Regulations

TITLE 7—AGRICULTURE

Subtitle A—Office of the Secretary

[Amendment 1 to Temporary Rationing Order B]

PART 2—RATIONING OF FARM MACHINERY AND EQUIPMENT

New Farm Machinery and Equipment

Section 2.112 is added; and Schedule II is amended by deleting therefrom the following, under the heading "Miscellaneous Farm Equipment":

Horse shoes, including mule shoes.

Note.—Cais and nails are considered as repairs.

§ 2.112 Effective dates of amendments to Temporary Rationing Order B. (a) Amendment No. 1 (Schedule II and § 2.112) to Temporary Rationing Order B shall become effective November 5, 1942.

Done at Washington, D. C., this 5th day of November 1942. Witness my hand and the seal of the Department of Agriculture.

GROVER B. HILL,
Acting Secretary of Agriculture.

[Date: F.R. Doc. 42-11579; Filed, November 6, 1942; 11:38 a.m.]

Chapter VIII—Sugar Agency

PART 802—SUGAR DETERMINATIONS

PRICES FOR 1942 FLORIDA SUGARCANE CROP

November 5, 1942.

Determination of fair and reasonable prices for the 1942 crop of Florida 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 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 Florida 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:

§ 802.22 Fair and reasonable prices for the 1942 crop of Florida sugarcane for sugar. Fair and reasonable prices for the 1942 crop of Florida sugarcane shall not be less for sugarcane of like quality in terms of commercially recoverable sugar than those provided for in Sugar Determination Number 149, issued October 15, 1942, for mills defining standard sugarcane as sugarcane containing 11% per centum to 12½ per centum of sucrose in the normal juice, equivalent in terms of commercially recoverable sugar to 10.356 per centum to 11.432 per centum per pound of sugar.

Amendment I to Temporary Rationing Order B. (Schedule II and § 2.112) to Temporary Rationing Order B is amended to delete these words:

(Continued on next page)

CONTENTS

REGULATIONS AND NOTICES

Agricultural Conservation and

Agricultural Administration: Page
Florida, determination of prices...

Agricultural Department:

Farm machinery and equipment, rationing...

Allen Property Custodian:

Vesting orders:

American Platinum Works...

Copyrights and interests (3)

Firbrush, Johann Heinrich

Cigarettes, size...

Handbuch der Organischen Chemie...

Lofo, Salvador...

Mauzer Barrel Co., Inc...

Republic Filters, Inc...

Schichl, Alois...

Siebenstellige Werte des Trig-...

Grove, Verlag...

Hillman...

District Board...

Chapter VIII—Sugar Agency

PART 802—SUGAR DETERMINATIONS

PRICES FOR 1942 FLORIDA SUGARCANE CROP

November 5, 1942.

Determination of fair and reasonable prices for the 1942 crop of Florida 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 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 Florida 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:

§ 802.22 Fair and reasonable prices for the 1942 crop of Florida sugarcane for sugar. Fair and reasonable prices for the 1942 crop of Florida sugarcane shall not be less for sugarcane of like quality in terms of commercially recoverable sugar than those provided for in Sugar Determination Number 149, issued October 15, 1942, for mills defining standard sugarcane as sugarcane containing 11% per centum to 12½ per centum of sucrose in the normal juice, equivalent in terms of commercially recoverable sugar to 10.356 per centum to 11.432 per centum per pound of sugar.

Amendment I to Temporary Rationing Order B. (Schedule II and § 2.112) to Temporary Rationing Order B is amended to delete these words:

(Continued on next page)
Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives. The authority contained in the Federal Register Act, approved July 26, 1936 (40 Stat. 904), under regulations promulgated by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist of the United States, acting as 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. Remittances payable to the Superintendent of Documents directly to the Government Printing Office. Change of address: Advance notice of at least one month should be given. Change of address involves change of address of Federal Register orders and subscriptions.

The charge for single copies (minimum, 100) varies in proportion to the size of the issue. There are no restrictions on the republication of material appearing in the Federal Register.

Telephone Information: District 0253.

CONTENTS—Continued
OFFICE OF PRICE ADMINISTRATION—Continued.
Cotton, clothing, and footwear (40 F.R. 12307, Apr. 2, 1975).

CONTENTS—Continued
WAR PRODUCTION BOARD: Budgets and estimates (40 F.R. 1278, Jan. 10, 1975).
Cast iron boilers, low pressure (40 F.R. 1295, Jan. 14, 1975).


be paid a molasses bonus equal to 2.75 times the amount, if any, by which the average net liquidation from disposal of blackstrap or final molasses exceeds 6.75 cents per gallon, to the producer below those quantities and in connection with the purchase of the 1941 crop shall be employed in connection with the purchase of the 1943 crop, and the processor shall not, through any subterfuge or device whatsoever reduce the returns to the producer below those contemplated by this determination, but nothing in this sub-paragraph shall be construed as permitting practices of which may be made necessary by unusual circumstances, any such modifications to be subject to review by the Secretary of Agriculture, or his authorized representative; and the event of changes alleged to be unfair to either the manufacturer or importer, or for consumption or sale, shall be levied, collected, and paid to the Secretary of the Treasury.

1) Cigars. On all descriptions of tobacco, or any substitute therefor, and weighing not more than three pounds per thousand, 76 cents per thousand; on cigars made of tobacco, or any substitute therefor, weighing more than three pounds per thousand, if manufactured or imported to retail at not more than 2½ cents each, $2.50 per thousand; if manufactured or imported to retail at more than 2½ cents each and not more than 4 cents each, $3.60 per thousand; if manufactured or imported to retail at more than 4 cents each and not more than 6 cents each, $4.00 per thousand; if manufactured or imported to retail at more than 6 cents each and not more than 8 cents each, $7.00 per thousand; if manufactured or imported to retail at more than 8 cents each and not more than 15 cents each, $10.00 per thousand; if manufactured or imported to retail at more than 15 cents each and not more than 20 cents each, $20.00 per thousand.

Whenever in this subsection reference is made to cigars manufactured or imported to retail at not over 2½ cents each, then in determining the tax to be paid thereon shall be had to the ordinary retail price of a single cigar in its principal market.

(a) Rates on cigars. Section 2000 (b) (1) is amended to read as follows:

(cigars, cigarettes, or similar terms, as employed in connection with the purchase of the 1941 crop shall be employed in connection with the purchase of the 1943 crop, and the processor shall not, through any subterfuge or device whatsoever reduce the returns to the producer below those contemplated by this determination, but nothing in this sub-paragraph shall be construed as permitting practices of which may be made necessary by unusual circumstances, any such modifications to be subject to review by the Secretary of Agriculture, or his authorized representative; and the event of changes alleged to be unfair to either the manufacturer or importer, or for consumption or sale, shall be levied, collected, and paid to the Secretary of the Treasury.

1) Cigars. On all descriptions of tobacco, or any substitute therefor, and weighing not more than three pounds per thousand, 76 cents per thousand; on cigars made of tobacco, or any substitute therefor, weighing more than three pounds per thousand, if manufactured or imported to retail at not more than 2½ cents each, $2.50 per thousand; if manufactured or imported to retail at more than 2½ cents each and not more than 4 cents each, $3.60 per thousand; if manufactured or imported to retail at more than 4 cents each and not more than 6 cents each, $4.00 per thousand; if manufactured or imported to retail at more than 6 cents each and not more than 8 cents each, $7.00 per thousand; if manufactured or imported to retail at more than 8 cents each and not more than 15 cents each, $10.00 per thousand; if manufactured or imported to retail at more than 15 cents each and not more than 20 cents each, $20.00 per thousand.

Whenever in this subsection reference is made to cigars manufactured or imported to retail at not over 2½ cents each, then in determining the tax to be paid thereon shall be had to the ordinary retail price of a single cigar in its principal market.

(b) Rates on cigarettes. Section 2000 (c) (2) is amended by striking out "$3.25" and inserting in lieu thereof "$3.50" and by striking out "$7.50" and inserting in lieu thereof "$8.40".

(c) Floor Stocks Tax. Section 2000 is amended by inserting at the end thereof the following new subsection:

SEC. 605. CIGARS AND CIGARETTES. (Revenue Act of 1942.)

(a) Rates on cigars. Section 2000 (b) (1) is amended to read as follows:

(c) Floor Stocks Tax. Section 2000 is amended by inserting at the end thereof the following new subsection:

SEC. 605. CIGARS AND CIGARETTES. (Revenue Act of 1942.)

(a) Rates on cigars. Section 2000 (b) (1) is amended to read as follows:

(c) Floor Stocks Tax. Section 2000 is amended by inserting at the end thereof the following new subsection:

SEC. 605. CIGARS AND CIGARETTES. (Revenue Act of 1942.)

(a) Rates on cigars. Section 2000 (b) (1) is amended to read as follows:

(c) Floor Stocks Tax. Section 2000 is amended by inserting at the end thereof the following new subsection:
stands tax at a rate equal to the increase in rate of tax made applicable to such articles by the Revenue Act of 1942.

(2) Person required by this subsection to pay any floor stocks tax shall, on or before the end of the month next following which the first moment of November of the Revenue Act of 1942 takes effect, under such regulations as the Commissioner with the approval of the Secretary shall prescribe, make a return and pay such tax, except that in the case of such articles held by manufacturers and importers, the Commissioner may collect such tax with cigars and cigarettes other than those applicable to the rate of tax made applicable to large and small cigarettes on November 1, 1942, if the persons holding such articles pay the tax due thereon within the time specified within the current regulations for filing returns. Failure to file the return and pay the tax due thereon within the time specified will subject the taxpayer to the penalties set forth in §140.263 (article 201).

§140.202 Payment of tax. The tax is payable on or before December 31, 1942, by every person who at the first moment of November 1, 1942, held large cigars, or large or small cigarettes for sale. The tax shall be paid at the time of filing the return. (See §140.203 (article 203))

Manufacturers and importers holding unstamped large cigars or large or small cigarettes on November 1, 1942, shall pay the tax applicable thereto before the time of the first moment of November 1, 1942. To permit the use for this purpose of unstamped large and small cigarette stamps and large cigar stamps class A, purchased at the rates in effect prior to the first moment of November 1, 1942, manufacturers and importers shall, with respect to such stamps, pay as part of their floor stocks tax liability an amount equal to the increase in the rates of tax made applicable to large and small cigarettes on November 1, 1942, at the rates in effect prior to the first moment of November 1, 1942.

The floor stocks tax on unstamped large cigars intended to retail at more than 2½ cents but not more than 4 cents each, may be paid by the use of large cigar stamps of class E, purchased prior to November 1, 1942. The floor stocks tax on unstamped large cigars intended to retail at more than 4 cents each shall be paid by the use of large cigar stamps of classes C, D, E, F, and G purchased at the rates in effect on and after November 1, 1942.

The floor stocks tax on unstamped large cigars intended to retail at more than 2½ cents but not more than 4 cents each, may be paid by the use of large cigar stamps of the classes C, D, E, F, and G purchased at the rates in effect prior to November 1, 1942, at the rates in effect on and after November 1, 1942. For this purpose, manufacturers and importers may have large cigar stamps of the classes C, D, and E purchased at the rates in effect prior to November 1, 1942, and may at their option surrender such stamps to the collector, for the district in which the cigars and cigarettes are held. The stamps shall be exchanged for an equal value of new stamps, or to be redeemed in accordance with the provisions of §140.116 (article 116). (Art. 202)

§140.203 Return. (a) General. Every person who held stamped large cigars or large or small cigarettes for sale on the first moment of November 1, 1942, shall make and file a return of the cigars and cigarettes so held. The return shall be made on Form 185, Revised October 1942, by manufacturers and importers, and on Form 187, Revised October 1942, by persons other than manufacturers and importers.

Where taxable stamped cigars or cigarettes are held at one place of business, the return shall be prepared in duplicate. The original return shall be filed with the collector of internal revenue for the district in which such place of business is located, while the duplicate shall be retained at such place of business.

Where taxable stamped cigars or cigarettes are held at more than one location or place of business, a separate return for each such location or place of business, or a consolidated return covering the location or place of business, may be filed at the option of the person liable to make return and pay tax. If a separate return is made for each location or place of business, the procedure set forth in the preceding paragraph shall be followed with respect to each such return.

If a consolidated return is made, the return shall be accompanied by separate inventories of the cigars and cigarettes held at each location or place of business covered by such return. Such separate inventories shall be prepared on the inventory form of Form 187, or Form 188, whenever applicable and not inconsistent with the regulations of the Commissioner. Each separate inventory shall also show the taxpayer's name and the place of business where the cigars and cigarettes are held. The original and duplicate copies of the consolidated return shall be retained at the principal place of business for use in preparing the consolidated return, while the triplicate copies shall be retained at the premises where the cigars or cigarettes are held. The consolidated return shall be prepared in duplicate. The original return together with the original copies of the separate inventories shall be filed with the collector of internal revenue for the district in which the principal place of business is located, while the duplicate copies of the return and separate inventories shall be retained at such place of business.

Cigars and cigarettes, subject to floor stocks tax, are regarded as held by the owner thereof at the first moment of November 1, 1942, although at that time the cigars and cigarettes were in transit to the owner, but not in the custody of the owner, or at the contributing depot, and shall be included in the inventory and return of the owner. Where title does not pass to the owner at the first moment of November 1, 1942, the cigars and cigarettes are regarded as owned or held by the consignor at that time.

The required return shall be filed and tax shall be paid on or before December 31, 1942. Failure to file the return or pay the tax due thereon within the time specified will subject the taxpayer to the penalties set forth in §140.263 (article 201).

The oath required on Form 187, Revised October 1942, or Form 188, Revised October 1942, may be administered by any person authorized to administer oaths for general purposes, or by the person authorized under oath of the condemning agent. If the amount of tax shown to be due by the return is $10 or less, the return may be acknowledged before two subscribing witnesses instead of under oath of the person authorized to administer oaths for general purposes.

(b) Manufacturers and Importers. In addition to the requirements set forth in subsection (a) of this article, a manufacturer or importer shall, for the purpose of the payment of the tax specified in §140.202 (article 202) include in his
return an inventory of all unattached cigarette stamps and all large cigar stamps of class A held at the first moment of November 1, 1942, and of all such stamps ordered and paid for at the rates in effect on October 31, 1942, but not received until after the first moment of November 1, 1942.

(c) Every officer required by this chapter to keep any copy of any return or separate inventory, shall keep such copy as part of his records, and in addition shall keep at each separate premises for which inventory is filed, complete and accurate records showing the detail, and a statement by whom the inventory was taken. Such records shall be retained for a period of at least four years from December 31, 1942, and shall at all times be open for inspection by internal revenue officers. [Art. 203]

§ 140.204 Refunds. A claim for refund may be filed by anyone who has paid a floor stocks tax on cigars or cigarettes (including unattached cigar and cigarette stamps) on which the claimant made an overpayment or an erroneous payment of such tax. Such claim must be made within 90 days of Form 483, contain the information required by the form, and be supported by a statement of the facts and evidence upon which the claim is based. The claim shall be filed with the collector of internal revenue to whom the tax was paid. [Art. 204]

§ 140.205 Penalties and interest. The penalties under section 3612 (d) (1) and (e) of the Internal Revenue Code for failure to file a return or pay a floor stocks tax in the manner prescribed is suspended. [Art. 205]

[1942] FEDERAL REGISTER, Saturday, November 7, 1942

PART 306—PROCESSING TAX ON CERTAIN OILS

Subchapter C—Miscellaneous Excise Taxes

AMENDMENTS

Amending the Tariff Act of 1930 and the Internal Revenue Code by Treasury Decision 4885.

In order to conform Regulations 48 (Part 306, Title 26, Code of Federal Regulations, relating to the processing tax on certain oils, as made applicable to the Internal Revenue Code by Treasury Decision 4885, in 48 (Part 306, Title 26, Code of Federal Regulations, as amended since September 11, 1939, to the provisions of sections 601 and 621 of the Revenue Act of 1942 (Public Law 753, 77th Congress, 2d Session), and to the Act approved September 16, 1942 (Public Law 711, 77th Congress, 2d Session), such regulations are further amended as follows:

PAR. 1. Immediately preceding article 1 § 306.1 of such Title 26 there is inserted the following:

Sec. 601. EFFECTIVE DATE OF THIS TITLE. (Revenue Act of 1942, Title VI) This title shall take effect on the first day of the month following its enactment, which begins more than 30 days after the date of the enactment of this Act.

Sec. 603. EXEMPTION FROM PROCESSING TAX OF PALM OIL RESIDUE RESULTING FROM THE MANUFACTURE OF IRON OR STEEL PRODUCTS. (Revenue Act of 1942, Title VI)

SECTION 2477 (relating to definition of first domestic processing) is amended to read as follows:

Sec. 2477. First Domestic Processing Defined. For the purposes of this chapter, the term "first domestic processing" means the first use in the United States, in the manufacture of iron or steel products, or in the manufacture of tin plate or terne plate, or any subsequent use of palm oil residue resulting from the manufacture of iron or steel products, or tin plate or terne plate.

PAR. 2. Article 1 (m) (4) § 306.1 (m) (4) of such Title 26, as amended by Treasury Decision 4617, approved June 20, 1938, is further amended to read as follows:

(m) Use. * * *

(4) The use of the oil or oils in connection with any process or stage of the manufacture of—(a) (3) of an article intended for sale, even though the oil is not consumed therein or does not become a component material of the article so produced. The tax does not apply to the use of palm oil, (1) in the manufacture of tin plate, (2) or on after July 1, 1938, in the manufacture of terne plate, or (3) or on after November 1, 1942, in the manufacture of iron or steel products. The tax does not apply to any use on or after November 1, 1942, of palm oil residue resulting from the use of palm oil in the manufacture of iron or steel products. Likewise no tax is imposed on any use on or after July 1, 1938, of palm oil residue resulting from the use of palm oil, except for processing in the United States, in the manufacture of tin plate, nor to any use on or after November 1, 1942, of palm oil residue resulting from the use of palm oil in the manufacture of iron or steel products.

PAR. 3. Immediately preceding § 306.2 (article 2 of such Title 26), there is inserted the following:

Act Approved September 16, 1942. Public Law 711—77th Congress, 2d session.

That section 601 of the Internal Revenue Code is hereby suspended: Provided, That if the President after receipt by him of a request from the Government of the Commonwealth of the Philippines Islands that the suspension of the tax be terminated, shall find that adequate supplies of copra, coconut oil, or both, the products of which are readily available for processing in the United States, he shall so proclaim; and thirty days after such proclamation the suspension of the tax (2) of the Internal Revenue Code, shall terminate.

SEC. 5. This Act shall become effective the day following its enactment, and shall terminate on June 30, 1944.

PAR. 4. § 306.3 (c) [Article 2 (c) of such Title 26, as amended by Treasury Decision 4617, is amended to read as follows:

§ 306.3 Imposition of the tax. * * *

(c) Exception. No tax is imposed on the use of palm oil, (1) in the manufacture of tin plate, (2) on or after July 1, 1938, in the manufacture of terne plate, nor (3) on or after November 1, 1942, in the manufacture of iron or steel products. Likewise no tax is imposed on any use on or after July 1, 1938, of palm oil residue resulting from the use of palm oil, except for processing in the United States, in the manufacture of tin plate, nor to any use on or after November 1, 1942, of palm oil residue resulting from the use of palm oil in the manufacture of iron or steel products.

PAR. 5. § 306.6 Article 6 of such Title 26, as amended by Treasury Decision 4695, approved September 11, 1936, is further amended to read as follows:

§ 306.6 Rate of tax. (a) The tax is 3 cents per pound with respect to coconut oil, palm oil, palm kernel oil, fatty acids derived from any of the foregoing, any combination or mixture containing a substantial quantity of any one or more of such oils, fatty acids, or salts.

(b) For the period ended 12:00 midnight, Eastern War Time, September 10, 1942, the applicable statute imposes an additional tax of 2 cents per pound upon the first domestic processing of coconut oil, palm oil, acid or salt of any of the foregoing, or any combination or mixture containing a substantial quantity of any one or more of such oils, fatty acids, or salts.

(c) For the period ended 12:00 midnight, Eastern War Time, September 10, 1942, the applicable statute imposes an additional tax of 2 cents per pound upon the first domestic processing of coconut oil, palm oil, acid or salt of any of the foregoing, or any combination or mixture containing a substantial quantity of any one or more of such oils, fatty acids, or salts.

