;

Now, therefore, notice is hereby given that the Administrator will receive written briefs (not fewer than six (6) copies) on or before October 26, 1942, at the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, from any person who entered an appearance at said hearing and will hear oral argument upon such petitions for review on November 2, 1942, at 10:00 a. m. at the Wage and Hour Division, United States Department of Labor, Washington, D. C., by any person who entered an appearance at said hearing, provided that on or before October 26, 1942, such person notifies the Wage and Hour Division of his intention to offer oral argument and of the amount of time he will require to make his presentation. Petitions for review are on file at the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, and copies thereof may be secured upon application.

Signed at New York, N. Y., this 5th day of October 1942.

[SEAL] L. METCALFE WALLING,
Administrator.

[F. R. Doc. 42-10088; Filed, October 8, 1942;
4:28 p. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6442]

POSTAL TELEGRAPH-CABLE COMPANY (NEW YORK)

ORDER FOR HEARING

In the matter of increased rates of Postal Telegraph-Cable Company (New York) for service to and from various points in the United States.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 6th day of October, 1942;

It appearing that the Postal Telegraph-Cable Company (New York) has filed with the Commission tariff schedules, to become effective October 21, 1942, changing said company's directory of station listings at the various points set forth in the attached list, marked Exhibit "A", and made a part hereof, and providing for the discontinuance of certain public telegraph offices and for an increase in the rates and charges applicable to telegraph communications to and from such points; said tariff schedules being designated as follows: Postal Telegraph-Cable Company (New York), Tariff F.C.C. No. 47, Supplement No. 35.

It further appearing that said tariff schedules state increases in rates and charges and state regulations and practices effecting such increases in rates and charges for telegraph communications in interstate and foreign commerce; that the rights and interests of the public may be injuriously affected thereby; and it being the opinion of the Commission that the effective date of said tariff schedules, insofar as they relate to increases in rates, should be postponed pending hearing and decision thereon;

It is ordered, That the Commission, upon its own motion, without formal pleading, enter upon a hearing concerning the lawfulness of the rates, charges, regulations, classifications, and practices contained in said tariff schedules, insofar as they relate to changes in such company's directory of station listings at the various named points set forth in Exhibit "A";

It is further ordered, That the operation of said tariff schedules insofar as they provide for an increase in rates and charges for interstate or foreign telegraph communications to and from the points set forth in Exhibit "A" be suspended; and that the use of rates, charges, regulations, classifications and practices therein stated as applicable to such points, insofar as they provide for an increase in such rates and charges, be deferred for a period of three months beyond the time when they would otherwise go into effect, unless otherwise ordered by the Commission; and during said period of suspension, no change shall be made in the rates, charges, regulations and practices herein suspended, or in the rates or charges sought to be increased or in the regulations and practices relating thereto, unless authorized by special permission of the Commission;

It is further ordered, That an investigation be, and the same is hereby, instituted

into the lawfulness of the rates, charges, classifications, regulations, practices and services of the Postal Telegraph-Cable Company (New York) for and in connection with service to and from the points named in Supplement No. 35 to Postal Telegraph-Cable Company (New York) Tariff F.C.C. No. 47;

It is further ordered, That in the event a decision as to the lawfulness of the charges herein suspended has not been made during the suspension period, and said charges shall go into effect, the Postal Telegraph-Cable Company (New York) and all other carriers participating in service provided under the tariff provisions suspended herein, shall, until further order of the Commission, each keep accurate account of all amounts charged, collected or received by each of them by reason of any increase in charges effected thereby; in which accounts each such carrier shall specify by whom and in whose behalf such amounts are paid;

It is further ordered, That the Postal Telegraph-Cable Company (New York) and each participating carrier shall file with the Commission a report, under oath, on or before the 10th day of each calendar month, commencing March 10, 1943 showing the amounts accounted for as aforesaid, during the previous calendar month;

It is further ordered, That a copy of this Order shall be filed in the office of the Federal Communications Commission with said tariff schedules herein suspended in part; that copies hereof be served upon the carrier parties to such tariff schedules; and that said carrier parties be, and they are hereby, each made a party respondent to this proceeding;

It is further ordered, That this proceeding be, and the same is hereby, assigned for hearing at 10 a. m. on the 18th day of November, 1942, at the offices of the Federal Communications Commission in Washington, D. C.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

Exhibit A

- | | |
|----------------------|-----------------------|
| Clarksville, Indiana | Barlow, Kentucky |
| Cumming, Iowa | Bryantville, Kentucky |
| Abbott, Texas | Clarkson, Kentucky |
| Allen, Texas | La Center, Kentucky |
| Red Oak, Texas | Liberty, Kentucky |

[F. R. Doc. 42-10117; Filed, October 9, 1942; 11:57 a. m.]

