

THE NATIONAL ARCHIVES
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Washington, Friday, October 28, 1938

The President

ARMISTICE DAY—1938

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the preamble to Senate Concurrent Resolution 18, Sixty-ninth Congress (44 Stat. 1982), passed June 4, 1926, recites that November 11, 1918 "marked the cessation of the most destructive, sanguinary, and far-reaching war in human annals and the resumption by the people of the United States of peaceful relations with other nations, which we hope may never again be severed;" and

WHEREAS the said concurrent resolution provides

"That the President of the United States is requested to issue a proclamation calling upon the officials to display the flag of the United States on all Government buildings on November 11 and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies expressive of our gratitude for peace and our desire for the continuance of friendly relations with all other peoples"; and

WHEREAS by an act approved May 13, 1938 (Public No. 510, 75th Congress) the 11th day of November in each year is made a legal public holiday to be dedicated to the cause of world peace and to be celebrated and known as Armistice Day; and

WHEREAS it is especially fitting at this time of world unrest that November 11, 1938, the twentieth anniversary of the Armistice, should be observed with suitable ceremonies manifesting our belief that peace can be attained only by non-aggression, and can be made enduring only by respect for the rights of others and good will among the nations of the world.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby direct that on Armistice Day, November 11, 1938, the flag of the United States be displayed on all Government buildings, and I in-

vite the observance of the day by the people of the United States with appropriate ceremonies in schools, churches, and other suitable places.

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

DONE at the City of Washington this 25th day of October, in the year [SEAL] of our Lord nineteen hundred and thirty-eight, and of the Independence of the United States of America the one hundred and sixty-third.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

[No. 2305]

[F. R. Doc. 38-3226; Filed, October 26, 1938; 1:09 p. m.]

MANISTEE NATIONAL FOREST—MICHIGAN

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS certain lands within the State of Michigan have been or may hereafter be acquired by the United States of America under authority of the act of March 1, 1911, c. 186, 36 Stat. 961, 962 (U. S. C., title 16, sec. 516), as amended by the act of June 7, 1924, 43 Stat. 653 (U. S. C., title 16, sec. 515), the act of March 31, 1933, c. 348, 48 Stat. 22 (U. S. C., title 16, sec. 585), the National Industrial Recovery Act, approved June 16, 1933 (48 Stat. 195, 202, U. S. C., title 40, sec. 403), and the Emergency Relief Appropriation Act of 1935, approved April 8, 1935 (49 Stat. 115); and

WHEREAS it appears that it would be in the public interest to give such lands, together with certain intermingled public lands, a national-forest status:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the power vested in me by section 24

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THE PRESIDENT

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of the act of March 3, 1891, 26 Stat. 1095, 1103 (U. S. C., title 16, sec. 471), by section 11 of the act of March 1, 1911, 36 Stat. 963 (U. S. C., title 16, sec. 521), the act of March 31, 1933, 48 Stat. 22 (U. S. C., title 16, sec. 585), the National Industrial Recovery Act, approved June 16, 1933 (48 Stat. 195, 202, U. S. C., title 40, sec. 403), and section 5 of the Emergency Relief Appropriation Act of 1935, approved April 8, 1935 (49 Stat. 115, 118), do proclaim (1) that there are



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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.