(1) The tax is suspended until 12:00 midnight, Eastern War Time or Eastern Standard Time (whichever is then in effect) June 30, 1944, unless the President is so notified prior thereto in accordance with the provisions of the Act approved September 16, 1942 (Pub. Law 711, 77th Congress, 2d session. [Art. 262 of the Revenue Act of 1942, the Act of September 16, 1942, and I.R.C. 3971, 53 Stat. 467; 26 U.S.C. 3701)]

[SEAL] NORMAN D. CANN, Acting Commissioner of Internal Revenue.

Approved: November 4, 1942.

JOHN L. SULLIVAN, Acting Secretary of the Treasury.

[F. R. Doc. 42-11545; Filed, November 5, 1942; 3:41 p.m.]
FEDERAL REGISTER, Saturday, November 7, 1942

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 321, Minimum Price Schedule for District No. 11 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 Alphabetical list of code members—Supplement R

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

<table>
<thead>
<tr>
<th>Mine Index No.</th>
<th>Code member</th>
<th>Mine</th>
<th>Sub-</th>
<th>Freight</th>
<th>Freight</th>
<th>Freight</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>district No.</td>
<td>class</td>
<td>group</td>
<td>point</td>
</tr>
<tr>
<td>1327</td>
<td>Knox Coal Co.</td>
<td>Knox</td>
<td>2</td>
<td>V</td>
<td>3</td>
<td>B</td>
</tr>
</tbody>
</table>

When coal is sold by Mine No. 1327 to a person of the Knox No. 2 Mine of George Wallwork, requesting the establishment of temporary and permanent prices for the coals of the Knox No. 2 Mine of George Wallwork, when mixed and loaded in the same car for shipment over the Pennsylvania Railroad at Sligo, Pennsylvania; it is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows:

In the matter of the petition of District Board No. 11 for establishment of price classifications and minimum prices for the Knox No. 5 Mine of the Knox Consolidated Coal Corporation.

An original petition, pursuant to section 4 (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Knox No. 5 Mine of the Knox Consolidated Coal Corporation.

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

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

The price classifications and minimum prices set forth in the Schedule attached are based upon the price classifications and minimum prices in effect on October 1, 1942. It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division. It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division.

The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 321, Minimum Price Schedule for District No. 11 and supplements thereto.

ORDER GRANTING RELIEF, ETC.

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

In the matter of the petition of District Board No. 11 for establishment of price classifications and minimum prices for the Knox No. 5 Mine of the Knox Consolidated Coal Corporation.

An original petition, pursuant to section 4 (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Knox No. 5 Mine of the Knox Consolidated Coal Corporation.

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

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

Dated: October 27, 1942.

[Seal] DANN H. WHEELE, Director.

ORDER GRANTING RELIEF, ETC.

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

In the matter of the petition of District Board No. 11 for establishment of price classifications and minimum prices for the Knox No. 5 Mine of the Knox Consolidated Coal Corporation.

An original petition, pursuant to section 4 (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Knox No. 5 Mine of the Knox Consolidated Coal Corporation.

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

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

Dated: October 27, 1942.

[Seal] DANN H. WHEELE, Director.

ORDER GRANTING RELIEF, ETC.

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

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

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

Dated: October 27, 1942.

[Seal] DANN H. WHEELE, Director.

ORDER GRANTING RELIEF, ETC.

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

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

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

Dated: October 27, 1942.

[Seal] DANN H. WHEELE, Director.
### FOR TRUCK SHIPMENTS

**§ 331.24 General prices in cents per net ton for shipment into all market areas—Supplement T**

<table>
<thead>
<tr>
<th>Code member index</th>
<th>Mine index No.</th>
<th>Mine</th>
<th>Seam</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>KNOX COUNTY</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Knox Consolidated Coal Corporation</td>
<td>1309</td>
<td>Knox No. 5</td>
<td>5</td>
</tr>
</tbody>
</table>

Prices and site group numbers

| 1  | 2  | 3  | 4  | 5  | 6  | 7  | 8  | 9  | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 |
|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
| 265 | 260 | 250 | 245 | 235 | 225 | 200 | 180 | 160 | 150 | 135 | 125 | 110 | 100 | 90 | 80 | 70 | 60 | 50 | 40 | 30 | 20 | 15 | 10 | 9 | 8 | 7 | 6 | 5 | 4 | 3 | 2 | 1 |

[F. R. Doc. 42-11523; Filed, November 5, 1942; 11:34 a.m.]

---

[Docket No. A-1678]

**Part 331—Minimum Price Schedule, District No. 11**

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 11 for the establishment of price classifications and minimum prices for coals produced in District No. 11.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain code members in District No. 11; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

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

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

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 331.24 (General prices in cents per net ton for shipment into all market areas) is amended by adding thereto Supplement T, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937. It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: October 29, 1942.

[seal]

Dan E. Wheeler,
Director.

---

**TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 11**

Note: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 331, Minimum Price Schedule for District No. 11 and supplements thereto.

---

**FOR TRUCK SHIPMENTS**

**§ 331.24 General prices in cents per net ton for shipment into all market areas—Supplement T**

<table>
<thead>
<tr>
<th>Code member index</th>
<th>Mine index No.</th>
<th>Mine</th>
<th>Seam</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CLAY COUNTY</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bolinger, Inc.</td>
<td>1303</td>
<td>Bolinger Coal Co.</td>
<td>5</td>
</tr>
<tr>
<td><strong>CLAY-SULLIVAN COUNTIES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Burger, Homer &amp; John (Homer Burger)</td>
<td>1301</td>
<td>Burger</td>
<td>5</td>
</tr>
<tr>
<td><strong>GREENE COUNTY</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clayton, Francis</td>
<td>1307</td>
<td>Hot Flash</td>
<td>6B</td>
</tr>
<tr>
<td>McCreary, George</td>
<td>1341</td>
<td>McCreary</td>
<td>6B</td>
</tr>
<tr>
<td><strong>PELL CITY</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reed, Maurice</td>
<td>1354</td>
<td>Reed</td>
<td>5</td>
</tr>
<tr>
<td><strong>SPENCER COUNTY</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Christmas Coal Co.</td>
<td>1353</td>
<td>Christmas Coal Co.</td>
<td>5</td>
</tr>
</tbody>
</table>

Prices and site group numbers

| 1  | 2  | 3  | 4  | 5  | 6  | 7  | 8  | 9  | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 |
|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
| 255 | 250 | 240 | 230 | 220 | 210 | 200 | 190 | 180 | 170 | 160 | 150 | 135 | 120 | 105 | 90 | 75 | 60 | 50 | 40 | 30 | 20 | 15 | 10 | 9 | 8 | 7 | 6 | 5 | 4 | 3 | 2 | 1 |

[F. R. Doc. 42-11524; Filed, November 5, 1942; 11:34 a.m.]
TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 13

Note: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 333, Minimum Price Schedule for District No. 13 and supplements thereto.

FOR ALL SHIPPMENTS EXCEPT TRUCK

§ 333.8 General prices—Supplement R-1

Prices f. o. b. mines for shipment by railroad, applicable for all uses except railroad locomotive fuel, steamship bunker fuel and blast furnace fuel.

<table>
<thead>
<tr>
<th>Mine index No.</th>
<th>Code member</th>
<th>Mine</th>
<th>Subdistrict</th>
<th>Seam</th>
<th>Freight origin group</th>
</tr>
</thead>
<tbody>
<tr>
<td>2701</td>
<td></td>
<td>Moore</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2702</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2703</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2704</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1. Shipping Point: Brodwoold, Ala. Railroute: Boy. Ry. This mine shall have in Site Group 1, 2, and 3, on each respective price table, the same prices as are listed in these respective price groups for Mine Index No. 1 (Brodwoold-Miner's Mine, Minimum Price Schedule).

2. Shipping Point: Big Blue, Ala. Railroute: S. Ry. This mine shall have in Site Group 1, 2, and 3, on each respective price table, the same prices as are listed in these respective price groups for Mine Index No. 2 (Rainier-Miner's Mine, Minimum Price Schedule).

3. Shipping Point: White House, Ala. Railroute: S. Ry. This mine shall have in Site Group 1, 2, and 3, on each respective price table, the same prices as are listed in these respective price groups for Mine Index No. 3 (Black Diamond-Coal Company, Minimum Price Schedule).

4. Shipping Point: Kitue-Coldwater, Ala. Railroute: S. Ry. This mine shall have in Site Group 1, 2, and 3, on each respective price table, the same prices as are listed in these respective price groups for Mine Index No. 4 (Black Diamond-Coal Company, Minimum Price Schedule).

5. Shipping Point: Woodland, Ala. Railroute: S. Ry. This mine shall have in Site Group 1, 2, and 3, on each respective price table, the same prices as are listed in these respective price groups for Mine Index No. 5 (Black Diamond-Coal Company, Minimum Price Schedule).

6. Shipping Point: Brownsville, Ala. Railroute: S. Ry. This mine shall have in Site Group 1, 2, and 3, on each respective price table, the same prices as are listed in these respective price groups for Mine Index No. 6 (Black Diamond-Coal Company, Minimum Price Schedule).

7. Shipping Point: Blountville, Ala. Railroute: S. Ry. This mine shall have in Site Group 1, 2, and 3, on each respective price table, the same prices as are listed in these respective price groups for Mine Index No. 7 (Black Diamond-Coal Company, Minimum Price Schedule).

8. Shipping Point: Dobbsville, Ala. Railroute: S. Ry. This mine shall have in Site Group 1, 2, and 3, on each respective price table, the same prices as are listed in these respective price groups for Mine Index No. 8 (Black Diamond-Coal Company, Minimum Price Schedule).

9. Shipping Point: Danville, Ala. Railroute: S. Ry. This mine shall have in Site Group 1, 2, and 3, on each respective price table, the same prices as are listed in these respective price groups for Mine Index No. 9 (Black Diamond-Coal Company, Minimum Price Schedule).

10. Shipping Point: Caucasian, Ala. Railroute: S. Ry. This mine shall have in Site Group 1, 2, and 3, on each respective price table, the same prices as are listed in these respective price groups for Mine Index No. 10 (Black Diamond-Coal Company, Minimum Price Schedule).

11. Shipping Point: Elmore, Ala. Railroute: S. Ry. This mine shall have in Site Group 1, 2, and 3, on each respective price table, the same prices as are listed in these respective price groups for Mine Index No. 11 (Black Diamond-Coal Company, Minimum Price Schedule).

12. Shipping Point: Marion County, Ala. Railroute: S. Ry. This mine shall have in Site Group 1, 2, and 3, on each respective price table, the same prices as are listed in these respective price groups for Mine Index No. 12 (Black Diamond-Coal Company, Minimum Price Schedule).

13. Shipping Point: Tuscaloosa County, Ala. Railroute: S. Ry. This mine shall have in Site Group 1, 2, and 3, on each respective price table, the same prices as are listed in these respective price groups for Mine Index No. 13 (Black Diamond-Coal Company, Minimum Price Schedule).

14. Shipping Point: Madison County, Ala. Railroute: S. Ry. This mine shall have in Site Group 1, 2, and 3, on each respective price table, the same prices as are listed in these respective price groups for Mine Index No. 14 (Black Diamond-Coal Company, Minimum Price Schedule).

15. Shipping Point: Jefferson County, Ala. Railroute: S. Ry. This mine shall have in Site Group 1, 2, and 3, on each respective price table, the same prices as are listed in these respective price groups for Mine Index No. 15 (Black Diamond-Coal Company, Minimum Price Schedule).

16. Shipping Point: Pickens County, Ala. Railroute: S. Ry. This mine shall have in Site Group 1, 2, and 3, on each respective price table, the same prices as are listed in these respective price groups for Mine Index No. 16 (Black Diamond-Coal Company, Minimum Price Schedule).

17. Shipping Point: Shelby County, Ala. Railroute: S. Ry. This mine shall have in Site Group 1, 2, and 3, on each respective price table, the same prices as are listed in these respective price groups for Mine Index No. 17 (Black Diamond-Coal Company, Minimum Price Schedule).

18. Shipping Point: Sumter County, Ala. Railroute: S. Ry. This mine shall have in Site Group 1, 2, and 3, on each respective price table, the same prices as are listed in these respective price groups for Mine Index No. 18 (Black Diamond-Coal Company, Minimum Price Schedule).

19. Shipping Point: Walker County, Ala. Railroute: S. Ry. This mine shall have in Site Group 1, 2, and 3, on each respective price table, the same prices as are listed in these respective price groups for Mine Index No. 19 (Black Diamond-Coal Company, Minimum Price Schedule).

20. Shipping Point: Woodruff County, Ala. Railroute: S. Ry. This mine shall have in Site Group 1, 2, and 3, on each respective price table, the same prices as are listed in these respective price groups for Mine Index No. 20 (Black Diamond-Coal Company, Minimum Price Schedule).

21. Shipping Point: Tuscaloosa County, Ala. Railroute: S. Ry. This mine shall have in Site Group 1, 2, and 3, on each respective price table, the same prices as are listed in these respective price groups for Mine Index No. 21 (Black Diamond-Coal Company, Minimum Price Schedule).
### § 333.6 General prices—Supplement R-T—Continued

<table>
<thead>
<tr>
<th>Mine Index No.</th>
<th>Code number</th>
<th>Mine</th>
<th>Subdistrict</th>
<th>Seam</th>
<th>Freight origin group</th>
</tr>
</thead>
<tbody>
<tr>
<td>2158</td>
<td>41</td>
<td>Maple</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2200</td>
<td>10</td>
<td>Black Creek</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2200</td>
<td>10</td>
<td>Mary Lee</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2200</td>
<td>10</td>
<td>Mary Lee</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2200</td>
<td>10</td>
<td>Mary Lee</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2200</td>
<td>10</td>
<td>Mary Lee</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2200</td>
<td>10</td>
<td>Mary Lee</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2200</td>
<td>10</td>
<td>Mary Lee</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2200</td>
<td>10</td>
<td>Mary Lee</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2200</td>
<td>10</td>
<td>Mary Lee</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2200</td>
<td>10</td>
<td>Mary Lee</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2200</td>
<td>10</td>
<td>Mary Lee</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2200</td>
<td>10</td>
<td>Mary Lee</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2200</td>
<td>10</td>
<td>Mary Lee</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2200</td>
<td>10</td>
<td>Mary Lee</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2200</td>
<td>10</td>
<td>Mary Lee</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2200</td>
<td>10</td>
<td>Mary Lee</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### § 333.7 Special prices—(c) Prices for shipment by railroad, applicable to all coal sold for steamship vessel fuel—Supplement R-III

<table>
<thead>
<tr>
<th>Sub-District No. 1. Prices f. o. b. mines for shipment by railroad, applicable to all coal sold for steamship vessel fuel subject to price instructions and exceptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site groups and prices applicable for steamship vessel fuel</td>
</tr>
<tr>
<td>Mine Index No.</td>
</tr>
<tr>
<td>----------------</td>
</tr>
<tr>
<td>610, 619</td>
</tr>
<tr>
<td>620, 621, 622</td>
</tr>
<tr>
<td>623</td>
</tr>
<tr>
<td>624, 625, 626</td>
</tr>
</tbody>
</table>

### § 333.7 Special prices—(c) Prices for shipment by railroad, applicable to all coal sold for steamship vessel fuel—Supplement R-IV

| Sub-District No. 3. Prices f. o. b. mines for shipment to all railroads for locomotive fuel, station heating, power plants and other uses—Supplement R-V
<table>
<thead>
<tr>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mine Index No.</td>
</tr>
<tr>
<td>----------------</td>
</tr>
<tr>
<td>1679</td>
</tr>
<tr>
<td>1680</td>
</tr>
<tr>
<td>1680</td>
</tr>
</tbody>
</table>

### § 333.7 Special prices—(c) Prices for shipment to all railroads for locomotive fuel, station heating, power plants and other uses—Supplement R-V

<table>
<thead>
<tr>
<th>Sub-District No. 3. Prices f. o. b. mines for shipment to all railroads for locomotive fuel, station heating, power plants and other uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>For mines in subdistrict No. 3</td>
</tr>
<tr>
<td>Site</td>
</tr>
<tr>
<td>------</td>
</tr>
<tr>
<td>6170-6180</td>
</tr>
<tr>
<td>6170-6180</td>
</tr>
</tbody>
</table>

*Prices f. o. b. mines for shipment to all railroads and for exclusive use of railroads—Supplement R-T*
§ 333.37 Prices for shipment by river (free alongside) for all uses (except for railway locomotive fuel) for delivery via the Tennessee River to F.A.S. consumers in the States of Tennessee and Alabama—Supplement R–VI

<table>
<thead>
<tr>
<th>Code member index</th>
<th>Mine</th>
<th>Mine index No.</th>
<th>County</th>
<th>Scam</th>
<th>Lump: top size over 6&quot;</th>
<th>Lump: top size over 6&quot; and under</th>
<th>Lump: 2&quot; and under</th>
<th>Nutt: top size 6&quot; and under</th>
<th>Straight and modified M/R</th>
<th>Reburst: 6&quot; and under</th>
<th>Screen: 1/8&quot; and under</th>
<th>Screen: 1/8&quot; and under</th>
<th>Screen: 1/8&quot; and under</th>
<th>Screen: 1/8&quot; and under</th>
<th>Industrial coal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tennesse Georgia</td>
<td>Chapman, R. F.</td>
<td>1671</td>
<td>Dade</td>
<td>Chapman</td>
<td>1671</td>
<td>345 345 345 335 335 335 335 335 335 335 335 335 335 335 335 335</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>McNeese, V. M.</td>
<td>1669</td>
<td>Marion</td>
<td>McNeese &amp;</td>
<td>1669</td>
<td>345 345 345 335 335 335 335 335 335 335 335 335 335 335 335 335</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

§ 333.34 General prices in cents per ton for shipment into all market areas—Supplement T–I

| Code member index | Mine | Mine index No. | Subdistrict | Scam | Lump: Top size over 6" | Lump: Top size over 6" and under | Lump: 2" and under | Nutt: Top size 6" and under | Chestnut: Top size 1/8" and under | Run of modified M/R | Reburst: 1/8" and under | Screen: 1/8" and under | Screen: 1/8" and under | Screen: 1/8" and under | Screen: 1/8" and under | Industrial coal |
|-------------------|------|---------------|-------------|------|------------------------|-------------------------------|-----------------|--------------------|-------------------------|-------------------|----------------|----------------|----------------|----------------|----------------|
| Alabama           | Hardin & Hayes (V. D. Hardin) | 1671 | 2 | Pratt | 345 345 345 335 335 335 335 335 335 335 335 335 335 335 335 335 |
|                   | Hardin & Hayes (V. D. Hardin) | 1672 | 2 | Mary Lee | 335 335 335 335 335 335 335 335 335 335 335 335 335 335 335 335 |
|                   | Holt, A. F. | 1673 | 2 | Black Creek | 415 415 415 335 335 335 335 335 335 335 335 335 335 335 335 335 |
|                   | Griffin, E. B. (E. B. Griffin Coal Co.) | 1674 | 2 | Brookwood | 335 335 335 335 335 335 335 335 335 335 335 335 335 335 335 335 |
|                   | Griffin, E. B. (E. B. Griffin Coal Co.) | 1675 | 2 | Carter | 335 335 335 335 335 335 335 335 335 335 335 335 335 335 335 335 |
|                   | Walker County | 1676 | 2 | Black Creek | 415 415 415 335 335 335 335 335 335 335 335 335 335 335 335 335 |
|                   | Alta Coal Co., Inc. | 1677 | 2 | Black Creek | 335 335 335 335 335 335 335 335 335 335 335 335 335 335 335 335 |
|                   | Cruthers, E. B. (E. B. Cruthers Coal Co.) | 1678 | 2 | Mary Lee | 335 335 335 335 335 335 335 335 335 335 335 335 335 335 335 335 |
|                   | Jackson & Nit (Lewis D. Jackson) | 1679 | 2 | Mary Lee | 335 335 335 335 335 335 335 335 335 335 335 335 335 335 335 335 |
|                   | Davis, J. W. | 1680 | 2 | Black Creek | 415 415 415 335 335 335 335 335 335 335 335 335 335 335 335 335 |
|                   | Prudon, H. | 1681 | 2 | Mary Lee | 335 335 335 335 335 335 335 335 335 335 335 335 335 335 335 335 |
§ 333.43 General prices in cents per net ton for shipment into all market areas—Supplement T-II

<table>
<thead>
<tr>
<th>Code member index</th>
<th>Mine</th>
<th>Mine index No.</th>
<th>Subdistrict</th>
<th>Seam</th>
</tr>
</thead>
<tbody>
<tr>
<td>TUSK-GEORGIA</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grundy County, Tenn.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Henderson, A. L.</td>
<td>Fred's Fork</td>
<td>1098</td>
<td>4</td>
<td>Sewana</td>
</tr>
<tr>
<td>Henderson, A. L.</td>
<td>Nyack Rd.</td>
<td>1078</td>
<td>4</td>
<td>Sewana</td>
</tr>
<tr>
<td>Marion County, Tenn.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>McNeese, V. M.</td>
<td>McNeese #2</td>
<td>1610</td>
<td>4</td>
<td>Sewana</td>
</tr>
</tbody>
</table>

[F.R. Doc. 42-11592; Filed, November 8, 1942; 11:34 a.m.]