[Docket No. 6435]

OHIO STATE UNIVERSITY

NOTICE OF HEARING

In re application of the Ohio State University, dated July 15, 1942, for construction permit; class of service, relay broadcast; class of station, relay broadcast portable-mobile; location, area of Columbus, Ohio; operating assignment specified: Frequency, 1,622, 2,058, 2,150, 2,790 kcs. A3 emission; power, 25 w. night; 25 w. day; hours of operation, section 4.24.

You are hereby notified that the Commission has examined the above-described application and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

2. To determine whether in view of the foregoing the granting of this application would serve public interest, convenience and necessity.

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

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of section 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Ohio State University, Radio Station WOSU, 1800 N. High Street, Columbus, Ohio.

Dated at Washington, D. C., October 8, 1942.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-10119; Filed, October 9, 1942; 11:58 a. m.]

[Docket No. 6430]

BLACK HILLS BROADCASTING COMPANY

NOTICE OF HEARING

In re application of Black Hills Broadcast Company of Rapid City (KOBH) dated September 20, 1941, for construction permit; class of service, broadcast; class of station, broadcast; location, Rapid City, South Dakota; operating assignment specified: Frequency, 610 kc.; power, 5 kv. (DA night an. day); hours of operation, unlimited.

You are hereby notified that the Commission on September 15, 1942, denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion of April 27, 1942.

2. To determine whether in view of the foregoing the granting of this application would serve public interest, convenience and necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a

record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Black Hills Broadcast Company of Rapid City, Radio Station KOBH, Alex Johnson Hotel, Rapid City, South Dakota.

Dated at Washington, D. C., October 8, 1942.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-10118; Filed, October 9, 1942; 11:57 a. m.]

[Docket No. 6401]

THE WESTERN UNION TELEGRAPH COMPANY
SUPPLEMENTAL ORDER FOR HEARING, ETC.

In the matter of changes in directory of station listings and increased rates of the Western Union Telegraph Company for service to and from various points in the United States and Canada.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 6th day of October, 1942;

It appearing that by orders dated August 11 and 25, 1942, and September 22, 1942, in this proceeding tariff filings of The Western Union Telegraph Company providing for changes in station listings have been suspended, and an investigation thereof has been ordered;

It further appearing that The Western Union Telegraph Company has filed with the Commission tariff schedules, to become effective October 20, 1942, changing said company's directory of station listings at Pindall, Arkansas; St. Joe, Arkansas; and De Graff, Kansas, and providing for the discontinuance of certain public telegraph offices and for an increase in the rates and charges applicable to telegraph communications to and from such points; said tariff schedules being designated as follows: The Western Union Telegraph Company, Tariff F.C.C. No. 217, Supplement No. 75.

It further appearing that said tariff schedules state increases in rates and charges and state regulations and practices effecting such increases in rates and charges for telegraph communications in interstate and foreign commerce; that the rights and interests of the public may be injuriously affected thereby; and it being the opinion of the Commission that the effective date of said tariff schedules, insofar as they relate to increases in rates, should be postponed pending hearing and decision thereon;

It is ordered, That the Commission, upon its own motion, without formal

pleading, enter upon a hearing concerning the lawfulness of the rates, charges, regulations, classifications, and practices contained in said tariff schedules, insofar as they relate to changes in such company's directory of station listings at Pindall, Arkansas; St. Joe, Arkansas; and De Graff, Kansas.

It is further ordered, That the operation of said tariff schedules insofar as they provide for an increase in rates and charges for interstate or foreign telegraph communications to and from Pindall, Arkansas; St. Joe, Arkansas; and De Graff, Kansas, be suspended; and that the use of the rates, charges, regulations, classifications, and practices therein stated as applicable to such points, insofar as they provide for an increase in such rates and charges, be deferred for a period of three months beyond the time when they would otherwise go into effect, unless otherwise ordered by the Commission; and during said period of suspension, no change shall be made in the rates, charges, regulations and practices herein suspended, or in the rates or charges sought to be increased or in the regulations and practices relating thereto, unless authorized by special permission of the Commission.

It is further ordered, That an investigation be, and the same is hereby, instituted into the lawfulness of the rates, charges, classifications, regulations, practices and services of The Western Union Telegraph Company for and in connection with telegraph services to and from the points named in Supplement No. 75 to The Western Union Telegraph Company Tariff F. C. C. 217:

It is further ordered, That in the event a decision as to the lawfulness of the charges herein suspended has not been made during the suspension period, and said charges shall go into effect, The Western Union Telegraph Company and all other carriers participating in service provided under the tariff provisions suspended herein, shall, until further order of the Commission, each keep accurate account of all amounts charged, collected or received by each of them by reason of any increase in charges effected thereby; in which accounts each such carrier shall specify by whom and in whose behalf such amounts are paid;

It is further ordered, That The Western Union Telegraph Company and each participating carrier shall file with the Commission a report, under oath, on or before the 10th day of each calendar month, commencing March 10, 1943, showing the amounts accounted for as aforesaid, during the previous calendar month;