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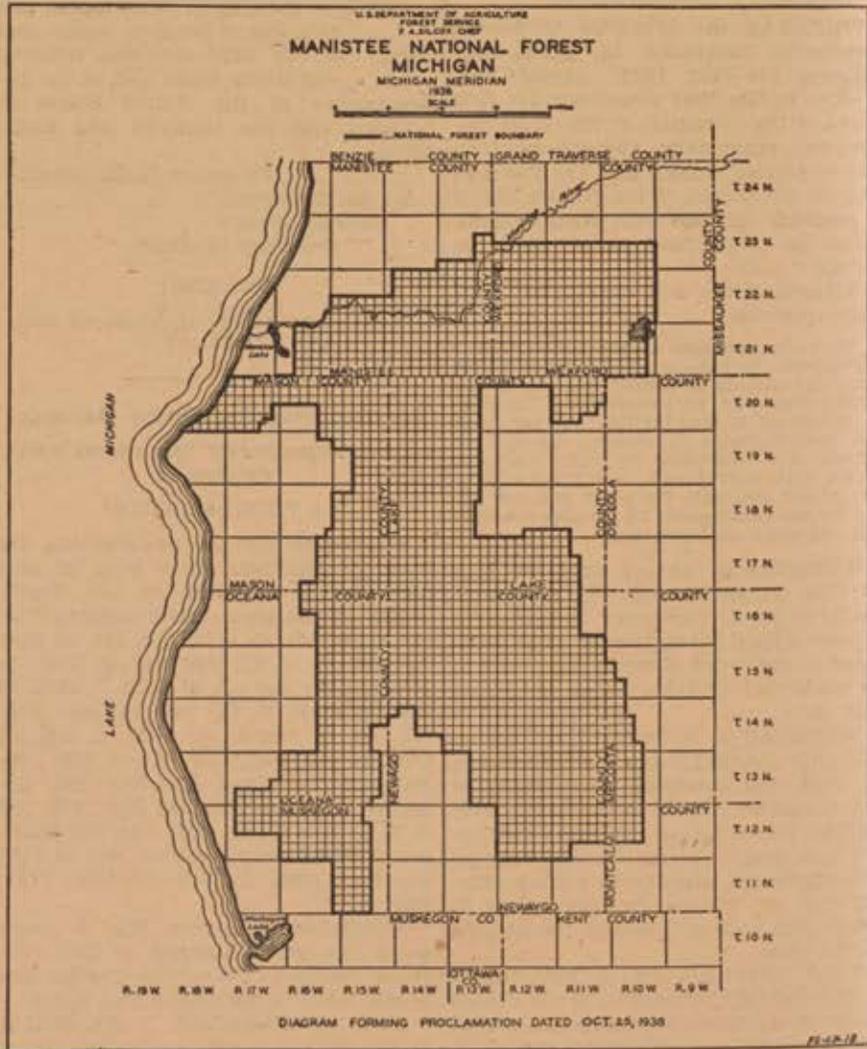
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- T. 14 N., R. 15 W., secs. 1 to 22, inclusive, and secs. 27 to 34, inclusive.
- T. 14 N., R. 16 W., secs. 1 and 2, secs. 11 to 14, inclusive, secs. 23 to 26, inclusive, and secs. 35 and 36.
- T. 15 N., R. 10 W., secs. 18 and 19; and secs. 29 to 32, inclusive.
- Tps. 15 N., Rs. 11, 12, 13, 14 and 15 W., all.
- T. 15 N., R. 16 W., secs. 1 and 2; secs. 11 to 14, inclusive; secs. 23 to 26, inclusive, and secs. 35 and 36.
- T. 16 N., R. 11 W., secs. 4 to 9, inclusive, secs. 16 to 21, inclusive, and secs. 28 to 36, inclusive.
- Tps. 16 N., Rs. 12, 13, 14 and 15 W., all.
- T. 16 N., R. 16 W., secs. 1 to 4, inclusive, secs. 9 to 14, inclusive, N $\frac{1}{2}$ sec. 15, N $\frac{1}{2}$ sec. 16, secs. 23 to 26, inclusive, and secs. 35 and 36.
- T. 17 N., R. 11 W., secs. 5 to 8, inclusive, secs. 16 to 21, inclusive, and secs. 28 to 33, inclusive.
- Tps. 17 N., Rs. 12, 13, 14 and 15 W., all.
- T. 17 N., R. 16 W., secs. 1 and 2; 11 to 14, inclusive, 23 to 26, inclusive, and secs. 33 to 36, inclusive.
- T. 18 N., R. 11 W., secs. 31 and 32.
- T. 18 N., R. 12 W., secs. 34 to 36, inclusive.
- T. 18 N., R. 13 W., secs. 3 to 10, inclusive; W $\frac{1}{2}$ sec. 15; secs. 16 to 21, inclusive; W $\frac{1}{2}$ sec. 22; W $\frac{1}{2}$ sec. 27; secs. 28 to 33, inclusive; and W $\frac{1}{2}$ sec. 34.
- T. 18 N., R. 14 W., all.
- T. 18 N., R. 15 W., secs. 1 to 4, inclusive, secs. 7 to 36, inclusive.
- T. 18 N., R. 16 W., sec. 36.
- T. 19 N., R. 13 W., secs. 3 to 10, inclusive, secs. 15 to 22, inclusive, and secs. 27 to 34, inclusive.
- T. 19 N., R. 14 W., all.
- T. 19 N., R. 15 W., secs. 1 to 16, inclusive, secs. 21 to 28, inclusive, and secs. 33 to 36, inclusive.
- T. 19 N., R. 16 W., secs. 1 and 2.
- T. 20 N., R. 11 W., secs. 1 to 23, inclusive, and secs. 28 to 30, inclusive.
- T. 20 N., R. 12 W., secs. 1 to 6, inclusive.
- T. 20 N., R. 13 W., secs. 1 to 10, inclusive, secs. 15 to 22, inclusive, and secs. 27 to 34, inclusive.
- Tps. 20 N., Rs. 14 and 15 W., all.
- T. 20 N., R. 16 W., secs. 1 to 18, inclusive, secs. 23 to 26, inclusive, and secs. 35 and 36.
- T. 20 N., R. 17 W., secs. 1 to 23, inclusive, N $\frac{1}{2}$ sec. 26; secs. 27 to 33, inclusive, and W $\frac{1}{2}$ sec. 34.
- T. 20 N., R. 18 W., all that part East of Lake Michigan.
- T. 21 N., R. 10 W., secs. 2 to 11, inclusive, secs. 14 to 23, inclusive, and secs. 26 to 35, inclusive.
- Tps. 21 N., Rs. 11, 12, 13, 14 and 15 W., all.
- T. 21 N., R. 16 W., sec. 1; sec. 2 except lot 2; sec. 3 except lots 1, 2 and 4; sec. 4 except lot 3; secs. 9 to 16, inclusive; secs. 21 to 28, inclusive; and secs. 33 to 36, inclusive.
- Tps. 22 N., Rs. 10, 11, 12 and 13 W., all.
- T. 22 N., R. 14 W., secs. 1 to 5, inclusive, secs. 8 to 17, inclusive, secs. 19 to 36, inclusive.
- T. 22 N., R. 15 W., secs. 19 to 36, inclusive.