[Docket No. A-1667]

PART 338—MINIMUM PRICE SCHEDULE, DISTRICT NO. 18

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 18 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 18.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 18; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

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

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

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 333.2 (Code member price index) is amended by adding thereto Supplement T-I, and § 333.21 (General prices in cents per net ton for shipment into all market areas) is amended by adding thereto Supplement T-II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That the price classifications and minimum prices set forth in the attached schedule marked Supplement T-I and T-II are based upon the price classifications and minimum prices in effect on October 1, 1942 for comparable and analogous coals and already reflect the changes, if any, made by the minimum prices by the Acting Director's Order of August 28, 1942, 7 F.R. 6943, in General Docket No. 21. Except as otherwise stated herein, the minimum prices in the attached schedule do not differ, except in this regard, from the minimum prices proposed by petitioner.

Petitioner requests the establishment of a minimum price of $2.25 per ton for the coals of the Llaves Mine (Mine Index No. 173) in Size Group 16 (railroad fuel) for shipment by truck, and by a footnote limits the proposed price to apply only to coals 6' x 0 in size. However, no minimum prices have heretofore been established for the coals in Size Group 16, produced from other mines in Subdistrict 4 of District No. 18, for shipment by truck, nor does the original petition in this matter contain facts sufficient to warrant the establishment of the minimum price requested therein for the coals of the Llaves Mine in that size group. Accordingly, since no clear showing has been made that the granting of such relief is necessary, no minimum price is established herein for the coals of Llaves Mine in Size Group 16.

Dated: October 29, 1942.

[SEAL]

DAN H. WHEELER,
Director.
FEDERAL REGISTER, Saturday, November 7, 1942

PART IX—War Production Board

Subchapter B—Director General for Operations

§ 338.2 Code member price index—Supplement T-I. Insert the following listing in proper alphabetical order:

<table>
<thead>
<tr>
<th>Code member mine</th>
<th>County</th>
<th>Price groups</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Roll Truck</td>
</tr>
<tr>
<td>Kern, Lloyd H...</td>
<td>Kern,</td>
<td>150 415</td>
</tr>
<tr>
<td></td>
<td>Lloyd</td>
<td>175 275</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

§ 338.21 General prices in cents per net ton for shipment into all market areas—Supplement T-II

Insert the following code member names, mine names and counties under Subdistricts Nos. 1 and 4, respectively, in proper alphabetical order, and the following prices for transportation via truck:

<table>
<thead>
<tr>
<th>Code member mine</th>
<th>County</th>
<th>Price groups</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Roll Truck</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Part 997—Production and Delivery of Machine Tools

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

Paragraph (c) of General Preference Order E-1-b (§ 997.2) is hereby amended to read as follows:

(c) Production and delivery of machine tools during November 1942 and until further notice. Notwithstanding any other provisions of this order, each producer shall schedule 75 percent of his production and delivery of each size of each type of machine tool during the balance of the calendar month of November 1942 and each month thereafter as follows, until further notice:

(1) Each producer forthwith shall divide into two types all purchase orders placed by each of the seven groups of Service purchasers (Bureau of Ships, Bureau of Ordnance, Ordinance Department, Air Services, Miscellaneous Bureaus and Branches, Maritime Commission, and Signal Corps) which specify as the required delivery date the month being scheduled or a previous month, such types being designated as Type 1 orders and Type 2 orders. The "required delivery date" is the date specified on the endorsement accompanying the purchase order, as changed by any subsequent instruction given on Form WPE-27, Form WPE-1888, or otherwise, by the War Production Board, or by any postponement thereof by the purchaser.

Type 1 orders shall include the following:

(i) Any purchase order for delivery to any Service Purchaser in the "Air Services" group (called "Air Forces" in Exhibits A and B to General Preference Order E-1-b). "Air Services" includes the Army Air Forces, the Navy Bureau of Aeronautics, their respective prime contractors and subcontractors, and the U. S. Corps of Engineers with respect to purchases made for the account of the Army Air Forces; and in addition thereto,

(ii) Any purchase order for delivery to any prime contractor listed on the preferred customers list (Exhibit C attached to this order) or any subcontractor of such a prime contractor. No purchase order from a prime contractor on the preferred customers list, or from his subcontractors, shall be classified as a Type 1 order, however, unless the endorsement required by paragraph (b) of this order to be placed by such purchaser on his purchase order, or the preference rating certificate itself if transferred to the producer, shows that the machine tool ordered is for use on the prime contract specified opposite the prime contractor's name on such Preferred Customers List.

Type 2 orders shall include all other purchase orders placed by Service purchasers which do not fall within Type 1 orders.

(2) The producer shall total all Type 1 orders from Service purchasers for the size and type of tool being scheduled, which specify as the required delivery date the month being scheduled or a previous month. Where 75 percent of the production of the size and type of tool being scheduled for delivery in any month is greater than the total Type 1 orders received from all Service purchaser groups specifying that month or a previous month as the required delivery date, all such Type 1 orders shall be scheduled for delivery in that month regardless of the effect on any Type 2 orders. The residue of such 75 percent shall be scheduled for delivery against Type 2 orders from the remaining Service purchaser groups with the percentage quotas established by Exhibit A to this order, the "Air Services" quota becoming an unabsorbed quota to be distributed in accordance with paragraphs (e) and (f) of this order.

(3) Where 75 percent of the production of the size and type of tool being scheduled for delivery in any month is less than the total Type 1 orders received from all Service purchaser groups specifying that month or a previous month as the required delivery date, no Type 2 orders shall be scheduled for delivery in that month. Where the Type 1 orders in such case are from more than one Service purchaser group, the distribution of such 75 percent of production between the Type 1 orders from such groups shall be determined as follows: The percentage which 75 percent of the production for that month constitutes of the total Type 1 orders from each such Service purchaser groups shall be determined. Such percentage can be applied to the number of such Type 1 orders from each Service purchaser group involved, and the resultant number of Type 1 orders shall be accordingly scheduled for delivery to such group. The particular Type 1 orders to be scheduled for each such Service purchaser group and the sequence of their delivery shall be determined by the General Preference Order, as amended by Revocation No. 4 and corrections and additions thereto, the operation of which is set forth in paragraph (i) of this order.

(4) A percentage of each production for each month of each size of each type of tool shall continue to be scheduled for delivery to foreign purchasers and other purchasers in accordance with the other provisions of this order.

(5) Immediately upon scheduling machine tools for delivery in accordance with paragraphs (c), (d), (e), (f), (g), (h), and (i) of this order, each producer shall notify all purchasers of the new scheduled delivery dates which fall within the period ending February 28, 1943.

(6) Notwithstanding the provisions of this paragraph (c), the War Production Board from time to time may issue specific scheduling instructions to any producer.

(7) The four months rule established by paragraphs (d), (e), (f), and (g) of this order, and the thirty day "frozen" periods established by paragraph (i) of this order, shall not be applied to Type 1 orders. All Type 1 orders on hand on November 5, 1942 or received in the future shall immediately be scheduled for delivery on their
required delivery dates or as soon thereafter as possible without retarding production. All Type 2 orders remain subject to the terms of this General Preference Order E–1–b except as the delivery dates on such orders may be extended by the rescheduling of Type 1 orders in accordance with this paragraph (c).

(3) All other provisions of this General Preference Order E–1–b not modified by this paragraph (c) shall remain in full force and 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 5th day of November 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42–11543; Filed, November 6, 1942; 11:44 a. m.]

---

PART 1075—CONSTRUCTION

[Intepretation 1 of Conservation Order L-41–b, as Amended October 2, 1942.]

The following official interpretation is hereby issued by the Director General for Operations with respect to §1075.3, Supplementary Conservation Order L-41–b, as amended October 2, 1942.

Paragraph (b) of the order is not applicable to the application of siding or roofing to the exterior of a building whether or not such siding or roofing has insulating qualities.

(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 6th day of November 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42–11543; Filed, November 6, 1942; 11:44 a. m.]

---

PART 1075—CONSTRUCTION

[Intepretation 2 of Supplementary Conservation Order L-41–b, as Amended September 2, 1942.]

The following official interpretation is hereby issued by the Director General for Operations with respect to §1075.1, Conservation Order L-41–b, as amended September 2, 1942.

(a) "Construction," as defined in paragraph (a) (2), includes the laying of asphalt tile, linotile, cork tile, rubber tile, and linoleum, if the same is cemented to or in any way is affixed to the construction.

(b) The application of siding or roofing is "construction," as the word is used in paragraph (a) (2), where such siding or roofing is applied to a portion of a building or structure which is

---

PART 1133—MOLYBDENUM

[Supplementary Order M-110–a]

§1133.2 Supplementary Order M-110–a—(a) Small deliveries. Notwithstanding any provision of General Preference Order No. M-110 as amended, any person who has not applied for an allocation of molybdenum for any calendar month may accept deliveries of molybdenum in quantities not exceeding a total of 500 pounds (contained molybdenum) from all sources of supply in such month, and any person may make such deliveries: Provided, such molybdenum is not to be used in the production of wire, rods, sheets or metallic powder or used in the fulfillment of orders to which a preference rating lower than A-1-J shall have been assigned: And provided further, That the purchaser has filed Form FD–559 on or before the 20th day of the preceding month. No person shall be required to file Form FD–338 or PD–360 or obtain any allocation or special authorization from the Director General for Operations in order to receive the deliveries permitted by this Supplementary Order.

(b) Melting. Notwithstanding the restrictions of paragraph (a) of General Preference Order No. M-110 as amended, any person, other than a producer of iron or steel products as defined in Supplementary Order M-11–a, may melt not to exceed 500 pounds of contained molybdenum in any calendar month.

(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 6th day of November 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42–11543; Filed, November 6, 1942; 11:44 a. m.]

---

PART 1215—FEMININE LINGERIE AND CERTAIN OTHER GARMENTS

[Amendment 2 to General Limitation Order L-110]

Section 1215.1 General Limitation Order L-110[1] the caption of paragraph (f) and of paragraph (f), the introductory clause of paragraph (f), and paragraphs (f) (1) and (f) (4) (i) and (f) (4) (ii) are amended to read as follows:

(1) Curtailments on feminine lingerie.

No person shall, on or after May 11, 1942, put into process, or cause to be put into process by others for his account, any cloth for the manufacture of, or sell, or deliver any:"...

(4) Sleeping pajamas, as follows:

(1) With a separate or attached jacket, robe, sacque, negligee, hood, cap, mittens, belt, feet, or shoes at one unit price, except that, on or after November 6, 1942, one-piece pajamas may be made with attached feet in children's sizes (3, 4, 5, 6, 6X) and girls' sizes 7 and 8 only.

* * * * *

(3) With trousers exceeding measurements of Schedule C attached hereto, except on or after October 1, 1942, one-piece pajamas may be made with pajamas with feet in children's sizes (3, 4, 5, 6, 6X) and girls' sizes 7 and 8 only.

* * * * *

(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.)

1 7 F.R. 3475, 4931.
PART 1294-PHOSPHATE PLASTICIZERS
[General Preference Order M-183, as Amended November 6, 1942]

Section 1294.1 General Preference Order M-183 is hereby amended to read as follows:

§ 1294.1 General Preference Order M-183—(a) Definitions. For the purpose of this order:

(1) "Phosphate plasticizers" means tricresyl phosphate and triphenyl phosphate in any form and from whatever source derived.

(2) "Producer" means any person engaged in the production of phosphate plasticizers and includes any person who has such phosphate plasticizers produced for him pursuant to toll agreement.

(3) "Distributor" means any person purchasing phosphate plasticizers for purposes of resale.

(b) Restrictions on use and delivery of phosphate plasticizers. No person shall use, derive or accept delivery of phosphate plasticizers, except as specifically authorized by the Director General for Operations upon application pursuant to paragraph (c) hereof; provided, however, that no such specific authorization shall be required with respect to:

(1) The use or acceptance of delivery by any person during any one calendar month of one hundred (100) pounds or less of phosphate plasticizers;

(2) The delivery by any producer or distributor of one hundred (100) pounds or less of phosphate plasticizers to any one person during any one calendar month (which may be made without regard to uniform ratings), provided that the aggregate amount of such deliveries by any producer or distributor during any one calendar month shall not exceed two percent (2%) of the deliveries which he is specifically authorized to make during such month.

(c) Applications and reports. (1) Each person including producers and distributors seeking authorization to use or accept delivery of phosphate plasticizers during any calendar month shall file application on or before the 15th day of the month preceding the month for which an authorization for use or delivery is requested. Such application shall be made on the form PD-600, except as provided in paragraph (c) (3), in the manner prescribed therein, subject to the following restrictions for the purpose of this order:

(i) Copies of Form PD-600 may be obtained at local field offices of the War Production Board.

(ii) Five copies shall be prepared, of which one shall be forwarded to supplier and three certified copies to the War Production Board, Chemicals Branch, Washington, D. C. Ref: M-183. Only four copies need be prepared where supplier is "own stock." A separate set shall be made up for each supplier for whom delivery is requested (except that where application is made for acceptance of delivery of any quantity from a supplier, it is not necessary to file a separate set listing "own stock" as supplier). Also, separate sets shall be made for each different phosphate plasticizer sought.

(iii) In the heading, under the name of chemical, specify tricresyl or triphenyl phosphate (but not both); under War Production Board Order, Specify M-183; under name of company, specify name and mailing address, and specify delivery destination, supplier and shipping point; under unit of measure, specify pounds; and specify the month and year for which authorization for use or acceptance of delivery is sought.

(iv) Leave Column 1 blank.

(v) In Columns 3, 20, and 22, specify product primary in terms of the following:

- Army cable insulation.
- Navy cable insulation.
- Other wire coatings.
- Textile coatings.
- Airplane dope.
- Army cable lacquer.
- Navy cable lacquer.
- Other wire lacquers.
- Other lacquers.
- Paper coatings.
- Molding compounds.
- Photographic film.
- Chemical resistant coatings.
- Oil additive.
- Motor fuel additive.
- Inks.
- Adhesives.
- Artificial leather.
- Rubber (natural or synthetic).
- Sheet plastic.
- Lubricants.
- Miscellaneous (specify).
- Inventory.
- Export (as phosphate plasticizer; specify contract, country and whether Lend-Lease).
- Resale (as phosphate plasticizer, upon further authorization).
- Phosphate plasticizers allocated for Inventory shall not be used except as specifically directed by the Director General for Operations pending arrival of the phosphate plasticizers allocated to fill such orders, provided that upon arrival of such plasticizers the allocated inventory is restored.

(vi) In column 4 describe the use or end product, such as windshield glass, raincoat, tank cable, and the like, from which positive "miscellaneous" in column 3 show in column 4 the groupings, insofar as possible, of the more important miscellaneous primary products.

(vii) In columns 11 and 19 list tricresyl phosphate and triphenyl phosphate separately and fill in the other columns of tables II and III accordingly.

(viii) Subject to the above instructions fill in all tables and columns of the form as prescribed therein, leaving only columns 1, 9 and 10 blank.

(2) Each producer and distributor seeking authorization to make delivery of phosphate plasticizers during any calendar month shall file application on or before the 24th day of the month preceding the month for which an authorization for use or acceptance of delivery is requested. Such application shall be made on Form PD-601 in the manner prescribed therein, subject to the following instructions for the purpose of this order:

(i) Copies of Form PD-601 may be obtained at local field offices of the War Production Board.

(ii) Prepare 4 copies and forward 3 copies to the War Production Board, Chemicals Branch, Washington, D. C. Ref: M-183; Separate sets of forms shall be filed for tricresyl phosphate and triphenyl phosphate.

(iii) Suppliers who have filed application on Form PD-600 specifying themselves as supplier, shall list their own names as customers on Form PD-601 and shall list their request for allocation in the manner prescribed for other customers.

(iv) In the heading, under name of chemical, specify tricresyl or triphenyl phosphate (but not both); under War Production Board Order, Specify M-183; under name of company, specify name and mailing address; and specify delivery destination, supplier and shipping point; under unit of measure, specify pounds; and state the month and year during which deliveries covered by the application are to be made.

(v) Leave columns 3 and 8 blank.

(vi) In column 4 specify proposed deliveries, delivery dates, and shipping container (drums or tank cars).

(vii) No statement need be made with respect to deliveries which may be made during the next month pursuant to paragraph (b) (2) of this order.

(viii) If it is necessary to use more than one sheet to list customers, number each sheet in order and show grand totals for all sheets on the last sheet, which is to be used only that need.

(ix) Fill in all columns in Tables I and II, except columns 3, 6, 7 and 8.

(3) Application for authorization under this order by the United States Army, United States Navy, United States Coast Guard, Maritime Commission and War Shipping Administration may be made in any manner.

(4) The Director General for Operations may require each person affected by this order to file such other reports as may be prescribed, and may issue special directions to any such person with respect to preparing and filing Forms PD-600 and 601.

(d) Notification of customers. Producers and distributors of phosphate plasticizers shall, as soon as practicable, notify each of their regular customers of the requirements of this order as amended, but failure to receive such notice shall not excuse any such person from complying with the terms hereof.

(e) Miscellaneous provisions.—(1) Applicability of priorities regulations. This order and all transactions affected hereunder are subject to all applicable provisions of War Production Board priorities regulations, as amended from time to time with the exception of Priorities Regulation No. 13, which shall be subject to this...
order to the extent that it is inconsistent herewith.

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

(3) Communications to War Production Board. All reports required to be filed hereunder, and all communications concerning this Order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Branch, Washington, D. C. Ref.: M-183.

(P.D. Reg. 1, as amended, 6 F.R. 6570; W.P. B. Reg. 1, 7 F.R. 58; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 627; E.O. 9125, 7 F.R. 2715; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 6th day of November 1942.

ERNST KANZLER,
Director General for Operations.

[F. R. Doc. 42-11576; Filed, November 6, 1942; 11:45 a. m.]

PART 3046—LOW PRESSURE CAST IRON BOILERS

[Limitation Order L-187]

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

§ 3046.1 General Limitation Order L-187—(a) Definitions. For the purposes of this order:

(1) "Low pressure cast iron boiler" means any boiler designed for the purpose of heating water so as to provide heat for the interior of a building by means of circulating steam or hot water, which boiler:

(i) Operates at a maximum working pressure not exceeding fifteen pounds per square inch of steam pressure or thirty pounds per square inch of water pressure, and

(ii) Is composed preponderantly of cast iron.

(2) "Parts" includes all materials used as repair parts for low pressure cast iron boilers.

(3) "Military low pressure cast iron boiler" means any low pressure cast iron boiler which is manufactured for delivery to or for the account of the Army, Navy, War Shipping Administration or the Maritime Commission of the United States or the Defense Plant Corporation.

(b) Restrictions. On and after the 16th day of November 1942, no person shall manufacture any low pressure cast iron boiler built to use exclusively oil as a fuel, and no person shall manufacture any other low pressure cast iron boiler except to fulfill a specific contract or subcontract for delivery:

(1) Of a military low pressure cast iron boiler upon specific authorization of the Director General for Operations after written application has been made on Form PD-704;

(2) For use in a hospital constructed, to be constructed or under construction, upon specific authorization of the Director General for Operations after written application has been made on Form PD-704.

(c) Replacement parts. Nothing in this order shall restrict the production of any repair or replacement parts for any cast iron boiler.

(d) Avoidance of excessive inventories. No person shall accumulate, for use in the manufacture of low pressure cast iron boilers, inventories of any materials (whether raw, semi-processed or processed) in excess of the minimum amounts necessary to maintain production at the rates permitted by this order.

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

(f) Audit and inspection. All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(g) Reports. All persons affected by this order shall execute and file with the War Production Board on or before the tenth day of each calendar month a report on Form PD-60, and shall keep a copy of such monthly report in their own files for a period not less than two years.