It is further ordered, That a copy of this Order shall be filed in the office of the Federal Communications Commission with said tariff schedules herein suspended in part; and that copies hereof be served upon the carrier parties to such tariff schedules;

It is further ordered, That the matters herein placed in issue be, and the same are hereby, assigned for hearing at the same time and place as those matters previously placed in issue in this proceeding.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-10118; Filed, October 9, 1942; 11:57 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 206]

PART OF THE CAPITAL STOCK OF MAYWOOD CHEMICAL WORKS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended,¹ and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

35,785-29/40th shares of \$10 par value capital stock of Maywood Chemical Works, a New Jersey corporation, Maywood, New Jersey, which is a business enterprise within the United States, which shares are owned by the persons whose names, last known addresses, the number and types of shares owned by them, and the percentages thereby represented of the specified types of outstanding shares, are, respectively, as specifically set forth in Exhibit A attached hereto and made a part hereof,

is property of nationals of a designated enemy country (Germany), and is a substantial part of the capital stock of such corporation and represents an interest in said business enterprise which is a national of the same designated enemy country, and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of said designated enemy country, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time

as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used

herein shall have the meanings prescribed in Section 10 of said Executive Order.

Executed at Washington, D. C., on October 3, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Name and last known address	Class A nonvoting 8 percent cumulative preferred stock	Class D nonvoting preferred stock	Voting common stock
Amalia Janner, Partenkirchen, Bavaria, Germany.....	2,144 $\frac{1}{2}$ (17.41%)	15,008 (15.54%)	2,146 (14.31%)
Central Hanover Bank & Trust Co., New York, N. Y., as trustee for Ernst Kyriss, Stuttgart, Germany.....	1,264 $\frac{1}{2}$ (10.27%)	8,549 $\frac{1}{2}$ (9.16%)	121 $\frac{1}{2}$ (.81%)
Dr. Carl G. Grossman, Brooklyn, N. Y., as trustee for Kurt Kyriss, Bavaria, Germany.....	632 (5.12%)	4,423 $\frac{1}{2}$ (4.58%)	1,196 $\frac{1}{2}$ (7.97%)
Total.....	4,040 $\frac{1}{2}$ (32.80%)	28,281 $\frac{1}{2}$ (29.28%)	3,464 $\frac{1}{2}$ (23.09%)

[F. R. Doc. 42-10103; Filed, October 9, 1942; 10:21 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 3 Under Revised Price Schedule 41—Steel Castings—Docket 3041-8]

TEXAS ELECTRIC STEEL CASTING CO.

ORDER GRANTING RELIEF

On September 14, 1942, Texas Electric Steel Casting Company, Houston, Texas, (hereinafter called the petitioner), filed a petition for an exception pursuant to § 1306.108 (a) of Revised Price Schedule No. 41 as amended. Due consideration has been given to the petition and an opinion in support of this Order No. 3 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 No. 1 issued by the Office of Price Administration, it is hereby ordered:

(a) Texas Electric Steel Casting Company, in ascertaining the maximum price which it may charge for steel castings produced by it at its foundry at Houston, Texas, may add to the maximum price otherwise established for such castings by Revised Price Schedule No. 41 the lowest applicable railroad charge for the transportation of an identical quantity of steel castings from its foundry at Houston, Texas, to the consumer's plant but only to the extent that such charge exceeds the lowest applicable railroad charge for the transportation of an identical quantity of such steel castings from its foundry in Houston, Texas, to Wichita Falls, Texas, except that, in cases where a mode of transportation more expensive than by railroad is requested by the purchaser, there may be added to the maximum prices above referred to the excess of such emergency transportation charge over the lowest applicable railroad charge for the transportation of an identical quantity of such steel castings from its foundry in Houston, Texas, to Wichita Falls, Texas.

(b) All prayers of the petition not granted herein are denied.

(c) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(d) The definitions set forth in § 1306.109 of Revised Price Schedule No. 41 shall apply to the terms used herein.

(e) This Order No. 3 shall become effective October 9, 1942.

Issued this 8th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10070; Filed, October 8, 1942; 12:24 p. m.]

[Correction of Order 13 Under Revised Price Schedule 64—Domestic Cooking and Heating Stoves]

FLOYD-WELLS CO.

ORDER APPROVING MAXIMUM PRICES

For the reasons set forth in an opinion which has been issued simultaneously herewith pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is ordered that the maximum prices of Model No. 301-300 in paragraph (a) of Order No. 13 under Revised Price Schedule No. 64, Domestic Cooking and Heating Stoves, is corrected to read as set forth below:

* * * * *
Model 301-300-----\$47.70 f. o. b. factory
* * * * *

(e) This correction of Order No. 13 under Revised Price Schedule No. 64 shall be effective as of August 11, 1942.

Issued this 8th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10073; Filed, October 8, 1942; 12:24 p. m.]

[Order 18 of Revised Price Schedule 64—Domestic Cooking and Heating Stoves]

NEWARK STOVE CO.

