FEDERAL REGISTER

VOLUME 6 NUMBER 195

Washington, Tuesday, October 7, 1941

The President

NATIONAL DEFENSE PIPE LINE—PORTLAND PIPE LINE

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

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

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by sections 2 and 3 of said act of July 30, 1941, do hereby find and proclaim (1) that it is necessary for national defense purposes that there be constructed and completed a pipe line system for the transportation and distribution of petroleum and petroleum products moving in interstate and foreign commerce, the route for which is generally indicated on a map which is on file in the Office of the Petroleum Coordinator for National Defense, detailed survey maps of which shall be of record in the said office, commencing at South Portland, Maine, and extending in a northwesterly direction through the States of Maine, New Hampshire, and Vermont to a point on the International Boundary in the vicinity of North Troy, Vermont, at which point the said pipe line is to connect with a pipe line extending through the Province of Quebec to a terminal near Montreal, Canada, (2) that Portland Pipe Line Company, a private corporation organized under the laws of the State of Maine, has commenced the work necessary for the construction of such a pipe line system, and has partially constructed the same and represents that it is prepared to complete said pipe line system, and (3) that it is necessary for the purposes of construction, completion, operation, and maintenance of said pipe line system that the Portland Pipe Line Company have the right to acquire, by the exercise of the right of eminent domain as provided in the aforesaid act, along the route and between the points hereinbefore identified (a) such parcels of land or any interests therein, not in excess of 100 acres in each separate parcel, for the location of its storage tanks, pumping stations, delivery facilities, and other facilities in connection therewith, and (b) easements and rights-of-way, not in excess of 100 feet in width, for the construction, completion, operation, maintenance and removal of the pipe lines, including right of access thereto over adjoining lands: *Provided*, That such right of eminent domain be exercised by the Portland Pipe Line Company for the aforesaid purposes prior to June 30, 1943.

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

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

DONE at the City of Washington this 1st day of October in the year of our Lord nineteen hundred and forty-one, [SEAL] and of the Independence of the United States of America the one hundred and sixty-sixth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[No. 2517]

[F. R. Doc. 41-7430; Filed, October 3, 1941; 2:00 p. m.]

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CHAPTER I—GENERAL ACCOUNTING OFFICE

[G.A.O. File No. A-65768]

PART 11—CERTIFICATIONS BY CONTRACTORS AND VENDORS

CERTIFICATES BY CONTRACTORS AND VENDORS IN SUPPORT OF INVOICES OR PUBLIC VOUCHERS FOR PURCHASES AND SERVICES OTHER THAN PERSONAL, STANDARD FORM NO. 1034—REVISED

Sec.
11.1 Necessity for and form of certificates.
11.2 Manner of execution of certificates.

AUGUST 15, 1941.

Part 11. Certifications By Contractors And Vendors (Circular Letters of April 2 and June 2, 1938) is hereby amended to read as follows:

§ 11.1 *Necessity for and form of certificates.* The vendor's general certificate now appearing on Standard Form No. 1034—Revised is hereby amended to read as follows:

I certify that the above bill is correct and just; that payment therefor has not been received; that all statutory requirements as to American production and labor standards, and all conditions of purchase applicable to the transactions have been complied with; and that State or local sales taxes are not included in the amounts billed.

All certificates heretofore approved and authorized in circular letters of April 2 and June 2, 1938, are hereby revoked and the certificate above will be used in place of all others now required on Standard Form No. 1034—Revised or on a vendor's bill of sale or invoice. (Secs. 309, 311 (f), 42 Stat. 25; 31 U.S.C., 49, 52 (f))

§ 11.2 *Manner of execution of certificates.* The prescribed certificate may be printed, stamped, typed, or written on vendor's bill of sale or invoice and must be signed *(in original only)* by the vendor or its duly authorized representative.

Under no conditions should the certificate on Government vouchers or on invoice forms to be attached to such vouchers be signed in blank or at any time prior to the submission of the voucher or invoice but only after delivery or performance by the claimant. To do so may result in the submission of a false claim against the Government for which the person signing the certificate may be held liable under the law. (Secs. 309, 311 (f), 42 Stat. 25; 31 U.S.C. 49, 52 (f))

LINDSAY C. WARREN,
Comptroller General of the United States.

[F. R. Doc. 41-7450; Filed, October 6, 1941; 9:19 a. m.]