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

(i) Appeals. Any person affected by this order who considers that compliance with the order would result in the imposition of exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community, or that compliance with this order would disrupt or impair a program of conversion from defense to defense work, may apply for relief by addressing a letter to the War Production Board, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(j) Applicability of priorities regulations. The provisions affecting the War Production Board and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(k) Applicability of other orders. Insofar as any other order issued by the Director General for Operations, or to be issued by him hereafter, limits the use of any material to a greater extent than the limitations imposed by this order, the restriction of such other order prevails, but the excess thereof shall be covered thereby.

(1) Communications. All reports, to be filed, appeals and other communications concerning this order, shall be addressed to the War Production Board, Plumbing and Heating Branch, Washington, D. C., Ref.: L-187.

(P.D. Reg. 1, as amended, 6 F.R. 6690; W.P. B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 627; E.O. 9125, 7 F.R. 2715; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 6th day of November 1942.

ERNST KANZLER,
Director General for Operations.

[F. R. Doc. 42-11576; Filed, November 6, 1942; 11:45 a. m.]

PART 3115—DOUGLAS FIR LUMBER

[Amendment 2 to Limitation Order L-218]

Subparagraph (1) of paragraph (a) of § 3115.1 Limitation Order No. L-218 is hereby amended to read as follows:

(1) "Douglas fir lumber" means any sawed lumber (except shingles or lath) of any size or grade, whether rough, dressed on one or more sides or edges, dressed and matched, shipplanked, worked to pattern, or grooved for splines, of the species Pseudotsuga taxifolia, produced in timber located in those parts of Oregon and Washington lying west of the crest of the Cascade Mountain Range, but not including No. 3 boards, No. 3 dimension or No. 3 timbers, or any grade of factory or shop lumber, and not including plywood, veneer or used lumber.

(P.D. Reg. 1, as amended, 6 F.R. 6690; W.P. B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 627; E.O. 9125, 7 F.R. 2715; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 6th day of November 1942.

ERNST KANZLER,
Director General for Operations.

[F. R. Doc. 42-11577; Filed, November 6, 1942; 11:44 a. m.]

PART 3132—PROCESSORS OF METAL SCRAP

[Preference Rating Order P-130]

For the purpose of facilitating the acquisition of material for operating supplies and for the maintenance and repair of equipment used by recognized processors for the sole purpose of locating, processing or transporting metal scrap (up to its delivery at point of shipment to ultimate consumer), and to promote
the national defense, preference ratings are hereby assigned to deliveries of such materials on the terms and within the limitations hereinafter set forth.

§3123.1 Preference Rating Order R-139—(a) (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorpor, or not.

(2) "Processor" means any person operating an automobile graveyard or scrap yard physically situated within the limits of the United States who has been certified by the Automobile Graveyard Section of the Conservation Division of the War Production Board as being experienced in the metal scrap trade and cooperative in expeditiously procuring and delivering metal scrap to consumers.

(3) "Material" means any commodities, equipment, accessories, parts assemblies, or products of any kind.

(4) "Maintenance" means upkeep necessary for keeping in workable condition essential operating equipment used by a processor at its then current rate of production.

(5) "Repair" means the restoration of equipment to a processor to a serviceable working condition after wear and tear, damage, destruction or failure of parts, or the like, have made such equipment unsafe or unsound for service.

(6) "Supplies" means any material which is essential to the operation of equipment used by a processor and which is generally carried as processor's stores and charged to operating expense accounts.

(7) "Supplier" means any person with whom a rated purchase order or contract has been placed by a processor or by another supplier for material:

(i) directly required by a processor for maintenance, repair, or operating supplies;

(ii) to be physically incorporated in other material so required by a processor.

(b) Assignment of preference rating. Subject to the terms of this order, the following preference ratings are hereby assigned, but nothing herein contained shall prevent any other or higher rating to which any person may be entitled by reason of any other preference rating certificate or order:

(1) AA-2x to deliveries to a processor of material for repair of equipment used for any of the purposes set forth in the first paragraph of this order, when and only when there has been an actual breakdown or suspension of operations because of wear and tear, destruction or failure of parts, or the like, and the essential repair parts are not otherwise available.

(2) AA-3 to deliveries to a processor of replacement material, described in paragraph (b)(1), up to the minimum required to make reasonable advance provision to avert an actual breakdown of existing facilities or suspension.

(3) A-1 to deliveries to a processor of material for other repairs to, for maintenance of, and for operating supplies for, equipment used for any one of the purposes set forth in the first paragraph of this order.

The A-1 rating assigned by this paragraph (b) (3) shall not be applied in any calendar quarter to material in excess of a total dollar value of $200.00 (including materials delivered under the provisions of paragraphs (b) (1) and (2) above), unless a specific authorization is obtained in advance from the Director General for Operations.

(c) Persons entitled to apply preference rating.

(1) Any processor, whose rating is assigned, may apply the rating to the delivery of which a preference rating has been applied as provided in paragraph (d).

(d) Application of preference rating.

(1) No processor shall apply any preference rating assigned by paragraph (b) until:

(i) He shall have filed with the Automobile Graveyard Section, Conservation Division, War Production Board, a statement in the form prescribed by the Director General for Operations, setting forth amounts of raw material used for repair, maintenance and operating supplies for the current quarter, inventories of such material at the beginning and end of such period, and an estimate of requirements of such materials for the current quarter, and further stating that he will accept the terms and conditions of this order.

(ii) He shall have received from the Automobile Graveyard Section, Conservation Division, War Production Board a statement in the form prescribed by the Director General for Operations, setting forth the date and manner in which a preference rating has been assigned to deliveries of such material to a processor.

(iii) He shall have reduced his inventory below such minimum, unless such delivery shall be specifically authorized in advance by the War Production Board on the processor's application therefor.

(e) Restrictions of inventory.

(1) A processor shall not, during any calendar quarter, accept, and a supplier shall not knowingly make to a processor (whether or not rated pursuant to this order) of any material to be used as operating supplies or for maintenance or repair until the processor's inventory and stores of such material have been reduced below such minimum, unless such delivery shall be specifically authorized in advance by the War Production Board or other designated agency such reports and in such form as he deems appropriate.

(f) Violations. Any person who willfully violates any provision of this order, or who, in connection with this order,
In § 1499.26 a new subparagraph (10) is added to paragraph (b), as set forth below.

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

(b) The General Maximum Price Regulation shall not apply to the following sales or deliveries: * * *

(10) Sales and deliveries of phonograph records by the Recording Laboratory of the Library of Congress: * * * * *

(e) Effective dates. * * * * *

(39) Amendment No. 38 ([1499.26 (b) (10)]) to Supplementary Regulation No. 1 shall become effective November 10, 1942.

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

Issued this 5th day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11541; Filed, November 6, 1942; 1:33 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Supp. Reg. 14, Amendment 49]

MANUFACTURERS' PRICES FOR SPECIFIED ITEMS OF FALL AND WINTER OUTER CLOTHING

Amendment 49 to Supplementary Regulation 14 to the General Maximum Price Regulation.

• A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.* A new subparagraph (37) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 Modification of maximum prices established by § 1499.2 of the General Maximum Price Regulation for certain commodities, services and transactions. (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

* * * * *

(37) Manufacturers' prices for fall and winter outer clothing—(d) Definition of manufacturer. As used in subparagraph (37), a “manufacturer” of a garment means a seller otherwise than at wholesale or at retail.

(d) Definition of fall and winter outer clothing. “Fall and winter outer clothing” means any of the following garments:

(1) Coats, jackets and vests when fully lined or entirely body is lined with cotton flannel, cotton suede, cotton blanket or any wool or part wool materials, but not including tailored garments covered by Maximum Price Regulation No. 177 or rainwear garments. men's and boys only; all sizes except infants’ garments; 

(2) Mackinaws, swagger and finger-tip costs, but not including tailored garments covered by Maximum Price Regulation No. 177 (men's and boys only; all sizes).
chaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery or supply of any fall and winter outer clothing than the seller required purchasers of the same class to pay from December 1941 to March 1942, inclusive, on their orders.

(4) On or before December 1, 1942, every manufacturer of fall and winter outer clothing shall prepare a statement and keep it available for examination by the Office of Price Administration. The statement shall list each garment of fall and winter outer clothing which the manufacturer has sold, delivered or offered for sale after November 10, 1942, the seller's maximum price for the garment to each class of purchaser, to whom it was sold, delivered or offered, and the manner in which the manufacturer determined his maximum price. This statement shall be kept up to date with respect to garments offered for sale on and after December 1, 1942. If the garment is one for which the seller from December 1, 1941 to March 1942, inclusive, accepted orders for the fall and winter season, the statement shall show the price at which the seller first accepted an order for it from each class of purchaser.

(5) Effective dates.

(50) Amendment 49 (§ 1499.73 (a) (37)) to Supplementary Regulation 14 shall become effective November 11, 1942. (Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, T. F.R. 7871.)

Issued this 5th day of November 1942.

Leon Henderson,
Administrator.

[F. R. Doc. 43-11566; Filed, November 5, 1942; 1:32 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 124 Under § 1499.3 (b) of GMPR]

STANDARD FOOD PRODUCTS, INC.

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

§ 1499.888 Authorization of maximum prices for sales of "Top-O" Hamburger Spread, a blend of sweet pickle relish, mustard, starch and condiments, by Standard Food Products, Inc., by wholesalers and retailers. (a) On and after November 5, 1942, the maximum prices for sales by Standard Food Products, Incorporated, of Indianapolis, Indiana, of "Top-O" Hamburger Spread shall be:

$2.34 per shipping case of 24/8 ounce jars, $2.35 per shipping case of 4/1 gallon jars.

These prices shall include prepaid freight to purchasers' stations.

(b) Sellers at wholesale shall determine their maximum delivered selling prices of "Top-O" Hamburger Spread by adding to their net cost of each size a maximum profit margin of 20% of this net cost. The maximum delivered prices so determined shall not exceed $2.34 per case of 24/8 ounce jars and shall not exceed $4.26 per case of 4/1 gallon jars.

Where a maximum price per selling unit determined by the provisions of this paragraph is a fractional cent price and the fraction of a cent is less than one-half cent, the price per selling unit shall be lowered to the next lower cent. If the fraction is one-half cent or larger, the wholesaler is permitted to increase his maximum price per selling unit to the next higher cent.

"Net cost for a wholesaler" as mentioned in this paragraph shall be his invoice price for "Top-O" Hamburger Spread delivered at his customary receiving point, less all discounts allowed except for prompt payment. No charge or cost for unloading or local trucking shall be included in net cost.

(c) Sellers at retail shall determine their maximum selling prices of "Top-O" Hamburger Spread by adding to their net cost (be it a maximum profit margin of 33 1/3% of this net cost. The maximum prices so determined shall not exceed 13 cents per 8 ounce jar and shall not exceed $1.32 per one gallon jar. If the fraction of a cent determined by the provisions of this paragraph is a fractional cent price and the fraction of a cent is not less than one-half cent, the price per selling unit shall be lowered to the next lower cent. If the fraction is one-half cent or larger, the retailer is permitted to increase his maximum price per selling unit to the next higher cent.

"Net cost for a wholesaler" as mentioned in this paragraph shall be his invoice price for "Top-O" Hamburger Spread delivered to his customary receiving point, less all discounts allowed except for prompt payment. No charge or cost for unloading or local trucking shall be included in net cost.

"Net cost for a retailer" as mentioned in this paragraph shall be his invoice price for "Top-O" Hamburger Spread delivered to his customary receiving point, less all discounts allowed except for prompt payment. No charge or cost for unloading or local trucking shall be included in net cost.

(d) Effective dates.

(50) Amendment 49 (§ 1499.73 (a) (37)) to Supplementary Regulation 14 shall become effective November 11, 1942. (Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, T. F.R. 7871.)

Issued this 5th day of November 1942.

Leon Henderson,
Administrator.

[F. R. Doc. 43-11566; Filed, November 5, 1942; 1:32 p. m.]
PART 1499—COMMODITIES AND SERVICES
[Order 123 Under § 1499.3 (b) of GMFR]
DI-NOC MANUFACTURING CO.

For reasons set forth in an opinion issued simultaneously herewith, It is here-by ordered:


(a) The maximum prices for sales of the products listed below by The Di-Noc Manufacturing Company of Cleveland, Ohio, shall be the following, f. o. b. Cleveland, Ohio:

<table>
<thead>
<tr>
<th>Name of product</th>
<th>Maximum price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sat-T-Blak film</td>
<td>0.06 per sq. ft. plus 5% for cutting.</td>
</tr>
<tr>
<td>Sat-T-Glo emergency signs</td>
<td>0.60 per sq. ft.</td>
</tr>
<tr>
<td>Sat-T-Glo luminous automobile blackout protectors</td>
<td>0.63 per sq. ft.</td>
</tr>
</tbody>
</table>

(b) This Order No. 125 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 125 (§ 1499.989) shall become effective November 6, 1942.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871) Issued this 5th day of November 1942.

LEON HENDRICKSON, Administrator.

[FR Doc. 42-11537; Filed, November 6, 1942; 1:51 p.m.]

PART 1499—COMMODITIES AND SERVICES
[Order 126 Under § 1499.3 (b) of GMFR]

MCCORMICK AND CO.

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

§ 1499.989a Authorization of a maximum price for sales of 1 ounce and 2 ounce bottles of "McCormick's Baking Magic" an imitation vanilla flavoring manufactured by McCormick and Company, Baltimore, Maryland. (a) On and after November 6, 1942, the maximum selling prices for "McCormick Baking Magic" for sale by McCormick and Company, having its principal place of business in Baltimore, Maryland, shall be:

<table>
<thead>
<tr>
<th>Size</th>
<th>Maximum price per dozen</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 ounce bottle</td>
<td>0.26</td>
</tr>
<tr>
<td>2 ounce bottle</td>
<td>0.47</td>
</tr>
</tbody>
</table>

Transportation charges to buyer's station to be included in the above prices.

(b) Sellers at wholesale shall determine their maximum delivered selling prices for "McCormick's Baking Magic" by adding to their net cost per dozen of each size, a maximum profit margin of 35 percent of this net cost and dividing the result by twelve to arrive at the maximum price per bottle. When the maximum prices so determined fall in fractions of one cent, the price per bottle may be adjusted to the next highest cent if the fraction is one half cent or more, and adjusted downward the next lower cent if the fraction is less than one half cent.

(c) Sellers at retail shall determine their maximum delivered selling prices per bottle for "McCormick's Baking Magic" by adding to their net cost per dozen for each size a maximum profit margin of 35 percent to this net cost and dividing the figure so obtained by twelve. The maximum prices so determined shall not include a charge for drayage, hauling, loading or unloading.

(d) Where maximum prices so determined by the provisions of (b) and (c) result in fractions of one cent, the selling prices shall be increased to the next highest cent if the fraction is one half cent or more and reduced to the next lower cent if the fraction is less than one half cent.

(e) Each seller shall allow the customary allowances, discounts, or price differentials applying to "McCormick's Pure Vanilla Extract" or in the event a seller did not deal in "McCormick's Pure Vanilla Extract", the most comparable commodity thereto.

(f) McCormick and Company shall mail or otherwise supply to their buyers a printed notice as follows:

The Office of Price Administration has authorized McCormick and Company to sell "McCormick's Baking Magic" in the following sizes at the maximum delivered prices shown:

<table>
<thead>
<tr>
<th>Size</th>
<th>Maximum price per dozen</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 ounce bottle</td>
<td>0.26</td>
</tr>
<tr>
<td>2 ounce bottle</td>
<td>0.47</td>
</tr>
</tbody>
</table>

In determining maximum selling prices, fractions of one cent shall be adjusted upward to the next highest cent if the fraction is one half cent or more, and adjusted downward to the next lower cent if the fraction is less than one half cent. Your net cost for "McCormick's Baking Magic" shall be the net invoice price delivered at your customary station of destination minus all discounts allowed except the discount for prompt payment. No charges for drayage, hauling, loading or unloading shall be included in "net cost".

Transportation charges to buyer's station to be included in the above prices.

This Order No. 126 authorizes wholesalers to determine their maximum delivered selling prices for "McCormick's Baking Magic" by adding to their net cost per dozen of each size, a maximum profit margin of 35 percent of this net cost and dividing the result by twelve to arrive at the maximum price per bottle. When the maximum prices so determined fall in fractions of one cent, the price per bottle may be adjusted to the next highest cent if the fraction is one half cent or more, and adjusted downward the next lower cent if the fraction is less than one half cent.

[FR Doc. 42-11538; Filed, November 6, 1942; 1:52 p.m.]
"rubber footwear" shall denote only footwear which has been worn.

**Restriction of Transfers**

§ 1404.4 Transfer of rubber footwear must be accompanied by surrender of certificates. (a) Except as otherwise provided in Ration Order No. 6, a sale at retail of rubber footwear shall be made only upon the surrender of Parts I and III of a certificate authorizing such transfer and a transfer of rubber footwear, other than by sale at retail, shall be made only upon the surrender of Part I of a certificate authorizing the transfer of such rubber footwear.

(b) Whenever, under the provisions of Ration Order No. 6, the surrender of certificates is required for the transfer of rubber footwear, no person shall transfer rubber footwear of any type other than the type described on the certificate surrendered therefor. Provided, however, that olive drab, clay, or khaki colored rubber footwear classified as type 5 according to Appendix A (§ 1404.69) may be sold at retail upon the surrender of certificate authorizing the transfer acquisition of rubber footwear described on such certificate as type 4.

**Acquisition of Rubber Footwear by Consumers**

§ 1404.6 Eligibility—(a) Individuals. Individuals (1) whose work is essential to the promotion of the war effort or to the maintenance of public health or safety or to the preservation of mines, and (2) who in their work are necessarily exposed to water, snow, mud, spray, splash, floor heat, danger of burns, the action of chemicals, or other similar conditions, to such an extent that the use of rubber footwear is necessary to the preservation of their health or safety.

§ 1404.11 Issuance of certificates.

(c) The certificate issued shall authorize the acquisition only of the type of rubber footwear which is the minimum necessary to satisfy the requirements of the employer, and certificates authorizing the acquisition by consumers of rubber footwear described, therein as type 5 shall be issued only to miners or their employers who meet all the requirements of Ration Order No. 6.

Appendix

§ 1404.69 Appendix A.

(b) Rubber pacs, bootees, and work shoes (worn instead of shoes, typically laced over the instep, and below-the-knee in height).

Type 5. Pacs and bootees, ten inches or more in height (with or without steel toes). All rubber mine pacs and mine bootees and all other rubber footwear of this class laced over the instep ten inches or more in height.

Type 6. Pacs, bootees, and work shoes below ten inches in height (with or without steel toes). All rubber work shoes, pacs, and bootees less than ten inches in height.

**Effective Date**

§ 1404.71 Effective dates of amendments.

(d) Amendment No. 4 (§§ 1404.5, 1404.2 (1), 1404.6 (a), 1404.11 (c), 1404.69 (b)) shall become effective November 11, 1942.

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

[F. R. Doc. 42-11542; Filed, November 5, 1942; 1.32 p. m.]

PART 1381—SOFTWOOD LUMBER [MPB 19, Amendment 5] 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.*

In § 1381.212 (a), the title of Table 2 is amended; the column of prices entitled "Standard Lengths" is revoked; Items 11a, 11b, 11c and 11d are added, and Items 13, 15, 16 and 18 are amended; in Table 3, the column of prices entitled "Random Lengths" is revoked; the prices of 2" x 6" are amended to equal the 11/2" x 8" prices; Items 11a and 21a are added; and Items 2, 12, 18 and 21 are amended; in Table 16, Item 6a is added; and Item 17 is amended in its entirety. In § 1381.212 (b), the title of Table 2 is amended; Items 12a, 12b, 12c and 12d are added, and Item 14 is amended; in Table 3, Item 2 is amended; in Table 14, Item 6a is added; and in Table 15, Items 21 and 22 are amended, and Item 35a is added.

In § 1381.212 (d) (4) (iii), weights for dry timbers are added under weights of "Heavy Joists, Timbers Etc. (Over 4"

In § 1381.212 (e), a list of qualified producers is added to subparagraph (1).