ORDER APPROVING MAXIMUM PRICES

On January 30, 1942, Newark Stove Company of Newark, Ohio, filed an ap-

plication pursuant to § 1356.1 (d) of Revised Price Schedule No. 64 for approval of maximum prices for a private brand gas range, Model No. A6831, to be sold to the Florence Stove Company, of Gardner, Massachusetts.

Due consideration has been given to the application and an opinion issued simultaneously herewith, 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 hereby ordered:

(a) Newark Stove Company may sell, offer to sell, deliver or transfer Model No. A6831 to Florence Stove Company, Gardner, Massachusetts at a maximum price of \$40.75 f. o. b. factory.

(b) This Order No. 18 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 18 shall become effective on the 9th day of October, 1942.

Issued this 8th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10063; Filed, October 8, 1942; 12:24 p. m.]

[Order 19 of Revised Price Schedule 64—Domestic Cooking and Heating Stoves]

KEELEY STOVE CO.

ORDER APPROVING MAXIMUM PRICES

On August 6, 1942, Keeley Stove Company, Columbia, Pennsylvania, filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64, for approval of maximum prices for a new model wood and coal range, designated in said application as Model No. 170-V.

Due consideration has been given to the application and an opinion 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 hereby ordered:

(a) Keeley Stove Company, Columbia, Pennsylvania, may sell, offer to sell, deliver or transfer Model No. 170-V Wood and Coal Range at a maximum price to dealers of \$52.03, f. o. b. factory, subject to discounts, terms and allowances no less favorable than those in effect as to Model No. 41 Wood and Coal Range, under § 1356.1 (a) (1) of Revised Price Schedule No. 64.

(b) This Order No. 19 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to the terms used herein.

(d) This Order No. 19 shall become effective on the 9th day of October 1942.

Issued this 8th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10064; Filed, October 8, 1942;
12:24 p. m.]

[Order 20 of Revised Price Schedule 64—
Domestic Cooking and Heating Stoves]

COPPER-CLAD MALLEABLE RANGE CO.

ORDER APPROVING MAXIMUM PRICES

On August 31, 1942, Copper-Clad Malleable Range Company, St. Louis, Missouri, filed application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64, for approval of maximum price of a new model of wood and coal range, designated in said application as Model No. D. L. C. Victory.

Due consideration has been given to the application and an opinion 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 hereby ordered:

(a) Copper-Clad Malleable Range Company St. Louis, Missouri, may sell, offer to sell, deliver or transfer Model No. D. L. C. Victory Wood or Coal Range at a maximum price to dealers of \$73.50, f. o. b. factory, subject to discounts, terms and allowances no less favorable than those in effect as to Model No. D. L. C. Wood and Coal Range, under § 1356.1 (a) (1) of Revised Price Schedule No. 64.

(b) This Order No. 20 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in section 1356.11 of Revised Price Schedule No. 64 shall apply to the terms used herein.

(d) This Order No. 20 shall become effective on the 9th day of October 1942.

Issued this 8th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10065; Filed, October 8, 1942;
12:26 p. m.]

[Order 21 of Revised Price Schedule 64—
Domestic Cooking and Heating Stoves]

TENNESSEE STOVE WORKS

ORDER APPROVING MAXIMUM PRICES

On July 25, 1942, Tennessee Stove Works, Chattanooga, Tennessee, filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64, for approval of the maximum price for a new model gas range, designated in the application as Model No. 75-9H Victory.

Due consideration has been given to the application and an opinion 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 hereby ordered:

(a) Tennessee Stove Works may sell, offer to sell, deliver or transfer Model No. 75-9H Victory Gas Range at a maximum price to dealers of \$44.30, f. o. b. factory, subject to discounts, terms and allowances no less favorable than those in effect as to Model No. 58-9H Gas Range, under § 1356.1 (a) (1) of Revised Price Schedule No. 64.

(b) This Order No. 21 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to the terms used herein.

(d) This Order No. 21 shall become effective on the 9th day of October, 1942.

Issued this 8th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10066; Filed, October 8, 1942;
12:25 p. m.]

[Order 22 of Revised Price Schedule 64—
Domestic Cooking and Heating Stoves]

UNION MANUFACTURING CO., INC.

ORDER APPROVING MAXIMUM PRICES

On July 24, 1942, Union Manufacturing Company, Inc., Boyertown, Penna., filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64, for approval of maximum prices for two models of wood and coal ranges, designated in the application as Models No. V866LC Black and V866LC Enameled.

Due consideration has been given to the application and an opinion 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 hereby ordered:

(a) Union Manufacturing Company, Inc., may sell, offer to sell, deliver or transfer the following new model wood and coal ranges at prices no higher than those specified:

F. o. b. factory to dealers
Model V866LC Black..... \$22.25
Model V866LC Enameled..... 34.58

subject to discounts, allowances and terms no less favorable than those in effect with respect to maximum prices for the respective comparable models nos. 866L Black and 866L Enameled, as established under Revised Price Schedule No. 64.