TITLE 7—AGRICULTURE

CHAPTER VII—AGRICULTURAL ADJUSTMENT ADMINISTRATION

[SCP-2, Supp. 3]

PART 707—1941 SUPPLEMENTARY COTTON PROGRAM[1]

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, and section 32 of the Act of August 24, 1935, as amended, SCP-2, Regulations Governing the 1941 Supplementary Cotton Program, issued January 29, 1941, is hereby further amended as follows:

Paragraph (a) of § 707.2 is further amended to read as follows:

§ 707.2 *Cotton order stamp payments.* (a) If the acreage planted to cotton on the farm in 1941 has been adjusted below the acreage allotment determined for the farm under the provisions of the 1941 Agricultural Conservation Program or the measured acreage of cotton on the farm in 1940, whichever is smaller, such adjustment in the acreage of cotton shall qualify the farm for cotton order stamp payments: *Provided*, That (1) prior to June 15, 1941, notice of the intention to make an adjustment was filed with the county agricultural conservation committee, on a prescribed form, by the operator of the farm, for and on behalf of himself and all other producers on the farm interested in the production of cotton thereon in 1941, and (2) the acreage so diverted was not planted to any crop (except peanuts) for which a special acreage allotment was, or could have been, determined for the farm under the provisions of the 1941 Agricultural Con-

[1] 6 F.R. 960.

servation Program. The acreage diverted from cotton shall be presumed not to have been used for the production of a crop for which a special acreage allotment was, or could have been, determined for the farm, if the county committee finds that the sum of the 1941 acreages of wheat, corn (in the commercial corn area), potatoes, commercial vegetables, rice, and tobacco for the farm does not exceed the sum of its allotments or permitted acreages for such crops under the 1941 Agricultural Conservation Program. If the sum of the acreages of the crops named above exceeds the sum of the respective allotments or permitted acreages, the acreage diverted from the production of cotton in 1941 shall be reduced by such excess and payment shall be made on the reduced diverted acreage, if any.

Done at Washington, D. C., this 6th day of October 1941. Witness my hand and seal of the Department of Agriculture.

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

[F. R. Doc. 41-7452; Filed, October 6, 1941; 11:18 a. m.]

CHAPTER VIII—SUGAR DIVISION OF THE AGRICULTURAL ADJUSTMENT ADMINISTRATION

PART 802—SUGAR DETERMINATIONS

DETERMINATION OF PROPORTIONATE SHARES FOR FARMS IN THE DOMESTIC BEET SUGAR AREA FOR THE 1941 CROP, PURSUANT TO THE SUGAR ACT OF 1937, AS AMENDED

Whereas section 302 of the Sugar Act of 1937, as amended, provides, in part, as follows:

(a) The amount of sugar or liquid sugar with respect to which payment may be made shall be the amount of sugar or liquid sugar commercially recoverable, as determined by the Secretary, from the sugar beets or sugarcane grown on the farm and marketed (or processed by the producer) not in excess of the proportionate share for the farm, as determined by the Secretary, of the quantity of sugar beets or sugarcane for the extraction of sugar or liquid sugar required to be processed to enable the producing area in which the crop of sugar beets or sugarcane is grown to meet the quota (and provide a normal carry-over inventory) estimated by the Secretary for such area for the calendar year during which the larger part of the sugar or liquid sugar from such crop normally would be marketed.

(b) In determining the proportionate shares with respect to a farm, the Secretary may take into consideration the past production on the farm of sugar beets and sugarcane marketed (or processed) for the extraction of sugar or liquid sugar and the ability to produce such sugar beets or sugarcane, and the Secretary shall, insofar as practicable, protect the interests of new producers and small producers and the interests of producers who are cash tenants, share-tenants, adherent planters, or share-croppers;

and

Whereas subsection (c) of section 301 of the said act provides, as one of the conditions for payment to producers of sugar beets and sugarcane, as follows:

(c) That there shall not have been marketed (or processed) an amount (in terms of planted acreage, weight, or recoverable sugar content) of sugar beets or sugarcane grown on the farm and used for the production of sugar or liquid sugar to be marketed in, or so as to compete with or otherwise directly affect interstate or foreign commerce, in excess of the proportionate share for the farm, as determined by the Secretary pursuant to the provisions of section 302, of the total quantity of sugar beets or sugarcane required to be processed to enable the area in which such sugar beets or sugarcane are produced to meet the quota (and provide a normal carryover inventory) as estimated by the Secretary for such area for the calendar year during which the larger part of the sugar or liquid sugar from such crop normally would be marketed;

Now, therefore, the following determination is hereby issued:

§ 802.17d *Proportionate shares of sugar beets for the 1941 crop*—(a) *Farm proportionate share and acreage for payment.* The proportionate share of sugar beets for the 1941 crop for each farm in the domestic beet sugar area shall be the number of acres of sugar beets planted thereon for the production of sugar beets to be marketed (or processed by the producer) for the extraction of sugar or liquid sugar: *Provided, however,* That payments shall be limited to the acreage heretofore established by apportioning the total acreage for the district (as hereinafter set forth) among farms situated therein on the basis of the acreage planted to sugar beets during the years 1938, 1939, and 1940, and the ability of the producer to produce sugar beets, as measured by availability and suitability of land, area of available fields, availability of irrigation water, adequate drainage, availability of production and marketing facilities, and production experience.