In § 1381.212 Appendix A: Maximum prices for Southern pine lumber where shipment originates at a mill. (a) * * *

<table>
<thead>
<tr>
<th>Material</th>
<th>°F</th>
<th>°F</th>
<th>°F</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. 1</td>
<td>112</td>
<td>112</td>
<td>112</td>
</tr>
<tr>
<td>No. 2</td>
<td>112</td>
<td>112</td>
<td>112</td>
</tr>
<tr>
<td>No. 3, 4, 5 Damage, 6&quot; &amp; Over</td>
<td>112</td>
<td>112</td>
<td>112</td>
</tr>
<tr>
<td>Note 1</td>
<td>112</td>
<td>112</td>
<td>112</td>
</tr>
<tr>
<td>Note 2</td>
<td>112</td>
<td>112</td>
<td>112</td>
</tr>
</tbody>
</table>

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

$1.60 for extra thickness, add $1.00 for receiving and deduct 25% of the total 6/4 price so obtained. The result obtained by deducting the 25% from the "total 6/4 price is the price per 100 short tons.

To arrive at the price of $1.60 per 100 short tons, deduct 25% from the "total 6/4 price".

Packing, Footage, and Lengths: First: Take the price of the corresponding item of 6/4 or 1/2 Common 6/4 x 8, Rough, AD, Standard Lengths. Second, add $1.00 for extra thickness. Third: Add $1.00 for receiving. Fourth: Add $1.00 for extra thickness. Fifth: Deduct 25% from "total 6/4 price".

Issued this 5th day of November 1942.

Leon Henderson, Administrator.

[F. R. Doc. 42-11542; Filed, November 5, 1942; 1.32 p. m.]

13. Where the buyer requires an average width, charge the price which would have been charged had the purchaser ordered the various widths which were shipped.

For Length:

15. The price for "random lengths" is the same as the price for 12' lengths. Random lengths must average at least 12'. If the lengths do not average at least 12' (with a tolerance of 3"), the price may not be lower than the 12' price. Random lengths are 4 to 29', inclusive, in multiples of 2', and may not contain more than the following percentages of short lengths:

<table>
<thead>
<tr>
<th>Material</th>
<th>Percent</th>
<th>Percent</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. 1</td>
<td>112</td>
<td>112</td>
<td>112</td>
</tr>
<tr>
<td>No. 2</td>
<td>112</td>
<td>112</td>
<td>112</td>
</tr>
<tr>
<td>Note 1</td>
<td>112</td>
<td>112</td>
<td>112</td>
</tr>
<tr>
<td>Note 2</td>
<td>112</td>
<td>112</td>
<td>112</td>
</tr>
</tbody>
</table>

16. Where the buyer specifies any restricted standard length, 8 to 10', 10 to 12', or otherwise, charge the specified length price for the lengths actually shipped.

18. Where the buyer requires an average length, charge the price for the specified length corresponding to the average length required.
TABLE 3—Dimensions, Air Dried, S1S, S2S, S3S, or S4S

<table>
<thead>
<tr>
<th>Grade</th>
<th>9' length</th>
<th>9' length</th>
<th>10' length</th>
<th>12' length</th>
<th>14' length</th>
<th>16' length</th>
<th>18' length</th>
<th>20' length</th>
<th>22'-24' lengths</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. 1: 2x6</td>
<td>$34.00</td>
<td>$34.00</td>
<td>$33.00</td>
<td>$38.00</td>
<td>$32.00</td>
<td>$37.00</td>
<td>$43.00</td>
<td>$43.00</td>
<td>$43.00</td>
</tr>
<tr>
<td>No. 2: 2x6</td>
<td>$27.00</td>
<td>$27.00</td>
<td>$28.00</td>
<td>$32.00</td>
<td>$29.00</td>
<td>$35.00</td>
<td>$35.00</td>
<td>$35.00</td>
<td>$35.00</td>
</tr>
<tr>
<td>No. 3: 2x6</td>
<td>$21.00</td>
<td>$21.00</td>
<td>$21.00</td>
<td>$22.00</td>
<td>$22.00</td>
<td>$25.00</td>
<td>$25.00</td>
<td>$25.00</td>
<td>$25.00</td>
</tr>
</tbody>
</table>

For Working:

2. Shiplap, Center Matched, Dressed and Grooved or any other dressing, add $1.00.

For Grade:

11a. The additions permitted by items 6, 7, 8, 9, 10, and 11, may only be made when each piece has been grade-marked.

12. Sound and Square Edge, same price as the No. 2 common price.

For Length:

18. Where the buyer requires an average length, charge the price for the specified length corresponding to the average length required.

21. For lengths longer than 24 feet, add to 24' price as follows (for all grades):

| TABLE 4—Oak Material
<table>
<thead>
<tr>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>6a. Green, deduct $2.00 on 2&quot; and thinner, and $4.00 on thicknesses greater than 2&quot;.</td>
</tr>
</tbody>
</table>

TABLE 5—Timbers, Green, Rough

<table>
<thead>
<tr>
<th>Grades</th>
<th>No. 1 common</th>
<th>No. 2 common</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Specified lengths 8' to 10'</td>
<td>Specified lengths 8' to 10'</td>
</tr>
<tr>
<td>3x5 to 4x4</td>
<td>$32.00</td>
<td>$25.00</td>
</tr>
<tr>
<td>3x5 to 4x5</td>
<td>$32.00</td>
<td>$28.00</td>
</tr>
<tr>
<td>3x7 to 6x6</td>
<td>$30.00</td>
<td>$34.00</td>
</tr>
<tr>
<td>3x9 to 7x11</td>
<td>$39.00</td>
<td>$36.00</td>
</tr>
<tr>
<td>4x5 to 8x10</td>
<td>$30.00</td>
<td>$30.00</td>
</tr>
<tr>
<td>4x6 to 8x10</td>
<td>$38.00</td>
<td>$38.00</td>
</tr>
<tr>
<td>4x10 to 8x10</td>
<td>$46.00</td>
<td>$46.00</td>
</tr>
<tr>
<td>5x11 to 7x14</td>
<td>$54.00</td>
<td>$54.00</td>
</tr>
<tr>
<td>6x12 to 8x14</td>
<td>$62.00</td>
<td>$62.00</td>
</tr>
<tr>
<td>7x13 to 10x16</td>
<td>$74.00</td>
<td>$74.00</td>
</tr>
<tr>
<td>8x14 to 12x18</td>
<td>$84.00</td>
<td>$84.00</td>
</tr>
<tr>
<td>9x15 to 15x20</td>
<td>$96.00</td>
<td>$96.00</td>
</tr>
<tr>
<td>10x16 to 20x20</td>
<td>$108.00</td>
<td>$108.00</td>
</tr>
<tr>
<td>11x18 to 22x22</td>
<td>$120.00</td>
<td>$120.00</td>
</tr>
<tr>
<td>12x20 to 24x24</td>
<td>$132.00</td>
<td>$132.00</td>
</tr>
</tbody>
</table>

Additions and Deductions per 1,000 feet board measure:

For Working:
1. S1S, S2S, S3S, S4S, Shiplap or T and G, add $2.00.
2. Grooved 2 edges, add $3.00 (to dressed prices).

3. Beveling and/or outgapping for two edges on one face, add $4.00; for four edges, or one face and one edge, add $8.00 (to dressed prices in each case).

For grade, add to No. 1 Common prices unless otherwise specified.
27. Fractional widths, add $3.00 to nearest listed wider width and compute footage on actual width.

28. For Timbers, Square Edge and Sound and grades above, when grade-marked, add 25% of the difference between the corresponding item of 6/4 and the total 6/4 price. The result obtained by deducting 25% from the "total 6/4 price" is the price per M. for 11/16, rough. Footage shall be computed as though the 11/16 boards were one inch thick. An example of how to apply this formula is set out below:

   First: Take the price of the corresponding item of 6/4: $3.25
   Second: Add 25% of the total 6/4 price so obtained. $0.81
   Third: Add $1.00 for resawing, and $1.00 for dressing after resawing, and deduct 25% from the total 6/4 price so obtained. $0.81
   Fourth: Total 6/4 price. $6.00
   Fifth: Deduct 25% from "total 6/4 price". $1.50
   Result: Maximum price for 11/16 x 8, rough, air dried, standard lengths: $4.50

These computations need not be shown on the invoice.

29. 11/16, resawn, rough, take the price of the corresponding item of 6/4: $4.50, add $1.00 for extra thickness, and $1.00 for resawing, and deduct 25% from the total 6/4 price so obtained. Compute footage as though the boards were one inch thick. See example in Note 12c.

30. 11/16, resawn, #4s, take the price of the corresponding item of 6/4: $4.60, add $1.00 for extra thickness, add $1.00 for resawing, add $1.00 for dressing after resawing, and deduct 25% from the total 6/4 price so obtained. Compute footage as though the boards were one inch thick. See example in Note 12c.

31. 8/9, figure price just as you would for 11/16 except that you do not add anything for extra thickness. The price will therefore be 784 per M less than the corresponding item of 11/16. Compute footage as though the boards were one inch thick. See example in Note 12c.

14. Where the buyer requires an average width, charge the price that would have been charged had the purchaser ordered the various widths which were shipped.

TABLE 2—BOARDS AND STRIPS

<table>
<thead>
<tr>
<th>Type</th>
<th>11/16</th>
<th>3/4</th>
<th>5/8</th>
</tr>
</thead>
<tbody>
<tr>
<td>Air Dried</td>
<td>$3.25</td>
<td>$6.00</td>
<td>$9.75</td>
</tr>
<tr>
<td>Rough</td>
<td>$3.25</td>
<td>$6.00</td>
<td>$9.75</td>
</tr>
<tr>
<td>Standard</td>
<td>$3.25</td>
<td>$6.00</td>
<td>$9.75</td>
</tr>
<tr>
<td>Shiplap</td>
<td>$3.25</td>
<td>$6.00</td>
<td>$9.75</td>
</tr>
</tbody>
</table>

For Working:

2. Shiplap, Center Matched, Dressed and Matched or Grooved, or any other dressing, add $1.00.

CHAPTER II—DIVISION OF PUBLIC CONTRACTS

SECTION 165—MINIMUM WAGE DETERMINATIONS

THE TOBACCO INDUSTRY

In the matter of the determination of the prevailing minimum wage in the Tobacco Industry.

This matter is before me pursuant to section 1 (b) of the Act of June 30, 1938 (49 Stat. 626; 41 U.S.C. 501-5163), entitled "An Act to provide conditions for the purchase of supplies and the mailing of contracts by the United States, and for other purposes," otherwise known as the Walsh-Healey Public Contracts Act.

On August 29, 1942, the Assistant Administrator of the Division of Public Contracts of the Department of Labor issued a Notice of Opportunity To Show Cause on or before September 19, 1942, why I should not amend the prevailing minimum wage determination for the Tobacco Industry; issued by me on April 17, 1939, and amended August 12, 1942, by (1) increasing the prevailing minimum wage from 32 1/2 cents an hour to 40 cents

Copies may be obtained from the Office of Price Administration.

* * *

§ 1381.211a Effective dates of amendments.

(1) Amendment No. 5 (§ 1381.212) to Maximum Price Regulation No. 18 shall become effective November 5, 1942.

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

Issued this 5th day of November 1942.

Leon Henderison, Administrator.

[For. R. Doc. 42-11547; Filed, November 5, 1942; 4:22 p.m.]

PART 1381—SOFTWOOD LUMBER

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.* Paragraph (b) of § 1381.203 is hereby revoked.

§ 1381.211b Effective dates of amendments.

(1) Amendment No. 4 (§ 1381.203) to Maximum Price Regulation No. 19 shall become effective November 5, 1942.

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

Issued this 5th day of November 1942.

Leon Henderison, Administrator.

[For. R. Doc. 42-11546; Filed, November 5, 1942; 4:22 p.m.]

§ 1381.211c Effective dates of amendments.

(1) Amendment No. 5 (§ 1381.212) to Maximum Price Regulation No. 19 shall become effective November 5, 1942.

P.R. Laws 421 and 729; 77th Cong.; E.O. 9250; 7 F.R. 7871

Issued this 5th day of November 1942.

Leon Henderison, Administrator.

[For. R. Doc. 42-11547; Filed, November 5, 1942; 4:22 p.m.]

TITLE 41—PUBLIC CONTRACTS

CHAPTER II—DIVISION OF PUBLIC CONTRACTS

SECTION 202—MINIMUM WAGE DETERMINATIONS

THE TOBACCO INDUSTRY

In the matter of the determination of the prevailing minimum wage in the Tobacco Industry.

This matter is before me pursuant to section 1 (b) of the Act of June 30, 1938 (49 Stat. 626; 41 U.S.C. 501-5163), entitled "An Act to provide conditions for the purchase of supplies and the mailing of contracts by the United States, and for other purposes," otherwise known as the Walsh-Healey Public Contracts Act.

On August 29, 1942, the Assistant Administrator of the Division of Public Contracts of the Department of Labor issued a Notice of Opportunity To Show Cause on or before September 19, 1942, why I should not amend the prevailing minimum wage determination for the Tobacco Industry; issued by me on April 17, 1939, and amended August 12, 1942, by (1) increasing the prevailing minimum wage from 32 1/2 cents an hour to 40 cents

Copies may be obtained from the Office of Price Administration.

* * *

§ 1381.211a Effective dates of amendments.

(1) Amendment No. 5 (§ 1381.212) to Maximum Price Regulation No. 18 shall become effective November 5, 1942.

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

Issued this 5th day of November 1942.

Leon Henderison, Administrator.

[For. R. Doc. 42-11547; Filed, November 5, 1942; 4:22 p.m.]

PART 1381—SOFTWOOD LUMBER

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.* Paragraph (b) of § 1381.203 is hereby revoked.

§ 1381.211b Effective dates of amendments.

(1) Amendment No. 4 (§ 1381.203) to Maximum Price Regulation No. 19 shall become effective November 5, 1942.

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

Issued this 5th day of November 1942.

Leon Henderison, Administrator.

[For. R. Doc. 42-11546; Filed, November 5, 1942; 4:22 p.m.]

TITLE 41—PUBLIC CONTRACTS

CHAPTER II—DIVISION OF PUBLIC CONTRACTS

SECTION 202—MINIMUM WAGE DETERMINATIONS

THE TOBACCO INDUSTRY

In the matter of the determination of the prevailing minimum wage in the Tobacco Industry.

This matter is before me pursuant to section 1 (b) of the Act of June 30, 1938 (49 Stat. 626; 41 U.S.C. 501-5163), entitled "An Act to provide conditions for the purchase of supplies and the mailing of contracts by the United States, and for other purposes," otherwise known as the Walsh-Healey Public Contracts Act.

On August 29, 1942, the Assistant Administrator of the Division of Public Contracts of the Department of Labor issued a Notice of Opportunity To Show Cause on or before September 19, 1942, why I should not amend the prevailing minimum wage determination for the Tobacco Industry; issued by me on April 17, 1939, and amended August 12, 1942, by (1) increasing the prevailing minimum wage from 32 1/2 cents an hour to 40 cents

Copies may be obtained from the Office of Price Administration.

* * *
an hour, and (2) providing that learners may be employed at subminimum rates in accordance with the present applicable regulations of the Administrator of the Wage and Hour Division.

The notice sets forth that: (1) The minimum wage regularly to be paid by tobacco manufacturers subject to the provisions of the Fair Labor Standards Act of 1938 became 40 cents an hour on August 10, 1942, pursuant to the order of the Administrator of the Wage and Hour Division for the Tobacco Industry; (2) substantially all employees subject to my prevailing wage determination for the Tobacco Industry, are engaged in commerce or in the production of goods for commerce, and consequently the wage order has the effect of establishing 40 cents an hour as the prevailing minimum wage in the Tobacco Industry; and (3) it appears desirable, for the purpose of co-ordinating the administration of the Fair Labor Standards Act of 1938 and the Public Contracts Act, to provide that learners may be employed at subminimum rates under this determination in accordance with the present applicable regulations of the Administrator of the Wage and Hour Division.

This notice was sent to trade unions, trade associations; and publications and was duly published in the Federal Register (7 F.R. 6096). No objections, protests, or any statements in opposition to the proposed amendments have been received.

Upon consideration of all the facts and circumstances, I hereby determine:

§ 202.26 Tobacco. (a) The Tobacco Industry, for the purpose of this determination, is defined to include the manufacture of cigarettes, of chewing and smoking tobaccos, and of snuff, but to exclude the manufacture of cigars.

(b) The minimum wage for employees engaged in the performance of contracts with agencies of the United States Government subject to the provisions of the Walsh-Healey Public Contracts Act (49 Stat. 10, 1938; 41 U.S.C. 35 (b)) for the manufacture or supply of the products of the Tobacco Industry as herein defined shall be 40 cents an hour, or $16 per week for 40 hours, arrived at either upon a time or piece-work basis, provided that learners may be employed at subminimum rates in accordance with the present applicable regulations of the Administrator of the Wage and Hour Division under the Fair Labor Standards Act of 1938 which I hereby adopt for the purposes of this determination.

Dated: November 4, 1942.
FRANCES PERRINS,
Secretary of Labor.

[FR. Doc. 42-11151; Filed, November 5, 1942; 11:40 a.m.]

PART 202—MINIMUM WAGE DETERMINATIONS
RAINWEAR INDUSTRY

In the matter of the determination of the prevailing minimum wage in the rainwear industry by providing that learners may be employed at subminimum rates in accordance with the present applicable regulations of the Administrator of the Wage and Hour Division for the manufacture of rainwear, I hereby determine:

§ 203.31 Bill of lading clause for cargo carried on public vessels of the United States. The following clause will be conspicuously printed or stamped on all Bills of Lading issued by War Shipping Administration agents pursuant to General Order No. 16:

If the goods herein covered are carried on a vessel owned or under bareboat charter to the United States and which is a Public Vessel of the United States, War Shipping Administration, on behalf of the United States, hereby assumes all liabilities it would have with respect to the carriage of such goods if the vessel were a merchant vessel except with respect to cargo owned by the United States or any agency or Department thereof and lend-leased cargo. This clause is to be construed only as an agreement that such cargo when carried on such a Public Vessel shall be treated as though the carrying vessel were a merchant vessel with respect to the carriage of such goods. Nothing in this determination shall affect such obligations for the payment of minimum wages as an employer may have under the Fair Labor Standards Act of 1938 or any wage order thereunder, or under any other law or agreement more favorable to employees than the requirements of this determination.

Dated: November 4, 1942.
FRANCES PERRINS,
Secretary of Labor.

[FR. Doc. 42-11154; Filed, November 5, 1942; 11:41 a.m.]
spective to liabilities for loss or damage to such cargo.

General Order No. 18, Supplement No. 5 is hereby superseded by this Supplement No. 6.

[Seal]
E. S. Land,
Administrator.
November 5, 1942.

[F. R. Doc. 42-11554; Filed, November 6, 1942; 11:17 a.m.]

[General Order No. 6, Supp. 5]
PART 305—INSURANCE
WAR RISK INSURANCE ON SHIPMENTS TO TERRITORIES

War Risk Insurance—Automatic Coverage on Import Cargoes and on Cargoes Shipped to the Territories and Possessions of the United States.

Pursuant to the authority contained in the Merchant Marine Act of 1936, as amended, the following Standard Optional Endorsement No. XIII is hereby promulgated:

Notwithstanding the provisions of General Order No. 6 Supplement No. 4 (§ 305.60) clause 16 of Part II of Warshippencargo Policy with respect to the exclusion of metal articles and soap and toilet preparations from any cargo under a Warshippencargo Policy an assured may hereafter endorse such a policy to cover all shipments of those commodities from the Continental United States (excluding Alaska) to any one or more of the territories and possessions of the United States including Alaska according to the provisions of the following Standard Optional Endorsement No. XIII:

§ 305.59 Standard Optional Endorsement. No. XIII. It is understood and agreed that all shipments of (1) soap and toilet preparations and (2) metal articles, each as defined in the United States Department of Commerce “Statistical Classification of Imports” in sections of Code Classification numbered respectively (1) §§ 8711.0—8731.2, and (2) §§ 6835.0—6905.0 are covered hereunder with respect to shipments from the Continental United States (excluding Alaska) to the territories and possessions of the United States including Alaska.

All other terms and conditions remaining unchanged.

This order shall become effective November 6, 1942.

[Seal]
E. S. Land,
Administrator.
November 4, 1942.

[F. R. Doc. 42-11558; Filed, November 6, 1942; 11:17 a.m.]

DEPARTMENT OF THE INTERIOR.
Bituminous Coal Division.
[Docket No. A-1618]
DISTRICT BOARD NO. 8
ORDER POSTPONING HEARING
In the matter of the petition of District Board No. 8 for changes in price classifications and minimum prices in size groups 1 to 7, inclusive, for all shipments except truck and for truck shipments, for the coals of Red Parrot No. 2 Mine (Min Index No. 593) of Red Parrot Coal Company, a Code Member in District No. 8.