(b) This Order No. 22 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to the terms used herein.

(d) This Order No. 22 shall become effective on the 9th day of October 1942.

Issued this 8th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10067; Filed, October 8, 1942;
12:25 p. m.]

[Order 23 Under Revised Price Schedule 64—
Domestic Cooking and Heating Stoves]

QUINCY STOVE MANUFACTURING CO.

ORDER APPROVING MAXIMUM PRICES

On July 28, 1942, Quincy Stove Manufacturing Company, Quincy, Illinois, filed an application, pursuant to § 1356.1 (d) of Revised Price Schedule No. 64 for approval of maximum prices for new models of wood and coal range and coal heating stoves.

Due consideration has been given to the application and an opinion 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 hereby ordered:

(a) The Quincy Stove Manufacturing Company may sell, offer to sell, or deliver the following models at prices no higher than those specified:

F. o. b. factory to dealers
Model No. B-77..... @ \$64.57
Model No. B-78..... @ 64.57
Model No. 101 heater..... @ 51.74

subject to discounts, allowances, and terms no less favorable than those in effect with respect to the maximum prices of Models Nos. IE-75, IE-75, and D-34 heater respectively, as established under Revised Price Schedule No. 64.

(b) This Order No. 23 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 23 shall become effective on the 9th day of October 1942.

Issued this 8th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10068; Filed, October 8, 1942;
12:25 p. m.]

[Order 24 Under Revised Price Schedule 64—
Domestic Cooking and Heating Stoves]

FLOYD-WELLS CO.

ORDER APPROVING MAXIMUM PRICES

On June 30, 1942, The Floyd-Wells Company, Royersford, Pennsylvania, filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64 for approval of the maximum price of a new model of combination coal and gas range, designated in the application as Model No. 6006-T.

Due consideration has been given to the application and an opinion has been issued simultaneously herewith and has been filed with 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 hereby ordered:

(a) The Floyd-Wells Company of Royersford, Pennsylvania, may sell, offer to sell, deliver or transfer Model No. 6006-T at a maximum price to dealers of \$91.70 f. o. b. factory, subject to discounts and

allowances no less favorable than those in effect as to Model No. 5006-T under § 1356.1 (a) (1) of Revised Price Schedule No. 64.

(b) This Order may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to the terms used herein.

(d) This Order No. 24 shall become effective on the 9th day of October, 1942.

Issued this 8th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10069; Filed, October 8, 1942; 12:25 p. m.]

[Order 61 Under Maximum Price Regulation 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket 3120-96]

CUSTER COAL CO.

ORDER GRANTING ADJUSTMENT

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1, it is hereby ordered:

(a) Custer Coal Company, Sheridan, Wyoming, may sell and deliver, and any person may buy and receive, the bituminous coal described in paragraph (b) at prices not in excess of the prices stated therein.

(b) Truck or wagon shipments of coal produced at the Armstrong Mine (Mine Index No. 104) of the Custer Coal Company, Sheridan County, Wyoming, District No. 19, Subdistrict No. 7, may be sold at a price not to exceed \$3.10 per net ton for Size Group 1, and \$2.75 per net ton for Size Groups 8 and 10, f. o. b. the mine.

(c) This Order No. 61 may be revoked or amended by the Administrator at any time.

(d) All prayers of the petition not granted herein are denied.

(e) 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.

(f) This Order No. 61 shall become effective October 9, 1942.

Issued this 8th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10072; Filed, October 8, 1942; 12:33 p. m.]

[Amendment 1 to Order 3 Under Maximum Price Regulation 148—Dressed Hogs and Wholesale Pork Cuts—Docket 3148-16]

FAULKNER PACKING CO.

AMENDING ORDER GRANTING PETITION FOR ADJUSTMENT

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Regis-

ter, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:

Paragraph (c) of Order No. 3 under Maximum Price Regulation No. 148 is hereby amended to read:

(c) The permission granted to the Faulkner Packing Company in this Order No. 3 is subject to the following condition: that the several prices specified in paragraph (b) shall apply only during the period April 1 to November 30, inclusive, of any year during which Maximum Price Regulation No. 148 is in effect and that during the period December 1 to March 31, inclusive, of any such year, he maximum price at which the Faulkner Packing Company may sell or deliver, or agree, offer, solicit, or attempt to sell or deliver, and at which any person may buy or receive or agree, offer, solicit, or attempt to buy or receive from the Faulkner Packing Company each pork cut specified shall be such maximum selling price as fixed by Maximum Price Regulation No. 148.

This Amendment No. 1 shall become effective October 9, 1942.

Issued this 8th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10074; Filed, October 8, 1942; 12:22 p. m.]