(b) *Total acreage for payment by districts.* The total of the acreages established under the proviso to (a) above for farms by districts shall not be in excess of the following:

The district allocations are as follows:

State and District No.	Acreage allocation
California:	
1. Butte, Colusa, Glenn, Modoc, Siskiyou, Sutter, Tehama, Yuba, and Klamath Counties	13,688
2. Amador, Contra Costa, Fresno, Kings, Madera, Merced, Napa, Sacramento, San Joaquin, Solano, Sonoma, Stanislaus, Yolo, and Pershing Counties	65,129
3. Alameda, Monterey, San Benito, San Mateo, Santa Clara, and Santa Cruz Counties	32,528
4. Kern, Los Angeles, Orange, West Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, Tulare, and Ventura Counties	29,678
5. Imperial, East Riverside, and Yuma Counties	6,533
Colorado:	
1. Larimer County	11,805
2. Weld County	49,864
3. Logan, Phillips, and Sedgwick Counties	16,920
4. Boulder and Jefferson Counties	5,636
5. Adams, Arapahoe, and Denver Counties	6,150
6. Morgan, Washington, and Yuma Counties	15,510
7. Garfield and Mesa Counties	2,620
8. Gunnison, Delta, and Montrose Counties	3,046
9. Alamosa, Conejos, Costilla, Rio Grande, and Saguache Counties	2,274
10. Chaffee, Custer, Fremont, Huerfano, Pueblo, El Paso, and Crowley Counties	9,049
11. Bent, Las Animas, Otero, Prowers Counties	13,952
Idaho:	
1. Ada, Adams, Canyon, Gem Owyhee, Payette, and Washington Counties	7,660
2. Gooding, Jerome, Lincoln, and Twin Falls Counties	11,730
3. Cassia and Minidoka Counties	10,743
4. Fremont, Jefferson, and Madison Counties	6,888
5. Bingham and Power counties	9,216
6. Bonneville County	5,891
7. Bannock and Oneida Counties	3,275
8. Franklin County	6,393
Indiana: Decatur	11,814
Iowa	5,246
Kansas	8,455
Michigan:	
Alma	9,144
Bay City	13,800
Blissfield	10,333
Caro	10,109
Croswell	8,702
Holland	4,421
Lansing	8,054
Mt. Clemens	6,355
Mt. Pleasant	9,535
Saginaw	9,558
Sebewaing	10,102
St. Louis	8,811
Upper Peninsula	331
Minnesota:	
1. Northwestern Minnesota	14,103
2. Central & Southern Minnesota	16,763
Montana:	
1. Broadwater, Deer Lodge, Gallatin, Granite, Jefferson, Lake, Lewis and Clarke, Madison, Missoula, Powell, Ravalli, and Sanders Counties	9,530
2. Cascade, Pondera, and Teton Counties	3,823
3. Blaine, Phillips, and Valley Counties	8,672
4. Dawson and Richland Counties	8,266
5. Carbon, Stillwater, and Yellowstone Counties	19,584
6. Custer, Rosebud, and Treasure Counties	7,176
7. Big Horn County	9,886
Nebraska:	
1. Box, Butte, Cheyenne, Dawes, Garden, Kimball, Morrill, Scottsbluff, and Sioux Counties	45,124
2. Deuel, Dundy, Hitchcock, Keith, Lincoln, and Red Willow Counties	8,626
3. Adams, Buffalo, Custer, Dawson, Garfield, Greeley, Hall, Hamilton, Holt, Howard, Kearney, Loup, Merrick, Phelps, Valley, and Webster Counties	10,403
New Mexico	346
North Dakota:	
1. Western North Dakota	5,471
2. Eastern North Dakota	8,115
Ohio:	
Findlay	9,308
Fremont	9,223
Ottawa	7,002
Paulding	7,935
Oregon	6,781
South Dakota	7,853
Utah:	
1. Box Elder County	8,378
2. Cache County	8,685
3. Morgan and Weber Counties	4,737
4. Davis County	5,260
5. Salt Lake and Tooele Counties	4,146
6. Juab, Millard, Utah, Beaver, Iron, and Wasatch Counties	6,349
7. Piute, Sanpete, and Sevier Counties	5,272
8. Carbon, Emery, and Grand Counties	817
Washington	12,801
Wisconsin	15,982
Wyoming:	
1. Big Horn and Park Counties	9,316
2. Hot Springs and Washakie Counties	7,253
3. Crook, Johnson, Sheridan, and Weston Counties	4,766
4. Fremont County	3,104
5. Converse and Platte Counties	6,061
6. Goshen and Laramie Counties	13,922
Texas	195
Total United States	820,000

(c) *Definition of district.* A district which is identified by the location of a beet sugar factory shall be deemed to include the farms with respect to which the producers contracted for the production of sugar beets for delivery to such factory, and shall include only the farms located within the territory in which sugar beets are normally contracted for delivery to such factory.

(d) *Local committees.* The acreages with respect to which payments may be

made shall be those established by a committee of growers designated for the district by the Agricultural Adjustment Administration, which committee shall be guided by instructions issued by the Agricultural Adjustment Administration in accordance with this determination. (Sec. 302, 50 Stat. 910; 7 U.S.C., 1132)

Done at Washington, D. C., this 2d day of October 1941. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Assistant Secretary.