Petitioner, District Board No. 8, having renewed that the hearing in the above-entitled matter, scheduled for October 15, 1942 and postponed to November 5, 1942 at 10 o'clock in the forenoon of that day, be further postponed to November 15, 1942 because counsel for petitioner is not able to be present at the hearing in this matter on November 5; and


It appearing that good cause for the postponement has been shown;

NOW, THEREFORE, it is hereby ordered, That the hearing in the above-entitled matter be, and it hereby is, postponed from November 5, 1942 until 10 o'clock in the forenoon of November 15, 1942 at the place hereinafter provided.

Dated: November 4, 1942.
[Seal] Dan H. Wheeler,
Director.

[F. R. Doc. 42-11552; Filed, November 6, 1942; 11:33 a.m.]

[Docket No. A-74]
TECUMSEH COAL CORPORATION
MEMORANDUM OPINION AND ORDER GRANTING RELIEF

In the matter of the petition of Tecumseh Coal Corporation for revision of the effective minimum prices for the coals of Mine Index No. 163, District No. 11, in Size Group 105, inclusive, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

This proceeding was instituted upon an original petition filed with the Bituminous Coal Division (the “Division”) on October 3, 1940, by Tecumseh Coal Corporation (“Tecumseh”), a code member in District 11, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 (the “Act”). Amendments to the petition were likewise filed on October 10 and 15, 1940. The petition, as amended, requested that petitioner’s Tecumseh Mine (Mine Index No. 105) coals in the washed industrial sizes (Size Groups 17 to 25, inclusive), when sold to the Indianapolis Power and Light Company (the “Power Company”), have the same minimum fixed, b. m. mine prices as are established for District No. 11 Price Group 10 raw industrial coals of similar size. Both temporary and permanent relief were requested.

Petitions of intervention were filed by District Board 11; Ayrshire Patches Collieries Corporation, Black Hawk Coal Corporation, The Enos Coal Mining Company, Hickory Grove Coal Mining Corporation, and Princeton Mining Company, code members in District 11; Old
Ben Coal Corporation, et al. (five others), code members in District 10; and jointly by Snow Hill Coal Corporation, a code member in District 11, and Midland Electric Coal Corporation, et al. (other others), code members in District 10. Consumers' Counsel Division ("Consumers' Counsel") entered an appearance.1 Pursuant to an appropriate order and after due notice to interested persons, a hearing in this matter was held on October 11-12, 1940, before H. A. Gray, D.
1

ector, at a hearing room of the Division in Washington, D. C. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses and otherwise be heard. Appearances were entered by the petitioner; District Board 11; Ayrshire Patoka Collieries Corporation, Princeton Mining Corporation, and Consumers' Counsel. At the close of the hearing on October 11, 1940, the proceeding was continued to November 22, 1940, for the purpose of hearing additional evidence. On October 24, 1940, on the basis of the record, the Director entered an order granting temporary relief, temporarily, pending a final determination of the proceeding. The order granting temporary relief required the petitioner to file with the Division a verified weekly report of the quantity shipped to the Power Company, prices, and data showing all other producers from whom the Power Company purchases coal, together with tonnages purchased and prices paid, such statement to become a part of the record in this proceeding. Motions were filed by Black Hawk Coal Corporation and Ayrshire Patoka Collieries Corporation, with respective supporting briefs, and by Consumers' Counsel to dismiss the proceeding. On November 19 to December 10, 1940, stipulations by the parties were filed limiting the proceeding to the propriety of the minimum prices theretofore established for petitioner's coals in Size Groups 17 to 25, inclusive, when sold to the Power Company. On the basis of these stipulations, petitioner filed a motion to close the hearing. On January 15, 1941, an order was entered so limiting the issue and closing the hearing. Intervener Black Hawk Coal Corporation now (October 5, 1940) files a "Motion for Final Hearing and Termination of Temporary Order pending Final Hearing." Intervener argues that the temporary relief granted to petitioner is preterent to and prejudicial to intervener and other producers, that the latter are barred by the differential between the prices for their washed screenings and those of petitioner from selling coals to the Power Company. It urges that a sufficient period of time has elapsed for the Director to determine if petitioner is entitled to the temporary relief already granted and states that the facts have changed since relief was granted, in that petitioner then stated that its mine was shut down because of its inability to sell screenings to the Power Company is now one of the largest producers of coal in Indiana. Because of the alleged preference to petitioners, by the establishment of a minimum price not contemplated by the Coal Act, intervener argues that the temporary relief granted petitioner is contrary to the Act and that petitioner states that "while this intervener did not desire to introduce any additional evidence two years ago, the facts have materially changed since that time." Accordingly, to petition for an enlargement of the temporary relief to be granted, and that the temporary relief should be cancelled without further testimony, or, in the alternative, that the petition be dismissed and the temporary relief terminated pending such final hearing in this matter.

On October 24, 1942, petitioner, Teumess Coal Corporation, filed a document opposing intervener's motion, specifically denying many of the allegations made in the moving papers and contending that the temporary relief granted in the Order of October 24, 1940, should be continued to permit it to sell to the Power Company at special minimum prices. In the final paragraph petitioner states, "If the Director had disposed of this in the proceeding that, as a matter of law, the authorization of specific prices to a specific consumer is not permissible under the Act, petitioner will of course be forced to petition for an enlargement of the issues in this proceeding." The hearing in this proceeding was held on October 11-12, 1940, shortly after the establishment of minimum prices. The record before the Director has no experience in the sale of its coal under the established minimum prices. It was impossible to determine what effect decreases in petitioner's prices might have on the market prices in the event of the sale of petitioner's washed coal in similar sizes in Price Group 10, based upon shipments to the several market areas, rather than to a single consumer. Therefore, pursuant to what may be termed the alternative prayer in petitioner's papers filed in opposition to intervener's motion, I find that petitioner should be given leave to amend its petition within thirty (30) days from the date of this order in accordance with the above opinion, and that the temporary relief granted herein shall remain effective until otherwise ordered by the Director. Accordingly, it is so ordered.

Dated: November 2, 1942.

[SEAL]

DAN H. WHEELER, Director.

[F. R. Doc. 42-11522; Filed, November 6, 1942; 11:45 a.m.]

[Docket No. 1815-FD]

FRANK H. McDONALD, DEFENDANT

RESTORATION OF CODE MEMBERSHIP

Order granting application for restoration of code membership and restoring code membership.

A written complaint dated July 24, 1941, pursuant to the provisions of section 5(b) of the Bituminous Coal Act of 1941, having been duly filed on August 4, 1941, by Blum

ous Coal Producers Board for District No. 3, a district board, as complainant,

1Now, the Bituminous Coal Consumers' Counsel.
with the Bituminous Coal Division (the "Division"), alleging wilful violation by the above-named defendant of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder; and

An order cancelling and revoking the membership of the said Frank H. McDonald in the Code, pursuant to section 5 (b) of the Act, and directing the payment to the United States of a tax of $147.25 as a condition precedent to the restoration thereof, pursuant to section 5 (c) of the Act, having been issued herein, after hearing, on December 17, 1941; and

An application for the restoration of membership in the Code dated October 20, 1942 having been duly filed with the Division on October 21, 1942 by the said Frank H. McDonald; and

It appearing from said application that the said Frank H. McDonald has paid to the Collector of Internal Revenue at Parkersburg, West Virginia said tax of $147.25 on September 24, 1942, pursuant to said order dated December 17, 1941, and said section 5 (c) of the Act, as a condition precedent to the restoration of his membership in the Code;

Now, therefore, it is ordered, That the said Frank H. McDonald for restoration of membership in the Code, be and the same hereby is granted; and

It is further ordered, That the said restoration of the membership of the said Frank H. McDonald in the Code, be and the same hereby is restored, effective as of 12:01 a.m. on September 24, 1942.

Dated: November 3, 1942.

[SEAL] DAN H. WHEELER, Director.

[F. R. Doc. 42-11527; Filed, November 5, 1942; 11:05 a. m.]

HILLMAN COAL & COKE COMPANY
ORDER TERMINATING TEMPORARY RELIEF AND DISMISSING PETITION

In the matter of the petition of Hillman Coal & Coke Company for a change in the minimum price established for coals of its Naomi Mine located in District No. 2, when sold for delivery all-river in Market Area No. 13, pursuant to Section 4 II (d) of the Bituminous Coal Act of 1937.

Petitioner having filed an original petition requesting a price of $1.65 per ton for coal from its Naomi Mine, f. a. s. dock of the Ohio Edison Company at Toledo, Ohio, and asking for temporary relief; and

Temporary relief having been granted by an order issued December 13, 1940, 5 F.R. 5156, following an informal conference held on November 30, 1940; and

The payment having been advised by a communication from petitioner dated September 23, 1942, that the necessity for the relief granted no longer exists, and that petitioner desires to withdraw its petition;

Now, therefore, it is ordered, That the temporary relief heretofore granted in the above entitled matter by order issued December 13, 1940, 5 F.R. 5156, be and the same hereby is terminated.

It is further ordered, That the original petition in the above entitled matter be and the same hereby is dismissed without prejudice.

Dated: November 4, 1942.

[SEAL] DAN H. WHEELER, Director.

[F. R. Doc. 42-11529; Filed, November 6, 1942; 11:04 a. m.]

DEPARTMENT OF LABOR
Division of Public Contracts

EVAPORATED AND POWDERED SKIMMED MILK
EXCEPTION FROM PROVISIONS OF WALSH-HEaley ACT

Whereas the Secretary of War on September 30, 1942, made written findings that the inclusion of the representations and stipulations of section 1 of the Walsh-Healey Public Contracts Act (49 Stat. 1968; 41 U.S.C. 35) in contracts awarded on or before December 31, 1943, for evaporated milk and powdered skimmed milk, will seriously impair the conduct of Government business; and

Whereas the Secretary of War by letter dated October 27, 1942, requested that an exception be granted under section 6 of the Act to permit the award of contracts until December 31, 1943, for evaporated milk and powdered skimmed milk without the inclusion of the representations and stipulations of section 1 of the Act; and

Whereas it appears that justice and public interest will be served by the granting of the exception on the basis of the findings of the Secretary of War,

Now, therefore, I do hereby grant an exception, pursuant to the powers vested in me by section 6 of the Walsh-Healey Public Contracts Act (49 Stat. 1968; 41 U.S.C. 35), permitting the award of contracts for evaporated milk and powdered skimmed milk during the period from December 31, 1943, as due to December 31, 1943, unless otherwise ordered without the inclusion in such contracts of the representations and stipulations of section 1 of the Act.

Dated: November 4, 1942.

FRANCES FERENZI, Secretary of Labor.

Wage and Hour Division.

[Administrative Order 163]

PENS AND PENCILS MANUFACTURING INDUSTRY
APPOINTMENT OF INDUSTRY COMMITTEE

Appointment of Industry Committee No. 52.

1. By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, L. M. McCallie Walling, Administrator of the Wage and Hour Division, U. S. Department of Labor, do hereby appoint and convene for the pens and pencils manufacturing industry (as such industry is defined in paragraph 2) an industry committee composed of the following representatives:

For the public:
David A. McCauley, Chairman, Princeton, New Jersey.
Eveline M. Burns, New York, New York.
Alva W. Taylor, Nashville, Tennessee.

For the employees:
Carl Holdeman, Newark, New Jersey.
Paul Shalshin, Washington, District of Columbia.

Joseph A. Bresld, Chicago, Illinois.

For the employers:
J. F. Fitzpatrick, Levittown, Tennessee.
Robert S. Gillman, Petersburg, Virginia.
Kenneth Parker, Jonesville, Wisconsin.

Such representatives have been chosen with due regard for geographical regions in which such industry is carried on.

2. For the purpose of this order the term "pens and pencils manufacturing industry" means:

The manufacture of pens and pencils, including, but not limited to, fountain pens, fountain pen desk sets, stylographic pens, pen holders, pen nuts, nibs, lead pencils, rubber erasers, lead pencils, pencil points, all types of crayons, and the related products made or assembled in pens and pencils manufacturing establishments.

3. The definition of the pens and pencils manufacturing industry covers all occupations in the industry which are necessary to the production of the articles specified in the definition, including clerical, maintenance, shipping and selling occupations: Provided, however, That such clerical, maintenance, shipping and selling occupations when carried on in a wholesale or selling department are sales of which whole-saling or selling department are sales of articles which have been purchased for resale, shall not be deemed to be covered by this definition: Provided, further, That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

4. The industry committee herein created shall meet in the offices of the Wage and Hour Division, U. S. Department of Labor, Room 1010, at 163 West 40th Street, New York City, at 10:00 a.m. on November 30, 1942, and, in accordance with the provisions of the Fair Labor Standards Act of 1938 and rules and regulations promulgated thereunder, shall proceed to investigate the industry and recommend to the Administrator minimum wage rates for all em-
employees thereof who within the meaning of said Act are "engaged in commerce in or in the production of goods for commerce," excepting employees exempted by virtue of the provisions of section 13 (a) and employees coming under the provisions of section 14.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 42-11585; Filed, November 6, 1942; 11:06 a.m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[ Vesting Order 196 ]

CERTAIN COPYRIGHTS AND COPYRIGHT INTERESTS

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9055, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described in Exhibit A attached hereto and made a part hereof, including but not limited to all accrued royalties, all rights to receive royalties, all damages and profits recoverable at law or in equity from any or all persons, firms, corporations or governments for past infringement thereof, and all rights of renewal subject to be exercised by or through such owners, is property of nationals, and represents ownership of said business enterprise which is a national, of a designated enemy country (Germany), and determining that to the extent that any or all of such nationals are persons within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country, 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 being described as follows:

(a) All right, title and interest of every kind or nature whatsoever of the owners thereof in, to, and under the copyrights described in Exhibit A, including but not limited to all accrued royalties, all rights to receive royalties, all damages and profits recoverable at law or in equity from any or all persons, firms, corporations or governments for past infringement thereof, and all rights of renewal subject to be exercised by or through such owners.

(b) All right, title and interest of every kind or nature whatsoever of the authors of the publications described in said Exhibit A, in, to and under the copyrights described in said Exhibit A, including but not limited to all accrued royalties, all rights to receive royalties, all damages and profits recoverable at law or in equity from any or all persons, firms, corporations or governments for past infringement thereof, and all rights of renewal subject to be exercised by or through such owners.

(c) All right, title and interest of every kind or nature whatsoever of the claimants thereof in, to and under any and all claims of copyright and rights to claim copyrights in the publications described in Exhibit B attached hereto and made a part hereof, including but not limited to all accrued royalties, all rights to receive royalties, all damages and profits recoverable at law or in equity from any or all persons, firms, corporations or governments for past infringement thereof, and all rights of renewal subject to be exercised by or through such owners, or potential claimants, or any of them.

(d) All right, title and interest of every kind or nature whatever of the authors of the publications described in said Exhibit B, in, to and under any and all claims of copyright and rights to claim copyrights in the publications described in Exhibit B, including but not limited to all accrued royalties, all rights to receive royalties, all damages and profits recoverable at law or in equity from any or all persons, firms, corporations or governments for past infringement thereof, and all rights of renewal subject to be exercised by or through such owners, or potential claimants, or any of them.

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 claim together with a request for a hearing thereon, on Form APC-I, 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" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D.C., on September 29, 1942.

[SEAL]

LOO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

1. Copyrights numbered F. A. Foreign 1093, 4157, 21589, 6527, 10386, 12721, 25560, 26611, 16421, 25564, 16256, 35943, 26361, 35962, 21690, 36058, 36056, 36066, 25538, 20649, 20707, 26123, 23192, 30126, 31069, 30917, 32758, 33898, 34281, on compositions written by F. K. Biehlstein, a German national, entitled "Handbuch Der Organischen Chemie", the effective date of such copyrights varying from April 29, 1921, to October 24, 1936, and the owners of such copyrights being Julius Springer, Berlin, Germany.

2. Copyright number A. Foreign 4220, on a play written by Sigrid Hammerschmidt, an Italian national, entitled "Una Passione Coniugale", the effective date of such copyright being April 15, 1921, and the copyright owner being Casa Editrice Ciala, Milan, Italy.

3. Copyrights numbered J. 260611, 260656, 260657, 260658, 260659, 260660, 260671, 260672, 260673, 260674, 260675, 260676, 260677, 260678, 260679, 260680, 260681, 260682, 260683, 260684, 260685, 260686, 260687, 260688, 260689, 260690, 260691, 260692, 260693, 260694, 260695, 260696, 260697, 260698, 260699, 260700, 260701, 260702, 260703, 260704, 260705, 260706, 260707, 260708, 260709, on a book written by Dr. Jean Peters, a German national, entitled "Acht Stellige Tafel der trigonometrischen Funktionen—Eine Veranschau- lichung", the effective date of such copyright being May 25, 1929, and the owner of such copyright being Fritz F. Landsenge- nahe, Berlin, Germany.

4. Copyright No. A. Foreign 44375 on a book written by Dr. Jean Peters, a German national, entitled "Acht Stellige Tafel der trigonometrischen Funktionen—Eine Veranschau- lichung", the effective date of such copyright being May 25, 1929, and the owner of such copyright being Fritz F. Landsenge- nahe, Berlin, Germany.

EXHIBIT B

1. Claim of copyright on a book entitled "Sieben Stellige Tafel der trigonometrischen Funktionen—Eine Veranschau- lichung", written by Dr. Jean Peters, a German national, such copyright claim dating from 1929, copyright claimants being Druck-Brandstätter, Leipzig, Germany, and Reichsamt F. Landsenge- nahe, Berlin, Germany.

2. Claim of copyright on a book entitled "Leucabau", written by a German national, such copyright claim dating from 1946, copyright claimed by Chemisch-technischer Verlag Dr. Gustav Boden- bender, Berlin, Germany.

[F. R. Doc. 42-11586; Filed, November 6, 1942; 11:31 a.m.]

[Vesting Order 203]

ALL OF THE CAPITAL STOCK OF MAUSER BARREL COMPANY, INC.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All of the capital stock of Mauser Barrel Company, Inc., a New York corporation, New York, New York, which is a business enterprise within the United States, consisting of 200 shares of no par value common stock, which shares are registered in the name of Karl W. Mauser, Rudolf Mauser, Alfons Mauser, Paul Mauser and Egon Mauser, the last known addresses for all of whom were represented to the undersigned as being Cologne-Ehrenfeld, Germany, is property of nationals, and represents ownership of said business enterprise which is a national, of a designated enemy country (Germany), 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 the aforesaid designated enemy country; 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 allowed by the Allen Property Custodian.

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 claim together with a request for a hearing thereon, on Form APC-I, 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" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D.C., on September 29, 1942.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

Under investigation, finding that the property described in said Exhibit B, in, to and under the copyrights described in said Exhibit B, including but not limited to all accrued royalties, all rights to receive royalties, all damages and profits recoverable at law or in equity from any or all persons, firms, corporations or governments for past infringement thereof, and all rights of renewal subject to be exercised by or through such owners, or their widows, children, executors or next of kin, and all rights of renewal subject to be exercised by or through such owners, or potential claimants, or any of them.

(c) All right, title and interest of every kind or nature whatsoever of the authors of the publications described in said Exhibit B, including but not limited to all accrued royalties, all rights to receive royalties, all damages and profits recoverable at law or in equity from any or all persons, firms, corporations or governments for past infringement thereof, and all rights of renewal subject to be exercised by or through such owners, or their widows, children, executors or next of kin.

FEDERAL REGISTER, Saturday, November 7, 1942

17 F. R. 5205.
person be treated as a national of such designated enemy country (Germany), and therefore determining that such person is a national of a designated enemy country (Germany), and having made all declaratory judgments, 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 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. 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 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. 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 should be paid.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on October 2, 1942.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-11553; Filed, November 6, 1942; 11:32 a. m.]