hereby reserved and set apart as the Manistee National Forest all lands of the United States within the area described hereinafter and shown on the diagram attached hereto and made a part hereof, and (2) that all lands within such area which may hereafter be acquired by the United States under the authority of the said acts of March 1, 1911, June 7, 1924, March 31, 1933, June 16, 1933, and April 8, 1935, shall upon acquisition of title thereto become, and be administered as, part of the said Manistee National Forest:

MICHIGAN PRINCIPAL MERIDIAN

- T. 11 N., R. 15 W., secs. 3 to 10, inclusive, secs. 15 to 22, inclusive, and secs. 27 to 34, inclusive.
- T. 12 N., R. 10 W., secs. 3 to 10, inclusive, and secs. 15 to 22, inclusive.
- T. 12 N., R. 11 W., secs. 1 to 24, inclusive, and secs. 29 to 32, inclusive.
- T. 12 N., R. 12 W., all.
- T. 12 N., R. 15 W., secs. 4 to 9, inclusive, secs. 15 to 22, inclusive, and secs. 27 to 34, inclusive.
- T. 12 N., R. 16 W., all.
- T. 12 N., R. 17 W., secs. 1 to 5, inclusive, and secs. 8 to 17, inclusive.
- T. 13 N., R. 10 W., secs. 3 to 10, inclusive, secs. 15 to 22, inclusive, and secs. 27 to 34, inclusive.
- Tps. 13 N., Rs. 11 and 12 W., all.
- T. 13 N., R. 13 W., secs. 1 to 3, inclusive, secs. 10 to 15, inclusive, secs. 22 to 27, inclusive, and secs. 34 to 36, inclusive.
- T. 13 N., R. 15 W., secs. 2 to 11, inclusive, secs. 14 to 23, inclusive, and secs. 26 to 34, inclusive.
- T. 13 N., R. 16 W., all.
- T. 13 N., R. 17 W., secs. 24 to 29, inclusive, and secs. 32 to 36, inclusive.
- T. 14 N., R. 10 W., secs. 5 to 8, inclusive, secs. 16 to 21, inclusive, and secs. 28 to 34, inclusive.
- Tps. 14 N., Rs. 11, 12 and 13 W., all.
- T. 14 N., R. 14 W., secs. 1 to 7, inclusive, secs. 10 to 15, inclusive, and secs. 22 to 24, inclusive.