[F. R. Doc. 41-7446; Filed, October 4, 1941; 11:21 a. m.]

PART 802—SUGAR DETERMINATIONS

DETERMINATION OF PROPORTIONATE SHARES FOR FARMS IN THE MAINLAND CANE SUGAR AREA FOR THE 1941 CROP (REVISED).

Whereas section 302 of the Sugar Act of 1937, as amended, provides in part as follows:

(a) The amount of sugar or liquid sugar with respect to which payment may be made shall be the amount of sugar or liquid sugar commercially recoverable, as determined by the Secretary, from the sugar beets or sugarcane grown on the farm and marketed (or processed by the producer) not in excess of the proportionate share for the farm, as determined by the Secretary, of the quantity of sugar beets or sugarcane for the extraction of sugar or liquid sugar required to be processed to enable the producing area in which the crop of sugar beets or sugarcane is grown to meet the quota (and provide a normal carry-over inventory) estimated by the Secretary for such area for the calendar year during which the larger part of the sugar or liquid sugar from such crop normally would be marketed.

(b) In determining the proportionate shares with respect to a farm, the Secretary may take into consideration the past production on the farm of sugar beets and sugarcane marketed (or processed) for the extraction of sugar or liquid sugar and the ability to produce such sugar beets or sugarcane, and the Secretary shall, insofar as practicable, protect the interests of new producers and small producers and the interests of producers who are cash tenants, share-tenants, adherent planters, or share-croppers;

and

Whereas subsection (c) of section 301 of the said act provides, as one of the conditions for payment to producers of sugar beets and sugarcane, as follows:

(c) That there shall not have been marketed (or processed) an amount (in terms of planted acreage, weight, or recoverable sugar content) of sugar beets or sugarcane grown on the farm and used for the production of sugar or liquid sugar to be marketed in, or so as to compete with or otherwise directly affect interstate or foreign commerce, in excess of the proportionate share for the farm, as determined by the Secretary pursuant to the provisions of section 302, of the total quantity of sugar beets or sugarcane required to be processed to enable the area in which such sugar beets or sugarcane are produced to meet the quota (and provide a normal carry-over inventory) as estimated by the Secretary for such area for the calendar year during which the larger part of the sugar or liquid sugar from such crop normally would be marketed;

Now, therefore, the following determination is hereby issued:

§ 802.26c *Proportionate shares of sugarcane for the mainland cane sugar area for the 1941 crop.*—(a) *Farm proportionate share and acreage for payment.* The proportionate share of sugarcane for the 1941 crop for any farm in the mainland cane sugar area shall be the number of acres planted thereon for the production of sugarcane to be marketed (or processed by the producer) for the extraction of sugar or liquid sugar during the 1941 crop season: *Provided, however,* That payments shall be limited to the acreage established for the farm as follows:

(1) For any farm in the mainland cane sugar area, except as provided in subparagraphs (2), (3), and (4) hereof, an acreage equal to the greater of either:

(i) The 1940 proportionate share acreage for the farm, or

(ii) The planted proportionate share acreage measured for harvest on the farm under the 1938 mainland sugarcane program.

In no event, however, shall such acreage for any such farm be greater than 90.75 per centum of the maximum proportionate share obtainable for the farm under the 1938 mainland sugarcane program.

(2) For any farm having a proportionate share for the 1940 crop of ten acres or less or for any farm for which a proportionate share was not established in 1940 (new grower), an acreage equal to the greater of either:

(i) The planted proportionate share acreage measured for harvest on the farm under the 1940 mainland sugarcane program, or

(ii) The lesser of either, ten acres or one-third of the acreage on the farm suitable for the production of sugarcane.

(3) For any farm operated by a producer-owned and producer-controlled cooperative association which is eligible to obtain a loan under or pursuant to any existing Act of Congress, and which was organized prior to November 29, 1940, an acreage equal to not less than the lesser of either:

(i) Ten acres multiplied by the number of members of the association engaged in the production of sugarcane on the farm, or

(ii) One-third of the acreage on the farm suitable for the production of sugarcane.

(4) The minimum such acreage for any farm in the mainland cane sugar area shall be:

(i) For any farm on which the planted proportionate share acreage measured for harvest under the 1940 mainland sugarcane program was in excess of ten acres, not less than ten acres;

(ii) for any farm for which a 1939 proportionate share was established under the proviso in paragraph (a) of the determination of proportionate shares for the 1939 crop, not less than the planted proportionate share acreage measured for harvest under the 1939 mainland sugarcane program; or

(iii) in any event not less than five acres.

(b) *Tenant and sharecropper protection.* The provisions of this determination are subject to the following conditions:

(1) That no change shall have been made in the leasing or cropping agreements for the purpose of diverting to producers any payment to which tenants or sharecroppers would be entitled if their 1940 leasing or cropping agreements were in effect;

(2) That there shall have been no interference by any producer with any contracts heretofore entered into by tenants or sharecroppers for the sale of their sugarcane or their share of the sugarcane produced on the farm.