[Vesting Order 204]

REAL PROPERTY IN ELGIN, ILLINOIS, OWNED BY CAROLINE KRAUSE

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title, interest and estate, both legal and equitable, of Caroline Krause, the last known address of whom was represented to the undersigned as being in Hamburg, Germany, in and to that certain parcel of real property, together with all fixtures, improvements and appurtenances thereunto, situate, lying and being in the City of Elgin, Kane County, State of Illinois, particularly described as follows:

The East one-third (1/3) of the North one-half (1/2) of Lot 5 in Block 19 of P. J. Kimball Jr.'s Third Addition to Elgin, situated in the City of Elgin, Kane County, Illinois, is property within the United States owned by a national of a designated enemy country (Germany), and determining that such property is encompassed within the purview of section 2 (c) of Executive Order No. 9095, as amended, and further finding that such property is the subject of litigation pending in the Circuit Court of Kane County, State of Illinois, in that certain action entitled Marjorie A. Healy, individually and as administratrix of the Estate of Walter E. Healy, deceased, and Charles Healy, plaintiffs, against Caroline Krause, et al, Defendants, an action to establish a lien to the title to the property, and determining that under such circumstances such property is encompassed within the purview of section 2 (f) of Executive Order No. 9095, as amended, and further determining that to the extent that the said Caroline Krause is a person not within a designated enemy country, such person is controlled property or on behalf of or as a cloak for a designated enemy country (Germany) or a person within such country, and the national interest of the United States requires that such

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of a foreign country (Germany), and having passed within the purview of section 2 (f) of Executive Order No. 9095, as amended, and further determining that such property is encom-

mised 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 2, 1942.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-11558; Filed, November 6, 1942; 11:34 a. m.]

[Vesting Order 205]

SIX COPYRIGHTS OF ENEMY NATIONALS

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title and interest of every kind or nature whatsoever in the six publications described in Exhibit A, is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of a foreign country (Germany), and having passed within the purview of section 2 (f) of Executive Order No. 9095, as amended, and further determining that such property is encom-

mised 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 5, 1942.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A


2. Copyright No.: A 74631. Title of Book: German Workbooks. Date of Publication: July 23, 1934. Author: Otto Kolischwitz.


6. Copyright No.: A 1083445. Title of Book: Deutsche Geschichte der Gegenwart. Date of Publication: July 17, 1933. Author: Otto Kolischwitz.

Re: Real property in Bellows Falls, Vermont, and a checking account in the Boston Safe Deposit and Trust Company,
Boston, Massachusetts, owned by Martha Clara von Stulpnagel.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

(a) That the property described as follows:

All right, title, interest and estate, both legal and equitable, of Martha Clara von Stulpnagel, the last known address of whom was represented to the undersigned as being in Potsdam, Germany, in and to that certain real property, together with all fixtures, improvements and appurtenances thereto, situate, lying and being in the Village of Bellows Falls, Town of Rockingham, County of Windham, State of Vermont, and particularly described as follows:

A certain piece or parcel of land situated on the westerly side of the square in said village of Bellows Falls and bounded easterly on said square forty-nine and two hundredths feet; northerly by other lands one hundred sixty-two and three-tenths feet; and westerly by other lands forty-nine and five-tenths feet; and southerly by lands one hundred fifty-seven and two hundredths feet, be all said measurements more or less or howsoever otherwise bounded, the same being shown upon a "Plan of property, Marth a C. Bingham estate and others, owners. Formerly Pettis property, Bellows Falls, Vt. Surveyed by G. Y. White, Lawrence, Mass., May 4, 1907", is property within the United States owned by a national of a designated enemy country (Germany); and

(b) That the property described as follows:

The checking account at the Boston Safe Deposit and Trust Company carried in the name of Martha Clara von Stulpnagel, is property within the United States owned or controlled by a national of a designated enemy country (Germany), and determining that the property described in paragraph (b) is necessary for the maintenance or safeguarding of other property (namely, that hereinafter described in paragraph (a) belonging to the same national of the same designated enemy country and subject to vesting hereof, or to vesting thereof, 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 undersigned, in and to the property described in paragraph (a) belonging to a national of a designated enemy country (Germany), and pursuant to law, the undersigned shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on October 6, 1942.

LEASE
LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-11560; Filed, November 6, 1942; 11:29 a.m.]

[Vesting Order 229]
JOHANN HEINRICH FLUHRER and JOHANN FRIEDRICH FLUHRER

Re: Real property in Ward and McHenry Counties, North Dakota, and a bank account, owned by Johann Heinrich Fluhrer and Johann Friedrich Fluhrer.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

(a) That the property described as follows:

All right, title, interest and estate, both legal and equitable, of Johann Heinrich Fluhrer and Johann Friedrich Fluhrer, and each of them, the last known address of whom was represented to the undersigned as being in Wurttemberg, Germany, in and to those certain parcels of real property, together with all fixtures, improvements and appurtenances thereto, situated:

(1) In the City of Minot, County of Ward, State of North Dakota, and particularly described as follows: West 249 feet of Lot 7 of Block 4, Ramstad's Second Addition to the City of Minot; and

(2) In the County of McHenry, State of North Dakota, and particularly described as follows: Northeast quarter of Section 33, Township 156, Range 69,

is property within the United States owned by nationals of a designated enemy country (Germany); and

(b) That the property described as follows:

The bank balance belonging to Johann Heinrich Fluhrer and Johann Friedrich Fluhrer, and each of them, carried in the name of "Fluhrer Trust" in the First National Bank, Minot, North Dakota, is property within the United States owned by nationals of a designated enemy country (Germany), and determining that the property described in this paragraph (b) is necessary for the main-


9094 FEDERAL REGISTER, Saturday, November 7, 1942

tenance or safeguarding of other property (namely, that hereinafter described in paragraph (a) belonging to the same nationals of the same designated enemy country and subject to vesting hereof, or to vesting 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 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 undersigned, in and to the property described in paragraph (a) belonging to a national of a designated enemy country (Germany), and determining that to the extent that either or both 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 the aforesaid designated enemy country (Germany), 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 receive 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 AFC-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" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on October 12, 1942.

LEASE
LEO T. CROWLEY,

Alien Property Custodian.

[F. R. Doc. 42-11560; Filed, November 6, 1942; 11:29 a.m.]

[Vesting Order 230]
60.05% OF CAPITAL STOCK OF REPUBLIC FILTERS, INC.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

(a) 488 shares (which constitute a substantial part, namely, 40.54%, of all outstanding shares) of $100 par value common capital stock of Republic Filters, Inc. (formerly American Seitz Filter Corporation), a New Jersey corporation, Paterson, New Jersey, which is a business enterprise within
the United States, which shares are registered in the name of and held by William J. Topken, New York, New York, for the benefit of Sitz-Weirs, G. m. b. H., Bad Kreuznach, and (b) 5 additional shares of similar stock of the aforesaid Republic Filters, Inc., which shares are registered in the name of Charles H. Brunsker, Paterson, New Jersey, and were obtained from Philip Farley on or about June 5, 1942, is property-of nationals, and represents interests in said business enterprise which is a national of a designated enemy country (Germany), 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 the aforesaid 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, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any and all of the proceeds thereof shall be held in a special account subject to further determinations 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 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" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

FEDERAL REGISTER, Saturday, November 7, 1942

Executive Order No. 8956, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title, interest and estate, both legal and equitable, of Salvatore Loforte, a national of Italy, of a certain real property, together with all fixtures, appurtenances thereto, situated in the Borough of Clifton, City of Passaic, State of New Jersey, and particularly described as follows:

Premises of a certain real property, which is a national, of a designated enemy country (Italy), and determining that to the extent that such national is a person not within a designated enemy country (Italy), and determining that the property described herein, together with the undesignated as part of lot number 12 and 13 in Block No. 10 on said map and more particularly bounded and described as follows:

Beginning at a point in the westerly side of Anderson Avenue, distant 71.17 feet northwesterly from the corner of the westerly side of said Anderson Avenue with the northerly side of Lafayette Avenue, as said street and as said line now laid out and which point is opposite the center line of a party wall standing partly on the premises hereby described and partly on the premises adjoined thereto on the north, south 46 degrees 44 minutes 20 seconds west, 110.47 feet to a point; running hence 2) north 50 degrees 7 minutes east along the rear line of lot 12 and 13 in Block No. 10 on the aforesaid map 20 feet to a point which is opposite the center line of a party wall standing partly on the premises hereby described and partly on the premises adjoined thereto on the north, south 45 degrees 44 minutes 20 seconds east, 109.65 feet to a point in the westerly line of said Anderson Avenue; and running thence 3) southerly along the westerly line of said Anderson Avenue, 20.48 feet to the beginning.

is property within the United States owned by a national of a designated enemy country (Italy), and determining that to the extent that such person is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Italy), 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 and 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.

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 8956, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title, interest and estate, both legal and equitable, of Salvatore Loforte, a national of Italy, of a certain real property, together with all fixtures, appurtenances thereto, situated in the Borough of Clifton, City of Passaic, State of New Jersey, and particularly described as follows:

Premises of a certain real property, which is a national, of a designated enemy country (Italy), and determining that to the extent that such national is a person not within a designated enemy country (Italy), and determining that the property described herein, together with the undesignated as part of lot number 12 and 13 in Block No. 10 on said map and more particularly bounded and described as follows:

Beginning at a point in the westerly side of Anderson Avenue, distant 71.17 feet northwesterly from the corner of the westerly side of said Anderson Avenue with the northerly side of Lafayette Avenue, as said street and as said line now laid out and which point is opposite the center line of a party wall standing partly on the premises hereby described and partly on the premises adjoined thereto on the north, south 46 degrees 44 minutes 20 seconds west, 110.47 feet to a point; running hence 2) north 50 degrees 7 minutes east along the rear line of lot 12 and 13 in Block No. 10 on the aforesaid map 20 feet to a point which is opposite the center line of a party wall standing partly on the premises hereby described and partly on the premises adjoined thereto on the north, south 45 degrees 44 minutes 20 seconds east, 109.65 feet to a point in the westerly line of said Anderson Avenue; and running thence 3) southerly along the westerly line of said Anderson Avenue, 20.48 feet to the beginning.

is property within the United States owned by a national of a designated enemy country (Italy), and determining that to the extent that such person is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Italy), 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 being the following described rights and interests under the copyright laws of the United States:

1. All right, title and interest of whatsoever kind or nature of each and all of the owners thereof in, to and under each and all of the claims of all the copyrights owned by said Exhibit A attached hereto and made a part hereof, including but not limited to all accrued royalties, all rights to receive royalties, all damages and profits recoverable at law or in equity from any and all persons, firms, corporations or governments for past infringement thereof, and all rights of renewal subject to be exercised by or through any or all of such owners.

2. All right, title and interest of whatsoever kind or nature of each and all of the authors of each and all of the publications described in said Exhibit A, including but not limited to all accrued royalties, all rights to receive royalties, all damages and profits recoverable at law or in equity from any and all persons, firms, corporations or govern-
C. R. GOERZ, Alien Property Custodian.

EXHIBIT A

Copyrights on publications entitled "Handbuch Der Organischen Chemie" written by F. K. Beilstein, a national of Germany, the owner of such copyrights being Julius Springer, whose last known address is Berlin, Germany, the effective dates of such copyrights variously being from March 15, 1933 to September 24, 1941, and the numbers of such copyrights being as follows:

A. Foreign 37207
A. Foreign 45374
A. Foreign 38159
A. Foreign 16129
A. Foreign 43370
A. Foreign 20430
A. Foreign 44554
A. Foreign 38178
A. Foreign 45410
A. Foreign 40741
A. Foreign 47101
A. Foreign 48098
A. Foreign 43375

F. R. Doc. 42-11566; Filed, November 6, 1942; 11:32 a. m.

[Notice of Copyright Number 244]

Copyrights and Rights Thereunder

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property hereinafter described is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of foreign countries, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act, hereby notifies that such property, or the proceeds thereof, 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 right, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said executive order.

Executed at Washington, D. C., on October 19, 1942.

[Seal]

LEO T. CROWLEY, Alien Property Custodian.
(a) All right, title and interest, arising under the laws of the United States, of every kind or nature whatsoever, of the owners thereof, in and under the copyrights described in Exhibit A hereto and made a part hereof, including but not limited to all accrued royalties, all rights to receive royalties, all damages and profits recoverable at law or in equity from any or all persons, firms, corporations or governments for past infringement thereof, and all rights of renewal subject to be exercised by or through such owners.

(b) All right, title and interest, arising under the laws of the United States, of every kind or nature whatsoever, of the authors of the publications described in Exhibit A attached hereto and made a part hereof in to, and under the copyrights described in said Exhibit A, including but not limited to all accrued royalties, all rights to receive royalties, all damages and profits recoverable at law or in equity from any or all persons, firms, corporations or governments for past infringement thereof and all rights of renewal subject to be exercised by such authors or by their widows, children, executors or next of kin.

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, 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 AFC-1, within one year from the date thereof, 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" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said executive order.

Executed at Washington, D. C., on October 19, 1942.

[SEAL]

LEO T. CROWLEY, Alien Property Custodian.

EXHIBIT A

<table>
<thead>
<tr>
<th>Copyrights No.</th>
<th>Nature of work</th>
<th>Titles of works</th>
<th>Copyright owners</th>
<th>Authors</th>
</tr>
</thead>
<tbody>
<tr>
<td>E30077</td>
<td>Musical composition</td>
<td>Essentialfinger exercises</td>
<td>Borzovsky &amp; Co., Budapest, Hungary</td>
<td>E von Delanyko, a national of Hungary</td>
</tr>
<tr>
<td>E3095</td>
<td>Musical composition</td>
<td>Essentialfinger exercises</td>
<td>Borzovsky &amp; Co., Budapest, Hungary</td>
<td>E von Delanyko, a national of Hungary</td>
</tr>
<tr>
<td>E30631</td>
<td>Musical composition</td>
<td>Waltz from the Ballet</td>
<td>Borzovsky &amp; Co., Budapest, Hungary</td>
<td>E von Delanyko, a national of Hungary</td>
</tr>
<tr>
<td>E306708</td>
<td>Musical composition</td>
<td>Czardas; in Exavior</td>
<td>Borzovsky &amp; Co., Budapest, Hungary</td>
<td>E von Delanyko, a national of Hungary</td>
</tr>
<tr>
<td>A44524</td>
<td>Book</td>
<td>Musicium und seine Legungen</td>
<td>F. Moeck, Leipzig</td>
<td>Adolph Bach, an Austrian of German national origin and others, nationals of Germany</td>
</tr>
</tbody>
</table>

[F.R. Doc. 42-11557; Filed, November 6, 1942; 11:33 a.m.]

[Exhibit Order Number 248]

All of the Capital Stock of Union Banking Corporation and Certain Indebtedness Owning by It

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9085, as amended 1 and pursuant to law, the undersigned, after investigation, finding:

(a) That the property described as follows:

- All of the capital stock of Union Banking Corporation, a New York corporation, New York, New York, which is a business enterprise within the United States, consisting of 4,600 shares of $100 par value common capital stock, the names of the registered owners of which, and the number of shares owned by them respectively, are as follows:

<table>
<thead>
<tr>
<th>Names of stockholders</th>
<th>Number of shares</th>
</tr>
</thead>
<tbody>
<tr>
<td>E. Roland Harriman</td>
<td>3,591</td>
</tr>
<tr>
<td>Cornelia Lievense</td>
<td>6</td>
</tr>
<tr>
<td>Harold D. Pennington</td>
<td>1</td>
</tr>
<tr>
<td>Ray Morris</td>
<td>1</td>
</tr>
<tr>
<td>Precote</td>
<td>1</td>
</tr>
<tr>
<td>H. J. Kowenhaven</td>
<td>1</td>
</tr>
<tr>
<td>Johann G. Groeningen</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>4,000</strong></td>
</tr>
</tbody>
</table>

1.7 F.R. 5205.

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 nationals of the aforesaid designated enemy country or countries (Germany and/or Hungary), and having made all determinations and taken all action, other than to hold the property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, 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 AFC-1, within one year from the date thereof, 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" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said executive order.

Executed at Washington, D. C., on October 20, 1942.

[SEAL]

LEO T. CROWLEY, Alien Property Custodian.

[F.R. Doc. 42-11557; Filed, November 6, 1942; 11:31 a.m.]

[Exhibit Order Number 250]

CERTAIN PERSONAL PROPERTY OF ALOIS SCHLICK

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9092, as amended 2 and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

One Schlick Universal High Speed full width boring machine, stored with Robert Reiner, Incorporated, 556 Gregory Avenue, Weehawken, New Jersey, and belonging to Alois Schlick, a citizen of Austria, the property being the property of Alois Schlick.

is property within the United States owned or controlled by a national of a designated enemy country (Germany),
and determining that to the extent that such national is a person not within a designated enemy country the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany), and having made all determinations and taken all action, after appropriate consultation and certification, required by said executive order or Act or otherwise, and determining 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 national interest 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 should be paid.

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 should be paid.

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” and “designated enemy country” as used herein shall have the meanings prescribed in section 10 of said executive order.

Executed at Washington, D. C. on October 22, 1942.

[Seal]

Leo T. Crowly, Alien Property Custodian.

[COPYRIGHT AND COPYRIGHT INTERESTS COVERING “URANUS AUF EHNENWORT”]

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to the undersigned, after investigation, finding that the property hereinafter described is properly payable or held with respect to copyrights, or rights related thereto, in which interest is held, and such property constitutes interests held therein by nationals of a foreign country (Germany), and having made all determinations and taken all action, after appropriate consultation and certification, required by said executive order or Act or otherwise, and determining 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 national interest for the benefit of the United States.

The terms “national” and “designated enemy country” as used herein shall have the meanings prescribed in section 10 of said executive order.

Executed at Washington, D. C. on October 22, 1942.

[Seal]

Leo T. Crowly, Alien Property Custodian.

[DIVIDENDS ON CAPITAL STOCK OF THE AMERICAN PLATINUM WORKS]

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All cash dividends declared but not yet paid, and 60 shares of $100 par value common stock, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the national interest 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 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” and “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 November 2, 1942.

[Seal]

Leo T. Crowly, Alien Property Custodian.
OFFICE OF DEFENSE TRANSPORTATION.

[Special Order ODT W-1]

WATER CARRIERS ON THE ILLINOIS RIVER

ORDER DIRECTING COORDINATED OPERATION


Upon consideration of the application for authority to coordinate service in and to pool equipment with respect to the transportation of property, by water, filed with this Office by Central Barge Company, Chicago, Illinois, and Ohio River Company, Cincinnati, Ohio, and in order to assure maximum utilization of the facilities, services, and equipment of carriers by water, and to conserve and provide utility on vital equipment, material, and supplies, the attainment of which purposes is essential to the successful prosecution of the war, It is hereby ordered, That:

1. Central Barge Company and Ohio River Company, in the transportation of coal by water on the Illinois River from Havana, Illinois, to Chicago, Illinois, shall, subject to terms and conditions acceptable to each such company, pool their bargain operations in such trade and service in connection therewith, and each use the barges of the other company without regard to the ownership thereof.

2. Barges made empty at Chicago shall, subject to terms and conditions acceptable to each such company, be moved to Havana by either company without regard to the ownership of such barges.

3. This order shall not be construed as approving or making conditions acceptable to each such company, pool their bargain operations in such trade and service in connection therewith, and each use the barges of the other company without regard to the ownership thereof.

This order shall become effective November 6, 1942.

JOSIAH D. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-11569; Filed, November 6, 1942; 10:35 a.m.]

OFFICE OF PRICE ADMINISTRATION.

[Rev. Order 3 Under MPR 120]

ELMIRA COAL COMPANY

ORDER GRANTING ADJUSTMENT

Revised Order No. 3 Under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120-87.

Order No. 3 under Maximum Price Regulation No. 120 is hereby amended to read as set forth below:

For the reasons set forth in an opinion issued simultaneously herewith, and under authority vested in the Price Admin-

istrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 8807, and in accordance with § 1340.207 (b) of Maximum Price Regulation No. 120, It is ordered:

(a) Elmina Coal Company, Excelsior Springs, Missouri, may sell and deliver, and any person may buy and receive, bituminous coal described in paragraphs (b) and (c) at prices not to exceed the respective prices stated therein.

(b) Coal in Size Groups 2, 6 and 11 produced at the Elmina Mine (Mine Index No. 48), District No. 15, of the Elmina Coal Company, may be sold for shipment by rail at prices per net ton f. o. b. the mine not to exceed $3.50, $3.75, and $3.75, respectively.

(c) Coal in Size Groups 2, 6 and 11 produced at the Elmina Mine (Mine Index No. 48), District No. 15, of the Elmina Coal Company, may be sold for shipment by truck or wagon at prices per net ton f. o. b. the mine not to exceed $3.30, $3.50 and $3.75, respectively.

(d) All claims of the petitioner not granted herein are denied.

(e) This Revised Order No. 3 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 74 shall become effective November 6, 1942.

Issued this 5th day of November 1942.

LEON HENDRICKS,
Administrator.

[F. R. Doc. 42-11569; Filed, November 6, 1942; 1:31 p.m.]

OFFICE OF SCIENTIFIC RESEARCH AND DEVELOPMENT.