T. 23 N., R. 16 W., lots 5, 6 and 7, and S $\frac{1}{2}$ SE $\frac{1}{4}$ sec. 25; lots 5 and 6 sec. 33; lot 4 sec. 34; lot 6 sec. 35; lots 1, 3 and 5, E $\frac{1}{2}$ SW $\frac{1}{4}$ and E $\frac{1}{2}$ sec. 36.
 T. 23 N., R. 10 W., secs. 19 to 36, inclusive.
 T. 23 N., R. 11 W., secs. 19 to 36, inclusive.
 T. 23 N., R. 12 W., secs. 19 to 36, inclusive.
 T. 23 N., R. 13 W., secs. 13 and 14, secs. 23 to 26, inclusive, and secs. 31 to 36, inclusive.

The reservation made by this proclamation shall as to all lands which are at this date legally appropriated under the public-land laws or reserved for any public purpose other than classification, be subject to and shall not interfere with or defeat legal rights under such appropriation, or prevent the use for such public purpose of lands so reserved, so long as such appropriation is legally maintained or such reservation remains in force.

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

DONE at the City of Washington this 25th day of October in the year [SEAL] of our Lord nineteen hundred and thirty-eight, and of the Independence of the United States of America the one hundred and sixty-third.

FRANKLIN D ROOSEVELT

By the President:
 CORDELL HULL
 Secretary of State.

[No. 2306]

[F. R. Doc. 38-3227; Filed, October 26, 1938; 1:09 p. m.]

ACKIA BATTLEGROUND NATIONAL MONUMENT—MISSISSIPPI

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS section 2 of the act of Congress entitled "An Act to provide for the commemoration of the two hundredth anniversary of the Battle of Ackia, Mississippi, and the establishment of the Ackia Battleground National Monument, and for other purposes", approved August 27, 1935 (49 Stat. 897), provides:

"That the Secretary of the Interior be, and he is hereby, authorized in his discretion to acquire, by purchase or by condemnation and/or accept by donation in behalf of the United States, such lands, essements, and buildings not to exceed fifty acres, and when title satisfactory to the Secretary of the Interior shall have been vested in the United States such area or areas shall be, upon proclamation of the President, established, dedicated, and set apart as a public monument for the benefit and enjoyment of the people and shall be known as the 'Ackia Battleground National Monument.' Provided, That such area shall include the site of the Battle of Ackia";

AND WHEREAS the Secretary of the Interior has caused title to certain lands

in the State of Mississippi, aggregating 49.15 acres and including the site of the Battle of Ackia, to be vested in the United States of America:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of and pursuant to the power in me vested by the said act of August 27, 1935, do proclaim that the following-described lands in Lee County, State of Mississippi, are hereby established, dedicated, and set apart, subject to an easement of the Tennessee Valley Authority in and to an established electric transmission line, as the Ackia Battleground National Monument:

Beginning at a point which lies north 41 degrees 03 minutes east 138.53 feet from the quarter section corner between sections 23 and 26, T. 9 S., R. 5 E., of the Chickasaw Meridian; thence north 80 degrees 03 minutes east 1166.0 feet to a point; thence south 55 degrees 10 minutes east 300.94 feet to a point; thence south 55 degrees 12 minutes east 479.8 feet to a point; thence south 29 degrees 45 minutes west 695.31 feet to a point; thence south 60 degrees 21 minutes west 933.6 feet to a point; thence north 64 degrees 26 minutes west 1236.0 feet to a point; thence north 31 degrees 49 minutes east 912.75 feet to the place of beginning, containing 49.15 acres of land and being parts of sections 23 and 26 T. 9 S., R. 5 E., of the Chickasaw Meridian, County of Lee, State of Mississippi.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any lands thereof.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of the monument as provided in the act of Congress entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535, U. S. C., title 16, secs. 1 and 2), and acts supplementary thereto or amendatory thereof.

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

DONE at the City of Washington this 25th day of October in the year [SEAL] of our Lord nineteen hundred and thirty-eight, and of the Independence of the United States of America the one hundred and sixty-third.

FRANKLIN D ROOSEVELT

By the President:
 CORDELL HULL
 Secretary of State.

[No. 2307]

[F. R. Doc. 38-3228; Filed, October 26, 1938; 1:10 p. m.]