[Order 3 Under Maximum Price Regulation 169—Beef and Veal Carcasses and Wholesale Cuts—Docket 3169-29]

JAMES ALLAN & SONS

ORDER GRANTING PETITION FOR ADJUSTMENT

On August 3, 1942, James Allan & Sons, a California corporation, of Third and Evans Avenue, San Francisco, California, filed a petition for amendment, herein treated as a petition for adjustment, pursuant to § 1364.60 of Maximum Price Regulation No. 169, as amended. Due consideration has been given to the petition and an opinion in support of this Order No. 3 has been issued simultaneously herewith.

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 No. 1 issued by the Office of Price Administration, it is hereby ordered:

(a) James Allan & Sons may sell and deliver and agree, offer, solicit, and attempt to sell and deliver beef carcasses of the grade "good" as defined in § 1364.64

(b) of Maximum Price Regulation No. 169, at a price no higher than 21½ cents per pound to retailers. Such retail markets may buy and receive beef carcasses of the grade "good" at that price from James Allan & Sons.

(b) James Allan & Sons shall mail or cause to be mailed to all persons who purchase beef and veal carcasses and wholesale cuts from it for sale at retail a notice reading as follows:

The Office of Price Administration, by Order No. 3, under Maximum Price Regulation No. 169, effective October 9, 1942, pur-

suant to section 18 of the General Maximum Price Regulation, has permitted us to raise our maximum price for sales to you of beef and veal carcasses and wholesale cuts from \$ to \$, subject to all discounts, allowances and trade practices which we had in effect during March 1942 with respect to sales of beef and veal carcasses and wholesale cuts.

The order does not permit you or any other retailer to raise maximum prices, as established under the General Maximum Price Regulation, for sales of beef and veal carcasses and wholesale cuts at retail.

The permission to increase our price was granted by the Office of Price Administration upon the basis of a showing that the maximum retail prices for sales of beef and veal carcasses and wholesale cuts established by the General Maximum Price Regulation are such that no hardship would be imposed upon retailers generally if they were required to pay the increased price. However, if your maximum price is abnormally low in relation to the maximum prices established for sales of beef and veal carcasses and wholesale cuts by other competitive sellers at retail and if the price charged to you by us pursuant to the order should impose a substantial hardship upon you, you may communicate with the nearest district, state, or regional office of the Office of Price Administration setting forth the facts of your situation.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 3 may be revoked or amended by the Price Administrator at any time. Unless the context otherwise requires, the definitions set forth in § 1364.62 of Maximum Price Regulation No. 169 shall apply to the terms used herein.

(e) This Order No. 3 shall become effective October 9, 1942.

Issued this 8th day of October, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10075; Filed, October 8, 1942; 12:26 p. m.]

[Order 6 Under § 1499.158 of Maximum Price Regulation 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel]

DESIGNS INCORPORATED

ORDER AUTHORIZING MAXIMUM PRICE

For the reasons set forth in an opinion which has been issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and pursuant to § 1499.158 of Maximum Price regulation No. 188, it is ordered:

(a) Specific authority is hereby given to Designs Incorporated of 2027-83rd Street, North Bergen, New Jersey, to sell and deliver to any person, No. 20 plastic shower head with a plastic faucet connection with rubber insert and a hose connection of six feet in length made of reclaimed material, at the unit price of 35 cents each, f. o. b. the company's plant at North Bergen, New Jersey.

(b) This Order No. 6 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 6 shall become effective October 9, 1942.

Issued this 8th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10060; Filed, October 8, 1942;
12:22 p. m.]

[Order 7 Under § 1499.158 of Maximum Price Regulation 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel]

KELLER MANUFACTURING CO.

ORDER AUTHORIZING MAXIMUM PRICE

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.158 of Maximum Price Regulation No. 188, it is hereby ordered that:

(a) The Keller Manufacturing Company, Corydon, Indiana, may sell to the Washington Quartermaster Depot, Washington, D. C., under contract number 3458, dated May 2, 1942, 125 walk-in prefabricated refrigerators, size 6 x 6 with one-half horse power condensing unit and evaporator, constructed under specification R-714, KE 25-18, dated April 20, 1942, at \$395.01 each, f. o. b. the factory.

(b) This Order No. 7 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 7 shall become effective October 9, 1942.

Issued this 8th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10061; Filed, October 8, 1942;
12:22 p. m.]

[Order 8 Under § 1499.158 of Maximum Price Regulation 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel]

NATIONAL RADIATOR CO.

ORDER AUTHORIZING MAXIMUM PRICE

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and § 1499.158 of Maximum Price Regulation No. 188, it is hereby ordered that:

(a) The National Radiator Company, of Johnstown, Pennsylvania, may sell and deliver, and any person may buy and receive from the National Radiator Company, "Art" radiator pedestals at a price of 40 cents each to the plumbing and heating trade subject to the quantity, preferential and cash discounts customarily given to the plumbing and heating trade.

(b) This Order No. 8 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 8 shall become effective October 9, 1942.

Issued this 8th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10062; Filed, October 8, 1942;
12:22 p. m.]

[Order 3 Under Maximum Price Regulation 204—Idle or Frozen Materials Sold Under Priorities Regulation 13—Docket 3204-1]

CITY AUTO STAMPING CO.