[Administrative Order 2]

ORGANIZATION; FUNCTIONS AND DUTIES OF OFFICERS 1

SEPTEMBER 24, 1942.

Pursuant to the authority contained in Executive Order No. 8807 2 of June 23, 1941, and other provisions of law, and in order further to define the functions and duties of the Office of Scientific Research and Development, It is hereby ordered That:

Section 1. This administrative order amends and supersedes Administrative Order No. 1, dated August 20, 1941.

Sec. 2. The principal subdivisions of the Office of Scientific Research and Development shall be:

(a) The National Defense Research Committee, created by section 7 of Executive Order No. 8807, the duties of which shall be to advise and assist the Director as specified in section 7 and to supervise the performance of research in its designated field.

(b) The Committee on Medical Research, created by section 8 of Executive Order No. 8807, the duties of which shall be to advise and assist the Director as specified in section 8 and to supervise the performance of research in its designated field.

(c) The Administrative Division, at the head of which shall be an Executive Secretary appointed by the Director. The Administrative Division shall have charge of the administrative affairs and records of the Office of Scientific Research and Development under direction and supervision of the Director and subject to the provisions of section 10 of Executive Order No. 8807.

(d) The Liaison Office, under the supervision of a Senior Liaison Officer appointed by the Director. The duties of the Liaison Office shall be the conduct of

1 An organization chart was filed with the original document.

2 6 P.R. 3207.
scientific liaison with countries the defense of which the President has deemed vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States."

Ssc. 3. Subject to all limitations and restrictions applicable to acts of the Director, the Chairman of the Committee on Medical Research is authorized: (1) to discharge such duties and to exercise such powers of the Director in the field of Medical Research designated by section 8 of Executive Order No. 8807, as may be delegated to him from time to time by the Director, and (2) to delegate any power or duty of the Chairman to such assistant as he may designate with the approval of the Director.

Ssc. 4. Subject to all limitations and restrictions applicable to acts of the Director, the Chairman of the Committee on Medical Research is authorized: (1) to negotiate, enter into contracts and to make supplements, amendments, modifications or extensions of contracts heretofore or hereafter made in connection with the functions of the Office of Scientific Research and Development and its officers, (2) to incur and release such obligations and to settle such claims as may be necessary to accomplish such functions, (3) to effect transfers and re-transfers of funds, (4) to authorize and approve travel and certify long-distance telephone calls in connection with such functions, and (5) to delegate any power or duty of the Executive Secretary to such assistant as he may designate with the approval of the Director.

Ssc. 5. Acts heretofore performed consistent with the procedure authorized in this Administrative Order are approved, ratified and confirmed.

VANNEVAR BUSH, Director.

Approved:
WAYNE COX, Liaison Officer, Office for Emergency Management.

SECURITIES AND EXCHANGE COM-MISSION.

[File Nos. 70-616, 70-610]

COLUMBIA GAS & ELECTRIC CORP. AND COLUMBIA OIL & GASOLINE CORP.

ORDER GRANTING APPLICATIONS, ETC.

Order granting applications and permitting declarations to become effective in part and reserving jurisdiction.

At a regular session of the Securities and Exchange Commission, held at its twrce in the City of Philadelphia, Pennsylvania, on the 3d of November, 1942.

The above-named parties having filed applications or declarations, pursuant to the Public Utility Holding Company Act of 1935, particularly sections 3, 10, 12 (c), 12 (d) and Rules U-42, U-43, regarding the following transactions:

Columbia Gas & Electric Corporation, a registered holding company and a subsidiary of The United Corporation, also a registered holding company, and Columbia Oil & Gasoline Corporation, a subsidiary of Columbia Gas & Electric Corporation, pursuant to, and in accordance with, their applications or declarations that Columbia Gas & Electric Corporation (which is a registered holding company) and Columbia Oil & Gasoline Corporation acquire, $300,000 face amount of Columbia Gas & Electric Corporation's debentures, and $312,000 in cash plus accrued interest, such amount being the redemption price specified in the indenture securing the said debentures. The debentures so acquired to be tendered to the Trustee under the indenture in lieu of the semi-annual cash sinking fund required under the provisions of said indenture.

Notice of said filings having been duly given in the form and manner prescribed by Rule U-33 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said declarations or applications within the period specified in said notice or otherwise, and not having ordered a hearing thereon, and the above-named parties having stated in their declarations that there may be problems in connection with the payment of the $12,000 premium in addition to the face amount of $300,000 for the said debentures, which would be time-consuming and which are present in other pending proceedings (Files Nos. 59-33, 70-438), concerning the payment of a more substantial principal amount of debentures than is here involved; and having therefore suggested that an order be entered permitting the sale by Columbia Gas & Electric Corporation to Columbia Oil & Gasoline Corporation, by separate indenture, of the $300,000 principal amount of debentures for immediate payment of $300,000 plus accrued interest in cash, the Commission, reserving jurisdiction over the payment of the additional amount of $12,000 for consideration and determination at a later date; and having requested the acceleration of the effective date of such declarations or applications; and

The Commission deeming it appropriate in the public interest and in the interests of investors and consumers to permit such declarations or applications to become effective to the extent suggested by the parties and that the date should be advanced; it is ordered, pursuant to Rule U-33 and the applicable provisions of the Act and subject to the terms and conditions prescribed in Rule U-34 that the aforesaid declarations or applications be, and they hereby are, permitted to become effective and are granted forthwith, to the extent that they contemplate the sale by Columbia Gas & Electric Corporation and the corresponding purchase by Columbia Oil & Gasoline Corporation of $300,000 face amount of the latter's debentures for $300,000 in cash plus accrued interest, jurisdiction being reserved with respect to the payment of the $12,000 premium prescribed under the terms of the indenture securing the said debentures.

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

[SEAL]
ORVAL L. DEBOIS,
Secretary.

[F. R. Doc. 42-11525; Filed, November 5, 1942; 11:56 a.m.]

THE SCRIPPS-HOARD INVESTMENT COMPANY

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 5th day of November, A. D. 1942.

An application having been duly filed by Scripps-Howard Investment Company for an order, pursuant to section 6 (b) and/or 6 (c) of the Investment Company Act of 1940, exempting the applicant from the provisions of section 6 (b) and/or 6 (c) of the Investment Company Act of 1940, the Commission deeming it appropriate in the public interest and in the interests of investors and consumers to issue an order, granting the application and suspending such provisions during the pendency of this proceeding.

It is ordered, that a hearing be held on said application on the 18th day of November, 1942, at 10:00 o'clock in the forenoon at the hearing room of the Securities and Exchange Commission Building at 15th and Locust Streets, Philadelphia, Pennsylvania, on such day the hearing room clerk in Room 318 will advise interested parties where such hearing will be held.

It is further ordered, that Robert P. Reeder, Esquire, or any other officer or officers of the Commission designated by the Commission for that purpose, shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940. 

[File No. 812-178]
Company Act of 1940 and to tria examiner under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the applicant and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[Seal]

Oscar L. DuBois, Secretary.

[F.R. Doc. 42-11529; Filed, November 6, 1942; 11:59 a. m.]

[File No. 70-555]

Central Maine Power Co., et al.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 4th day of November 1942.


Central Maine Power Company ("Central Maine"), Cumberland County Power and Light Company ("Cumberland"), New England Industries, Inc. ("Industries") and New England Public Service Company ("Nepsco"), having filed applications and declarations pursuant to Sections 6, 7, 10 and 12 of the Public Holding Company Act of 1935 and the Securities and Exchange Act of 1933 regarding power transactions particularly summarized as follows:

I

Central Maine and Cumberland (both subsidiaries of Nepsco) propose to enter into an agreement of merger by which Central Maine will acquire all the assets and assume all of the liabilities of Cumberland and by which Central Maine will continue as the surviving corporation. Cumberland will dispose of all of its assets to Central Maine and will be merged into Central Maine.

It is proposed that Central Maine: (1) change and increase the common stock authorized by its charter from 180,000 shares of Common Stock, no par value, into 1,500,000 shares of Common Stock, $10 par value, of which 662,500 shares will be outstanding in the hands of the holders of the presently outstanding 140,000 shares of Common Stock, no par value, and change the voting power of the common stock so that each share of such Common Stock, $10 par value, will have one-fifth of a vote; (2) issue and sell for cash $12,500,000 in principal amount of First and General Mortgage Bonds of a new series, to be designated Series M; (3) issue and sell for cash $5,000,000 in principal amount of First Mortgage Bonds, 5% due 1965 and $1,494,000 in principal amount of First Mortgage Bonds, 4% due 1960 of Cumberland, and redeem and retire said bonds and dividends 10% respectively; (2) redeem and retire all outstanding shares of Preferred Stock of Cumberland at their respective redemption prices, subject, however, to an offer of exchange to be made to the holders of such shares under which such holders may elect to receive two shares of $50 Preferred Stock, 5% Dividend Series, plus two shares of Common Stock, $10 par value of Central Maine for each of 6% Preferred Stock of Cumberland, or two share of $50 Preferred Stock, 5% Dividend Series, plus one share of Common Stock, $10 par value, of Central Maine for each share of 6% Preferred Stock of Cumberland.

It is further proposed that Central Maine redeem or otherwise retire its presently outstanding 7% Preferred Stock in the value of its $50 Preferred Stock, 5% Dividend Series, issued in such exchange of Cumberland Preferred Stock.

C. It is further proposed: (1) that Central Maine proposes to sell for cash $261,910 shares of Common Stock, $10 par value, at the price of $10 per share, and that Nepsco purchase such shares dues any shares taken by holders of Common Stock and 5% Dividend Series of Central Maine upon the exercise of their respective preemptive rights; (2) that Nepsco tender for conversion its present holdings of 5,639 shares of Common Stock, $10 par value, 638 shares of 6% Preferred Stock of Central Maine and receive therefor 404,575 shares and 6,380 shares (total 410,955 shares) respectively of Common Stock, $10 par value, of Central Maine.

D. It is further proposed that Central Maine's bank loans be paid off and necessary funds provided for the purchase and construction of property with cash derived from the transactions described above.

E. It is proposed that proceeds be solicited from the stockholders of Cumberland and Central Maine in connection with the merger described above.

II

Central Maine proposes to sell and Industries (a subsidiary of Nepsco) proposes to buy 1,000 shares of Prior Preferred Stock and 1,457 shares of Preferred Stock of Keyes Fibre Company (a subsidiary of Nepsco and Central Maine) for an aggregate cash consideration of $245,700.

III

Central Maine proposes to buy and Nepsco proposes to sell 300 shares of Common Stock of Nepsco Services, Inc., for $3,000; $3,000 in principal amount of 5% Debenture Bonds of Union Ice & Cold Storage Company (a subsidiary of Nepsco and Central Maine) for $3,000, plus accrued interest; 10 shares of Common Stock of Nepsco Appliance Finance Corporation for $75; 650 shares (constituting 100% of the Common Stock of New England Pole and Treatment Company for $10,000.

A public hearing having been held on said applications and declarations as amended after appropriate notice; the Commission having considered the record in this matter and having made and filed its Findings and Opinion herein:

It is ordered, That said applications be and the same hereby are granted and that said declarations be and become effective forthwith, subject to the terms and conditions set forth in Rule U-26 and subject also to the following additional terms and conditions:

(1) The granting of said applications and the permitting of said declarations to become effective is upon the express condition that if the Maine Public Utility Commission shall not approve the merger of Cumberland into Central Maine and the issuance of securities by Central Maine as proposed herein, within sixty days from and shall have sold additional common stock for cash, at a rate of not less than $50,000 per annum until the amount of earnings so retained plus the proceeds from the sale of common stock shall aggregate not less than $50,000 per annum.

Such earnings as so retained shall be used only for the payment of dividends on common stock payable in common stock.

(2) The Company shall have retained current earnings applicable to its common stock, or shall have sold additional common stock for cash, at a rate of not less than $200,000 per annum until all bonds of Portland Railroad Company outstanding in the hands of the public shall have been paid in full or acquired by the Company or sums sufficient to pay the same at maturity shall have been deposited with the Trustees under the mortgages securing the same.

The earnings so retained shall be credited to the account "Bus Transportation System Substituted under Portland Railroad Lease", used to describe disbursements made for the purchase of buses or other equipment for Portland Railroad Company, until such account has been fully amortized. This last named provision is not intended to replace all or any part of the present reserve called "For Replacement of Bus Property Leased" or all or any part of the annual charge to earnings for that purpose.
(d) The Company shall have amortized from earnings at the rate of not less than $200,000 per annum the $2,000,000 carried in the plant account as "cost of obtaining capital and services rendered in financing and acquiring properties in 1910" and the $609,810, carried in plant account as an acquisition adjustment, being excess cost of acquisition over cost to predecessors of the property acquired by Portland Electric Company from Portland Lighting and Power Company and Consolidated Electric Light Company and proportionate to the cost of that part of said property no longer in service, until the total amount of $2,000,000 shall have been amortized, or otherwise provided for; Provided, That no amortization to be held for the purpose of permitted earned surplus adjustment under paragraph (e) below;

(e) Provided, That surplus accumulated by retention of earnings under paragraphs (b) and (c) above may be reduced by adjustments applicable to earned surplus.

(4) That jurisdiction be and the same hereby is reserved, pursuant to the Uniform System of Accounts for Public Utility Holding Companies to determine at what amount the new securities of Cumberland be acquired by New England Public Service Company shall be recorded on the books of New England Public Service Company.

(6) That Central Maine and Cumberland send to all stockholders solicited in connection with the special meetings of stockholders held for the purpose of voting upon the Agreement of Merger copies of our Findings and Opinion and Order herein.

By the Commission.

[SEAL]

Oval L. DuBois,
Secretary.

[F. R. Doc. 42-11530; Filed, November 6, 1942; 11:56 a.m.]

[File No. 70-599]

ANDROSCOGGIN MILLS, ET AL.
ORDER GRANTING APPLICATIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 4th day of November 1942.

In the matter of Androscoggin Mills, Bates Manufacturing Company, The Edwards Manufacturing Company, Hill Manufacturing Company, York Manufacturing Company, Bates Manufacturing Company, The Edwards Manufacturing Company, Hill Manufacturing Company, and York Manufacturing Company, Bates Manufacturing Company, The Edwards Manufacturing Company, York Manufacturing Company, and Consolidated Electric Light Company of Maine, proportionate to the cost of that part of said property no longer in service, until the total amount of $2,000,000 shall have been amortized, or otherwise provided for; Provided, That no amortization to be held for the purpose of permitted earned surplus adjustment under paragraph (e) below; and

Provided, That surplus accumulated by retention of earnings under paragraphs (b) and (c) above may be reduced by adjustments applicable to earned surplus.

(4) That jurisdiction be and the same hereby is reserved, pursuant to the Uniform System of Accounts for Public Utility Holding Companies to determine at what amount the new securities of Cumberland be acquired by New England Public Service Company shall be recorded on the books of New England Public Service Company.

(6) That Central Maine and Cumberland send to all stockholders solicited in connection with the special meetings of stockholders held for the purpose of voting upon the Agreement of Merger copies of our Findings and Opinion and Order herein.

By the Commission.

[SEAL]

Oval L. DuBois,
Secretary.

[F. R. Doc. 42-11531; Filed, November 6, 1942; 11:56 a.m.]

[File No. 70-24]

TRUSTEES OF MIDLAND UTILITIES CO., ET AL.
ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 3rd day of November 1942.

In the matter of Trustees, Midland Utilities Company, Northern Indiana Public Service Company, Hobart Light & Water Company, Clarence A. Southerland and Jay Samuel Hartt, Trustees of the Estate of Midland Utilities Company, a registered holding company, and Hobart Light & Water Company, its wholly owned subsidiary, having filed applications and declarations, as amended, pursuant to the Public Utility Holding Company Act of 1935 and particularly sections 13 (d), 12 (f), and Rules U-43 and U-44 of the General Rules and Regulations thereunder, regarding the proposed sale of the assets of Hobart Light & Water Company to Northern Indiana Public Service Company, a subsidiary of the Estate of Midland Utilities Company, and for the acquisition of 69,500 shares of no par common stock of Northern Indiana Public Service Company, to be acquired as the total consideration for the assets of Hobart Light & Water Company; and Northern Indiana Public Service Company, a subsidiary of the Estate of Midland Utilities Company, having filed an application, pursuant to section 6 (b) of the Act with respect to the issuance and sale of the 69,500 shares of common stock, and an application, pursuant to section 10 (b) of the Act, for the approval of the acquisition of certain of the assets of Hobart Light & Water Company; and

A public hearing having been held after appropriate notice; the Commission having considered the record in this matter and having made and filed its Findings and Opinion herein:

It is ordered, That said applications be and the same hereby are granted subject to the terms and conditions set forth in Rules U-24 and subject also to the following condition:

No notes to be issued hereunder shall have maturities extending more than two years from the date hereof.

By the Commission.

[SEAL]

Oval L. DuBois,
Secretary.

[F. R. Doc. 42-11532; Filed, November 6, 1942; 11:56 a.m.]

[File No. 59-53]

CITIES SERVICE CO., ET AL.
ORDER CONTINUING DATE FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 3rd day of November, A. D. 1942.


The Commission having on the 20th day of August, 1942 issued a notice and order instituting proceedings and setting date for hearing herein be continued until the 23rd day of September, 1942, and having ordered that a hearing be held on such matters at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania at 10 o'clock in the forenoon, such hearing to be held at the same place and before the same trial
At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 5th day of November, A. D. 1942. In the matter of Wabash Railway Company, $100 Par Common Stock, $100 Par Preferred Stock; and Wabash Railway Company, First Mortgage Sinking Fund Gold Bonds, Due 1939; 5% Second Mortgage Gold Bonds, Due 1939; 5% Detroit Chicago Extension First Mortgage Sinking Fund Gold Bonds, Due 1941; 4% Des Moines Division First Mortgage Gold Bonds, Due 1939; 4% Toledo Chicago Division First Mortgage Gold Bonds, Due 1941; 31/2% Omaha Division First Mortgage Gold Bonds, Due 1941; 1% First Lien Terminal Gold Bonds, Due 1954.

The New York Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rules X-12D-1 (b) promulgated thereunder, having made application to strike from listing and registration the above-mentioned securities of Wabash Railway Company; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10 a. m. on Friday, December 18, 1942 at the office of the Securities and Exchange Commission, 120 Broadway, New York, New York, and continue thereafter at such times and places as the Commission or its officers herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Edwin B. Martenet, or any other officer or officers of the Commission named by it for that purpose, shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 42-11533; Filed, November 6, 1942; 11:57 a. m.]

[FEDERAL REGISTER, Saturday, November 7, 1942]

[File No. 1-2125]

WABASH RAILWAY COMPANY
ORDER SETTING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 5th day of November, A. D. 1942.

The New York Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rules X-12D-1 (b) promulgated thereunder, having made application to strike from listing and registration the above-mentioned securities of Wabash Railway Company; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10 a. m. on Friday, December 18, 1942 at the office of the Securities and Exchange Commission, 120 Broadway, New York, New York, and continue thereafter at such times and places as the Commission or its officers herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Edwin B. Martenet, or any other officer or officers of the Commission named by it for that purpose, shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 42-11574; Filed, November 6, 1942; 11:49 a. m.]

[FEDERAL REGISTER, Saturday, November 7, 1942]

[File No. 70-610]

 BUTLER SUBURBAN WATER COMPANY
NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 4th day of November, A. D. 1942.

Notice is hereby given that declarations or applications (or both) have been filed with this Commission by The Butler Suburban Water Company, a direct subsidiary of The Butler Water Company, which owns all of the former company's Capital Stock, such capital stock consisting of 500 shares of $100 par value common stock and constituting all of the outstanding securities and subsequently, to distribute its net assets to The Butler Water Company, in connection with its liquidation, such net assets consisting solely of the cash consideration received upon the sale of its franchises and property, less the necessary, reasonable expenses incurred in the liquidation.

It is stated in the application or declaration that: (a) the estimated expenses in connection with the liquidation of The Butler Suburban Water Company will not exceed $100, such expenses consisting only of filing fees and miscellaneous expenses; (b) the purchaser, The Butler Water Company, will assume and discharge all debts, liabilities and obligations, except common stock liability, of The Butler Suburban Water Company as the same become due and dischargeable and will assume all duties of and abide by all restrictions on The Butler Suburban Water Company; and (c) the Pennsylvania Public Utility Commission which has jurisdiction over The Butler Suburban Water Company and its parent company, The Butler Water Company, has authorized the latter company to acquire the franchises and property of the former company.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 42-11575; Filed, November 6, 1942; 11:49 a. m.]