Rules, Regulations, Orders

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

WAR DEPARTMENT

RESTRICTED AREA IN ST. PETERSBURG HARBOR, FLORIDA, FOR THE MANEUVERING OF SEAPLANES AND RULES AND REGULATIONS RELATING THERETO

THE LAW

Section 7 of the River and Harbor Act of August 3, 1917, provides as follows:

That it shall be the duty of the Secretary of War to prescribe such regulations for the use, administration, and navigation of the navigable waters of the United States as in his judgment the public necessity may require for the protection of life and property, or of operations of the United States in channel improvement, covering all matters not specifically delegated by law to some other executive department. Such regulations shall be posted, in conspicuous and appropriate places, for the information of the public; and every person and every corporation which shall violate such regulations shall be deemed guilty of a misdemeanor and, on conviction thereof in any district court of the United States within whose territorial jurisdiction such offense may have been committed, shall be punished by a fine not exceeding \$500, or by imprisonment (in the case of a natural person) not exceeding six months, in the discretion of the court.

In pursuance of the foregoing law, a portion of St. Petersburg Harbor, Florida, is hereby defined and established as a restricted area for the maneuvering of seaplanes, and the following rules and regulations relating thereto are hereby adopted:

THE AREA

1. Adjacent to the U. S. Coast Guard Air Station in the easterly portion of the turning basin known as the Port of St. Petersburg at St. Petersburg, Florida, commencing at point, being the intersection of the easterly end of the concrete bulkhead along the northerly side of the Port of St. Petersburg with the northerly end of the steel bulkhead along the easterly side of said port; thence S. 62°30' W., 450 feet; thence S. 27°30' E., 600 feet; thence N. 62°30' E., 450 feet to the steel bulkhead on the east side of the said Port of St. Petersburg; thence along the said steel bulkhead N. 27°30' W., 600 feet to the point and place of beginning.

2. The area is marked at its northwesterly and southwesterly corners by yellow conical seaplane anchorage buoys projecting approximately one foot above water, and at the northeasterly and southeasterly corners at the steel bulkhead, by white signs 2' x 3' in size, containing the word "Warning", and copies of these rules and regulations. The buoys and signs will not be lighted.

3. The ramp of the U. S. Coast Guard Station is located in the center of the

easterly side of the above-described area and is marked by two green lights 40 feet apart on each side, about three feet above mean high water and about 20 feet westerly of and parallel to the easterly boundary of the area.

THE RULES AND REGULATIONS

1. No vessels shall anchor within this area.

2. No vessels of less than five gross tons shall come within the limits of this area, and other vessels crossing the area shall proceed with the greatest possible dispatch.

NOTE.—Complaints arising under these regulations should be addressed to the Engineer in Local Charge, United States Engineer Suboffice, Tampa, Florida.

Approved, October 17, 1938.

[SEAL] HARRY H. WOODRING,
Secretary of War.

[F. R. Doc. 38-3230; Filed, October 27, 1938;
10:02 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

INTERSTATE COMMERCE COMMISSION

ORDER IN THE MATTER OF STATISTICAL REPORTS OF PIPE LINE COMPANIES

At a session of the Interstate Commerce Commission, Division 4, held at its office in Washington, D. C., on the 20th day of October, A. D. 1938.

The subject of statistical reports of pipe line companies being under consideration:

It is ordered. That each and every pipe line company subject to the provisions of Section 20 of the Interstate Commerce Act, if it has had annual operating revenues of more than \$500,000 for the three consecutive calendar years prior to the period for which the report hereinafter mentioned is rendered, shall and is hereby required to make a report every three months of its total transportation revenue and total number of barrels of oil originated and received from connections, in accordance with the attached quarterly form¹ which is made a part of this order.

It is further ordered. That each said quarterly report shall be filed in duplicate in the Bureau of Statistics, Interstate Commerce Commission, Washington, D. C., within thirty days after the close of the period to which it relates, the first report to be for the three months ended September 30, 1938.

By the Commission, division 4.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 38-3233; Filed, October 27, 1938;
12:17 p. m.]

¹ Filed as a part of the original document with the Division of the Federal Register, The National Archives; requests for copies should be addressed to the Interstate Commerce Commission.