This determination supersedes the "Determination of Proportionate Shares for Farms in the Mainland Cane Sugar Area for the 1941 Crop", issued November 29, 1940. (Sec. 302, 50 Stat. 910; 7 U.S.C., 1132)

Done at Washington, D. C. this 2d day of October 1941. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Assistant Secretary.

[F. R. Doc. 41-7445; Filed, October 4, 1941; 11:20 a. m.]

TITLE 14—CIVIL AVIATION

CHAPTER I—CIVIL AERONAUTICS BOARD

PART 61—SCHEDULED AIR CARRIER RULES

SPECIAL REGULATION

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 3rd day of October 1941.

It appearing that: The provisions of §§ 61.3220 and 61.3230 of the Civil Air Regulations forbidding the operation of multi-engine land aircraft over water beyond a gliding distance from shore without the aid of power unless equipped with certain equipment for over-water flying causes scheduled air carrier aircraft to fly between Oakland Municipal Airport, Oakland, California, and San Francisco Municipal Airport, San Francisco, California, at altitudes frequently requiring unnecessary instrument operation;

The Board finds that: Its action is in the public interest and in the interest of safety of air transportation;

Now, therefore, The Civil Aeronautics Board, acting pursuant to the authority

vested in it by the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a), 601 and 604 of said Act, makes and promulgates the following regulation:

Notwithstanding the provisions of §§ 61.3220 and 61.3230, scheduled air carriers in air transportation may operate multi-engine land aircraft on a direct route between Oakland Municipal Airport, Oakland, California, and San Francisco Municipal Airport, San Francisco, California, over the San Francisco Bay at a distance beyond gliding distance from shore without the aid of power when such operation is authorized by the Administrator.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 41-7447; Filed, October 6, 941; 9:18 a. m.]

TITLE 22—FOREIGN RELATIONS

CHAPTER I—DEPARTMENT OF STATE

SUBCHAPTER C—NEUTRALITY

PART 171—INTERNATIONAL TRAFFIC IN ARMS, AMMUNITION, ETC.

The regulations governing the international traffic in arms, promulgated on November 6, 1939 (4 F.R. 4512; 22 CFR, Sup. 1939), pursuant to the authority vested in me by the provisions of section 12 of the joint resolution of Congress approved November 4, 1939 (54 Stat. 10; 22 U.S.C., Sup. 245j–11), are hereby amended in the following respects:

Section 171.9 is amended to read as follows:

§ 171.9 *Persons who may make or receive occasional shipments.* Persons who are not engaged in the business of exporting or importing arms, ammunition, or implements of war, but who, either for their own personal use or as forwarding agents for persons who are engaged in this business, or, in exceptional circumstances, in other capacities, may make or receive occasional shipments of such articles, will not be considered as exporters or importers of arms, ammunition, and implements of war within the meaning of section 12 of the joint resolution. Licenses for such shipments must, however, be obtained in accordance with the provisions of § 171.24. (Sec. 12, 54 Stat. 10; 22 U.S.C., Sup., 245j–11)

Section 171.13 is amended to read as follows:

§ 171.13 *Export licenses.* The Secretary of State will issue export licenses to all registered applicants who have duly filled out an application for license, unless the exportation of arms, ammunition, or implements of war for which a license is applied for would be in violation of a law of the United States or of a treaty to which the United States is a party, *Provided, however,* That export licenses shall not be issued in any case when it shall have been determined by the Executive Director of the Economic Defense Board, under the direction of the President, in accordance with the provisions of section 6 of the act of Congress approved July 2, 1940 (54 Stat. 714), and Executive Order 8900 of September 15, 1941 (6 F.R. 4795), that the proposed shipment would be contrary to the interest of the national defense. (Sec. 12, 54 Stat. 10; 22 U.S.C., Sup., 245j–11)

Section 171.14 is amended to read as follows:

§ 171.14 *Licenses not transferable.* Export and import licenses are not transferable and are subject to revocation without notice. If not revoked, licenses are valid for one year from the date of issuance, and shipments thereunder may be made through any port of exit or entry in the United States. The naming of the proposed port of exit under paragraph 3 of the application for export license of the proposed port of entry under paragraph 3 of the application for import license does not preclude shipment through another port if the arrangements made by the exporter or importer are altered subsequent to the issuance of the license. (Sec. 12, 54 Stat. 10; 22 U.S.C., Sup., 245j–11)

Section 171.23 is hereby rescinded.