ORDER DISMISSING PETITION FOR EXCEPTION

City Auto Stamping Company, of Toledo, Ohio, has filed a petition for exception from the provisions of Maximum Price Regulation No. 204. Due consideration has been given to the petition and an opinion in support of this Order No. 3 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 No. 1 and § 1499.515 Appendix A: (a), of Maximum Price Regulation No. 204 (1) to (9) inclusive, issued by the Office of Price Administration, it is hereby ordered that:

(a) The petition filed by City Auto Stamping Company, be, and it hereby is, dismissed, with leave to file within 15 days of the date of this order an amended petition conforming to the requirements of Maximum Price Regulation No. 204.

(b) This Order No. 3 shall become effective October 9, 1942.

Issued this 8th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10071; Filed, October 8, 1942;
12:24 p. m.]

[Order 14 Under Maximum Price Regulation 147—Ferrous and Non-Ferrous Bolts, Nuts, Screws and Rivets—Docket 3147-17]

OLIVER IRON AND STEEL CORP.

ORDER DENYING PETITION FOR EXCEPTION

On September 17, 1942, Oliver Iron and Steel Corporation, Pittsburgh, Pennsylvania, filed a petition for an exception pursuant to § 1368.7 (a) of Maximum Price Regulation No. 147. Due consideration has been given to the petition and an opinion in support of this Order No. 14 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 No. 1, issued by the Office of Price Administration, it is hereby ordered:

(a) The petition for exception of Oliver Iron and Steel Corporation is denied.

(b) This Order No. 14 shall be effective October 9, 1942.

Issued this 8th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10081; Filed, October 8, 1942;
3:21 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-57, 59-57]

AMERICAN UTILITIES SERVICE CORPORATION
ET AL.

NOTICE OF FILING AND ORDER FOR HEARING,
ETC.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 8th day of October, 1942.

In the matter of American Utilities Service Corporation, File No. 54-57 and American Utilities Service Corporation, and its subsidiary companies, respondents, File No. 59-57.

Notice of Filing and order for hearing on plan filed pursuant to section 11 (e); notice of and order instituting proceedings and for hearings under sections 11 (b) (1), 11 (b) (2), 15 (f), and 20 (a); and order consolidating such hearings.

I

Notice is hereby given that American Utilities Service Corporation, a registered holding company, has filed an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for approval of a plan of recapitalization of said American Utilities Service Corporation ("American"). All interested persons are referred to said plan which is on file at the office of this Commission for a statement of the transactions therein proposed which are summarized as follows:

(1) American will amend its Articles of Incorporation so that its authorized capital stock will be changed to 150,000 shares of new common stock, \$20 par value; or a new corporation will be formed with authorized capital stock sufficient to meet the requirements of the plan.

(2) American will reclassify its existing 105,000 shares of 6% cumulative preferred stock, \$25 par value, into 105,000 shares of new common stock, \$20 par value, so that the holders of the preferred stock will receive the new common stock on a share for share basis.

(3) The plan provides no recognition of the presently outstanding common stock.

(4) American reserves the right to request the Commission to apply to a Court

in accordance with the provisions of subsection (f) of section 18 of the Act to enforce and carry out the provisions of the plan.

The present common stock, 1,112,500 shares of no par value, is held in a Voting Trust which has sole voting rights in the company. Upon consummation of the plan the present preferred stock will have complete voting control of the company and it is contemplated that the Voting Trust will be terminated.

II

The Commission has data in its files and records relating to American establishing, or tending to establish, the following:

(1) American is solely a holding company owning stock and/or notes of its various subsidiaries, organized under the laws of the State of Delaware in 1934 as a successor to Federal Public Service Corporation.

(2) American registered under the Act on January 13, 1937.

(3) American has four active utility subsidiaries (as defined in the Act), namely:

(a) Minnesota Utilities Company, a Minnesota corporation, furnishing electric service and conducting a merchandising business in the State of Minnesota.

(b) Northwestern Illinois Utilities, an Illinois corporation, furnishing electric and gas service and conducting a merchandising business in the States of Illinois and Iowa.

(c) Northwestern Wisconsin Electric Company, a Wisconsin corporation, furnishing electric service and conducting merchandising business in the States of Wisconsin and Minnesota.

(d) Wisconsin Southern Gas Company, a Wisconsin corporation, furnishing gas service and conducting a merchandising business in the State of Wisconsin.

(4) American has five non-utility subsidiaries, namely:

(a) The Bluefield Telephone Company, a Virginia and West Virginia corporation, furnishing telephone service in the States of Virginia and West Virginia.

(b) Illinois Northwestern Telephone Company, an Illinois corporation, furnishing telephone service in the State of Illinois.

(c) Southeastern Telephone Company, a Florida corporation, furnishing telephone service in the States of Florida and Georgia.

(d) Independence Water Works Company, a Missouri corporation, furnishing water service in the State of Missouri.