ORDER IN THE MATTER OF STATISTICAL REPORTS OF CARRIERS BY WATER

At a session of the Interstate Commerce Commission, Division 4, held at its office in Washington, D. C., on the 20th day of October, A. D. 1938.

The subject of statistical reports of carriers by water being under consideration:

It is ordered. That each and every carrier by water subject to the provisions of Section 20 of the Interstate Commerce Act, if it has had annual operating revenues of more than \$500,000 for the three consecutive calendar years prior to the period for which the report hereinafter mentioned is rendered, shall and is hereby required to make a report every three months of its total freight and passenger revenue separately, the total number of tons of freight carried, and the number of passengers carried, in accordance with the attached quarterly form¹ which is made a part of this order.

It is further ordered. That each said quarterly report shall be filed in duplicate in the Bureau of Statistics, Interstate Commerce Commission, Washington, D. C., within thirty days after the close of the period to which it relates, the first report to be for the three months ended September 30, 1938.

By the Commission, division 4.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 38-3234; Filed, October 27, 1938;
12:17 p. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Bureau of Animal Industry.

NOTICE UNDER PACKERS AND STOCKYARDS ACT²

OCTOBER 26, 1938.

TO FRED SNYDER, *Doing Business as Snyder Livestock Market, Lubbock, Tex.*

Notice is hereby given that after inquiry, as provided by Section 302 (b) of the Packers and Stockyards Act, 1921 (7 U. S. C. Sec. 202 (b)), it has been ascertained by me as Secretary of Agriculture of the United States that the stockyard known as Snyder Livestock Market, at Lubbock, State of Texas, is subject to the provisions of said Act.

The attention of stockyard owners, market agencies, dealers, and other persons concerned is directed to Sections 303 and 306 (7 U. S. C. Secs. 203 and

¹ Filed as a part of the original document with the Division of the Federal Register, The National Archives; requests for copies should be addressed to the Interstate Commerce Commission.

² Modifies list posted stockyards 9 CFR 13.034.

207) and other pertinent provisions of said Act and the rules and regulations issued thereunder by the Secretary of Agriculture.

[SEAL] H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 38-3231; Filed, October 27, 1938;
12:08 p. m.]

NOTICE UNDER PACKERS AND STOCKYARDS ACT¹

OCTOBER 26, 1938.

TO J. M. MULLINS, CLAUDE KEETON, and H. G. LAWSON, *Doing Business as Lubbock Auction & Commission Company, Lubbock, Tex.*

Notice is hereby given that after inquiry, as provided by Section 302 (b) of the Packers and Stockyards Act, 1921 (7 U. S. C. Sec. 202 (b)), it has been ascertained by me as Secretary of Agriculture of the United States that the stockyard known as Lubbock Auction & Commission Company, at Lubbock, State of Texas, is subject to the provisions of said Act.

The attention of stockyard owners, market agencies, dealers, and other persons concerned is directed to Sections 303 and 306 (7 U. S. C. Secs. 203 and 207) and other pertinent provisions of said Act and the rules and regulations issued thereunder by the Secretary of Agriculture.

[SEAL] H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 38-3232; Filed, October 27, 1938;
12:08 p. m.]

CIVIL AERONAUTICS AUTHORITY.

[Docket No. 25-401 (E)-1]

INTER-ISLAND AIRWAYS, LTD., APPLICATION FOR A PERMANENT CERTIFICATE OF CONVENIENCE AND NECESSITY UNDER SECTION 401 (c) OF THE CIVIL AERONAUTICS ACT OF 1938, FOR THE TRANSPORTATION OF MAIL, PASSENGERS AND PROPERTY BY SCHEDULED AIR SERVICE BETWEEN HONOLULU, OAHU AND HILO, HAWAII, HONOLULU, OAHU AND PORT ALLEN, KAUAI, AND HONOLULU AND OAHU AND MAUI

OCTOBER 26, 1938.

The above entitled proceeding is assigned for public hearing on November 5, 1938, 10 o'clock a. m. (eastern standard time), at the office of the Civil Aeronautics Authority (Hearing Room No. 2062), Washington, D. C., before Examiner R. J. Bartoo.

By the Authority.

[SEAL] PAUL J. FRIZZELL,
Secretary.

[F. R. Doc. 38-3229; Filed, October 27, 1938;
9:55 a. m.]

¹ Modifies list posted stockyards 9 CFR 13.034.