Section 171.27 is amended to read as follows:

§ 171.27 *Arms intended exclusively for sporting or scientific purposes.* Arms and ammunition which enter or leave the United States on the person of an individual or in his baggage, and which are intended exclusively for the personal use of that individual for sporting or scientific purposes or for personal protection, will not be considered as imported or exported within the meaning of section 12 of the joint resolution. The individual on whose person or in whose baggage the arms or ammunition or both are being carried must, however, declare the arms or ammunition or both to the collector of customs at the port of exit or entry and, before exit from the United States or entry into the United States is made, establish to the satisfaction of the collector that the arms or ammunition or both are in fact intended exclusively for the personal use of the individual in question for sporting or scientific purposes or for personal protection. No more than 3 arms and no more than 500 cartridges shall in any case be carried from or into the United States by an individual under the provisions of this section without an export or import license having been obtained. (Sec. 12, 54 Stat. 10; 22 U.S.C., Sup., 245j–11)

Section 171.28 is amended to read as follows:

§ 171.28 *Arms, ammunition, etc., intended for official use.* Arms, ammunition, and implements of war intended for the official use of or consumption by an agent or agency of the Government of the United States, or which are to be used or consumed under the direction of such agent or agency of the Government, may be exported or imported without license when consigned to an agent or agency of the Government in the case of imports and when consigned by an agent or agency of the Government in the case of exports. (Sec. 12, 54 Stat. 10; 22 U.S.C., Sup., 245j–11)

Sections 171.42–171.44, inclusive, are hereby rescinded.

All provisions of the regulations promulgated on November 6, 1939 not herein amended or rescinded shall remain in full force and effect.

[SEAL] CORDELL HULL,
Secretary of State.

OCTOBER 2, 1941.

[F. R. Doc. 41-7433; Filed, October 3, 1941; 4:30 p. m.]

TITLE 26—INTERNAL REVENUE

CHAPTER I—BUREAU OF INTERNAL REVENUE

SUBCHAPTER A—INCOME AND EXCESS-PROFITS TAXES

[T.D. 5079]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

Regulations 103 Amended. Optional Tax on Individuals With Gross Income From Certain Sources of $3,000 or Less

In order to conform Regulations 103 [Part 19, Title 26, Code of Federal Regulations, 1940 Sup.] to the Revenue Act of 1941 (Public Law 250, 77th Congress), approved September 20, 1941, such regulations are amended as follows:

PARAGRAPH 1. The following is inserted immediately after § 19.396–1 *Tax of certain shareholders paid by the corporation,* (added by T.D. 5036 [1]):

SEC. 102. OPTIONAL TAX ON INDIVIDUALS WITH CERTAIN GROSS INCOME OF $3,000 OR LESS. (REVENUE ACT OF 1941, TITLE I.)

(a) *Optional tax.* The Internal Revenue Code is amended by inserting after section 396 the following new Supplement:

SUPPLEMENT T—INDIVIDUALS WITH GROSS INCOME FROM CERTAIN SOURCES OF $3,000 OR LESS

SEC. 400. IMPOSITION OF TAX.

In lieu of the tax imposed under sections 11 and 12, an individual may elect, for each taxable year, to pay the tax shown in the following table if his gross income for such taxable year is $3,000 or less and consists wholly of one or more of the following: Salary, wages, compensation for personal serv-

[1] 6 F.R. 833.

ices, dividends, interest, rent, annuities, or royalties:

If the gross income [less $400 for each dependent] is over—	But not over—	The tax shall be—	
		Single person (not head of a family)	Head of family or married person
$1	$750	$0	$0
$750	775	1	0
$775	800	2	0
$800	825	3	0
$825	850	5	0
$850	875	7	0
$875	900	9	0
$900	925	11	0
$925	950	14	0
$950	975	16	0
$975	1,000	18	0
$1,000	1,025	20	0
$1,025	1,050	22	0
$1,050	1,075	24	0
$1,075	1,100	26	0
$1,100	1,125	29	0
$1,125	1,150	31	0
$1,150	1,175	33	0
$1,175	1,200	35	0
$1,200	1,225	37	0
$1,225	1,250	39	0
$1,250	1,275	42	0
$1,275	1,300	44	0
$1,300	1,325	46	0
$1,325	1,350	48	0
$1,350	1,375	50	0
$1,375	1,400	52	0
$1,400	1,425	55	0
$1,425	1,450	57	0
$1,450	1,475	59	0
$1,475	1,500	61	0
$1,500	1,525	63	1
$1,525	1,550	65	2
$1,550	1,575	68	3
$1,575	1,600	70	5
$1,600	1,625	72	6
$1,625	1,650	74	7
$1,650	1,675	76	9
$1,675	1,700	78	11
$1,700	1,725	80	13
$1,725	1,750	83	15
$1,750	1,775	85	17
$1,775	1,800	87	19
$1,800	1,825	89	22
$1,825	1,850	91	24
$1,850	1,875	93	26
$1,875	1,900	96	28
$1,900	1,925	98	30
$1,925	1,950	100	32
$1,950	1,975	102	35
$1,975	2,000	104	37
$2,000	2,025	106	39
$2,025	2,050	109	41
$2,050	2,075	111	43
$2,075	2,100	113	45
$2,100	2,125	115	48
$2,125	2,150	117	50
$2,150	2,175	119	52
$2,175	2,200	122	54
$2,200	2,225	124	56
$2,225	2,250	126	58
$2,250	2,275	128	60
$2,275	2,300	130	63
$2,300	2,325	132	65
$2,325	2,350	134	67
$2,350	2,375	137	69
$2,375	2,400	139	71
$2,400	2,425	141	73
$2,425	2,450	143	76
$2,450	2,475	145	78
$2,475	2,500	147	80
$2,500	2,525	150	82
$2,525	2,550	152	84
$2,550	2,575	154	86
$2,575	2,600	156	89
$2,600	2,625	158	91
$2,625	2,650	160	93
$2,650	2,675	163	95
$2,675	2,700	165	97
$2,700	2,725	167	99
$2,725	2,750	169	102
$2,750	2,775	172	104
$2,775	2,800	174	106
$2,800	2,825	177	108
$2,825	2,850	180	110
$2,850	2,875	183	112
$2,875	2,900	186	114
$2,900	2,925	189	117
$2,925	2,950	191	119
$2,950	2,975	194	123
$2,975	3,000	197	121