(e) The Suburban Water Company of Allegheny County, Pennsylvania, a Pennsylvania corporation, furnishing water service in the State of Pennsylvania.

(5) American has a subsidiary service company, American Service Company, an Illinois corporation, furnishing services to system companies.

III

The Commission has data in its files and records relating to American establishing, or tending to establish, the following:

(1) The common stock of American, which has sole voting rights, is held in a Voting Trust by Lee Barroll, Charles H. Bliss, Raymond J. Hurley, Robert D. Gordon, and Thomas A. Tunney, as Voting Trustees, who have registered under the Act as a holding company.

(2) Since the formation of American in 1934, dividends have never been paid on its preferred stock and arrearages thereon aggregated \$632,158 as of December 31, 1941.

(3) The capitalization and surplus (corporate and per books) of American as of December 31, 1941, were as follows:

	Amount	Per cent
Bonds.....	\$4,700,200	60.7
Notes.....	10,000	---
Preferred stock*.....	2,625,000	33.9
Common stock.....	2,225,000	28.7
Earned surplus (deficit).....	(1,811,679)	(23.3)
	7,748,521	100.0

*Preferred dividend in arrears as of December 31, 1941, amounted to \$632,158.

IV

It appearing to the Commission in the light of the allegations stated in Part II and Part III hereof, that it is appropriate in the public interest and the interest of investors and consumers to institute proceedings against American Utilities Service Corporation and its subsidiary companies pursuant to sections 11 (b) (1), 11 (b) (2), 15 (f), and 20 (a) of the Public Utility Holding Company Act of 1935 in order to determine whether certain orders should be entered pursuant to the provisions of said sections; and

It further appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to the plan of recapitalization filed by American Utilities Service Corporation pursuant to Section 11 (e) of the Act; and

It further appearing to the Commission that the said proceedings involve common questions of law and fact and should be consolidated and heard together:

It is ordered, That said proceedings pursuant to sections 11 (b) (1), 11 (b) (2), 15 (f) and 20 (a) of the Public Utility Holding Company Act of 1935, and said proceeding pursuant to Section 11 (e) of the Public Utility Holding Company Act of 1935 be and the same hereby are consolidated;

It is further ordered, That hearings on such matters under the applicable provisions of the Act and the Rules of the Commission thereunder be held on October 27, 1942 at 10:00 a. m., E. W. T. in the offices of the Securities and Exchange

Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the Hearing Room Clerk in room 318 will advise as to the room where such hearing will be held.

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such matters. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (e) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of issues presented by said matters otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed plan is feasible.

(2) Whether the proposed plan is necessary to effectuate the provisions of subsection (b) of section 11 of the Act.

(3) Whether the proposed plan is fair and equitable to the persons affected thereby.

(4) Whether the allegations contained in Part II and Part III hereof are true and correct.

(5) Whether the holding company system of said American Utilities Service Corporation is confined in its operations to those of a single integrated public utility system within the meaning of the Act, and to such other businesses as are reasonably incidental, or economically necessary or appropriate to the operations of such integrated public utility system.

(6) Whether the corporate structure of American Utilities Service Corporation unduly complicates the structure of said American and unfairly and inequitably distributes voting power among security holders of said American.

(7) What orders, if any, should be entered pursuant to sections 11 (b) (1), 11 (b) (2), 11 (e), 15 (f), and 20 (a) of the Act, to require American Utilities Service Corporation to take such steps as the Commission shall find necessary to comply with the provisions of said sections.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this order by registered mail to American and that notice of said hearing is hereby given to all subsidiaries of American, all security holders of American and its subsidiaries, consumers of said companies, or states, municipalities and political subdivisions of such states within which are located any of the utility assets of American or under the laws of which any of such companies are incorporated; to all state commissions, state securities commissions, and all agencies, authorities or instrumentalities of one or more states, municipalities, or

other political subdivisions having jurisdiction over American or any of its subsidiaries or over any of the businesses, affairs or operations of any of them; that such notice shall be given further by a general release of the Commission, distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935, and by publication of this order in the FEDERAL REGISTER not later than fifteen days prior to the date hereinbefore fixed as the date of hearing.

It is further ordered. That American Utilities Service Corporation, on or be-

fore October 10, 1942, mail to all stockholders of record of said American Utilities Service Corporation at the close of business on September 30, 1942, notices of the date, time and place of said meeting.

It is further ordered. That any person desiring to be heard in connection with this proceeding or proposing to intervene herein shall file with the Secretary of the Commission on or before October 24, 1942, his request or application therefor as provided by Rule XVII of the Rules of Practice of the Commission.

It is further ordered. That jurisdiction be and hereby is reserved to separate, either for hearing, in whole or in part, or for disposition in whole or in part, any of the issues or questions which may arise in these proceedings, and to take such other action as may appear conducive to an orderly, prompt and economic disposition of the matters involved.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc 42-10115; Filed, October 9, 1942;
11:56 a. m.]