In applying the above schedule to determine the tax of a taxpayer with one or more dependents there shall be subtracted from his gross income $400 for each such dependant.

* * * * *

SEC. 118. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE. (Revenue Act of 1941, Title I.)

The amendments made by this title (except sections 107, 115, 116, and 117) shall be applicable only with respect to taxable years beginning after December 31, 1940.

§ 19.400–1 *Scope and application of Supplement T.* In lieu of the tax imposed under sections 11 and 12, an individual may elect to pay the tax imposed under section 400, if his gross income does not exceed $3,000 and if his gross income consists wholly of one or more of the following: Salary, wages, compensation for personal services, dividends, interest, rent, annuities, or royalties. For the purpose of the $3,000 limitation, the amount of an individual's gross income shall be determined without subtracting any amount on account of such individual's dependents. For example, A has a gross income, consisting of salary, of $3,200 for 1941. He has two dependents. For the purpose of the $3,000 limitation, his gross income is $3,200, not $2,400, and consequently he may not compute his tax under Supplement T. An individual deriving any other kind of income such as income from the conduct of a business or from a trust of which he is a beneficiary or gains from the sale or exchange of property, may not compute his tax under Supplement T. If any individual derives income from a partnership of which he is a member or from a trust of which he is a beneficiary, and the partnership or trust previously derived the income distributed to him from rent, he will be considered to have received income from a partnership or trust, rather than from rent, and consequently will not be entitled to compute his tax under Supplement T. A husband and wife living together on the last day of the taxable year may file separate returns on Form 1040A, if the gross income of each is from the prescribed sources and does not exceed $3,000, or they may file a single joint return, if their combined gross income is from the prescribed sources and does not exceed $3,000. If they file separate returns, the tax liability of each under section 400 is the tax imposed upon a single person. If such husband and wife file separate returns and only one elects to make a return on Form 1040A, the tax liability of the one so electing is the tax imposed upon a single person. If they file a single joint return or if only one spouse makes a return because the other spouse has no gross income, the tax liability is the tax imposed upon a married person.

In order to determine the amount of his tax an individual merely ascertains the amount of his gross income, subtracts $400 for each dependent for whom a credit is allowable (see Example (3) in § 19.401–1), and refers to the schedule set forth in section 400 to find the amount of his tax. If the taxpayer is a single person who is not the head of a family, his tax is set forth in the third column of the schedule. If he is a married person or the head of a family, his tax is set forth in the fourth column. Under the schedule no tax is imposed upon a single person whose gross income less credit for dependents does not exceed $750, or upon a married person or the head of a family whose gross income less credit for dependents does not exceed $1,500.

SEC. 102. OPTIONAL TAX ON INDIVIDUALS WITH CERTAIN GROSS INCOME OF $3,000 OR LESS. (Revenue Act of 1941, Title I.)

(a) *Optional tax.* The Internal Revenue Code is amended by inserting after section 396 the following new Supplement:

* * * * *

SEC. 401. RULES FOR APPLICATION OF SECTION 400.

For the purposes of this Supplement—

(a) Definitions. (1) "Married person" means a married person living with husband or wife.

(2) "Dependent" means a person (other than husband or wife) dependent upon and receiving his chief support from the taxpayer if such dependent person is under eighteen years of age or is incapable of self-support because mentally or physically defective, excluding as a dependent, in the case of a head of a family, one who would be excluded under section 25 (b) (2) (B).

(b) *Determination of status.* The determination of whether a person is living with husband or wife, is a head of a family, or is a dependent, shall be made as of the last day of the taxpayer's taxable year.

(c) *Separate return of husband and wife.* If a husband and wife living together file separate returns each shall be treated as a single person.

(d) *Married persons not living with husband or wife.* A married person not a head of a family and not living with husband or wife shall be treated as a single person.

* * * * *

§ 19.401–1 *Rules for application of schedule in section 400.* The determination of whether a taxpayer is a married person or the head of a family, or whether he has a dependent, is to be made as of the last day of such taxpayer's taxable year. The fact that the taxpayer's status changes during such taxable year is not material.

Example (1). A has a gross income of $1,640, derived wholly from wages. He was married on July 1, 1941, and he and his wife were living together on the last day of the taxable year. He has no dependents. His wife has no gross income. In order to ascertain the tax imposed upon him for the calendar year 1941 under section 400, A refers to column 4 of the schedule (applicable to a married person), and finds that the tax levied upon a taxpayer whose gross income falls within the bracket running from $1,625 to $1,650 is $7. Since $1,640 is within this bracket, A's tax is $7.

Example (2). B, an unmarried person, has a gross income of $2,636 derived wholly from rent and dividends. During the first seven months of 1941, B's status is that of head of a family, but on the last day of the taxable year his status is that of a single person not the head of a family. To determine his tax, B refers to the third column of the schedule (applicable to a single person who

is not the head of a family) and finds that the tax levied upon an individual whose gross income falls within the bracket running from $2,625 to $2,650 is $160. Since $2,636 is within this bracket, B's tax is $160.

Example (3). C has a gross income of $2,680 for the calendar year 1941, derived wholly from wages. His wife dies on October 1, and on the last day of the taxable year he is supporting and maintaining a home for two dependent children both of whom are under the age of eighteen. Since C would not occupy the status of head of a family except for the fact that he maintains a home for such children no amount may be subtracted from gross income on account of one of such children. Accordingly, to ascertain his tax, C subtracts only $400 from $2,680, refers to the fourth column of the schedule (applicable to the head of a family), and finds that the tax in the case of a taxpayer whose gross income falls in the bracket running from $2,275 to $2,300 is $63. Since $2,280 falls within this bracket, C's tax is $63.

SEC. 102. OPTIONAL TAX ON INDIVIDUALS WITH CERTAIN GROSS INCOME OF $3,000 OR LESS. (Revenue Act of 1941, Title I.)

(a) *Optional tax.* The Internal Revenue Code is amended by inserting after section 396 the following new Supplement:

* * * * *

SEC. 402. MANNER OF ELECTION.

"The election referred to in section 400 shall be considered to have been made if the taxpayer files the return prescribed for this Supplement and such election shall be irrevocable. If the taxpayer for any taxable year has filed a return computing his tax without regard to this Supplement, he may not thereafter elect for such year to compute his tax under this Supplement.

* * * * *

§ 19.402–1 *Manner of election to compute tax under Supplement T.* A taxpayer elects to compute his income tax under Supplement T by filing a return of his gross income on Form 1040A, the form prescribed for this Supplement. If a husband and wife both make such an election, they may file a joint return reporting their aggregate gross income or they may file separate returns reporting their respective gross incomes. If they file separate returns, the tax of each shall be computed by reference to the third column of the schedule set forth in section 400.

An election under Supplement T once made for the taxable year may not be revoked by an amended return or otherwise, but a new election is allowed for each subsequent taxable year. If for any taxable year the taxpayer makes a return without regard to Supplement T, he may not thereafter elect to have his tax computed under such Supplement for that taxable year.

SEC. 102. OPTIONAL TAX ON INDIVIDUALS WITH CERTAIN GROSS INCOME OF $3,000 OR LESS. (Revenue Act of 1941, Title I.)

(a) *Optional tax.* The Internal Revenue Code is amended by inserting after section 396 the following new Supplement:

* * * * *

SEC. 403. CREDITS AGAINST TAX NOT ALLOWED. Section 31 (relating to foreign tax credit) and section 32 (relating to credit for taxes withheld at source) shall not apply with respect to the tax imposed by this Supplement.

SEC. 404. CERTAIN TAXPAYERS NOT ELIGIBLE.

This Supplement shall not apply to a nonresident alien individual, or an estate or trust.

* * * * *

(This Treasury decision is issued under the authority contained in section 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C., Sup. V, 62) and section 102 of the Revenue Act of 1941 (Public Law 250, Seventy-seventh Congress).)

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: October 4, 1941.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 41–7455; Filed, October 6, 1941; 11:22 a. m.]

[T. D. 5075, Regulations No. 3, amended]

PART 182—INDUSTRIAL ALCOHOL

Pursuant to the authority in sections 3105 (a), 3124 (a) (6), and 3176 (a), Internal Revenue Code, Regulations No. 3 is amended as hereinafter set forth.

Article 111, as amended, is further amended as follows:

Effective immediately and until further notice, the producer's identifying symbol and the serial number on packages of completely denatured alcohol, in lieu of being embossed as heretofore prescribed, may be cut, sand-blasted, or otherwise permanently indented thereon. Packages marked in this manner may be reused by producers and their agents in accordance with the procedure outlined in this article as amended by Treasury Decision 5065, provided such identifying symbols and serial numbers are distinct and legible when the reused packages are filled and shipped.

Article 146, as amended, is further amended as follows:

Effective immediately and until further notice, the producer's identifying symbol and the serial number on packages of proprietary solvent, in lieu of being embossed as heretofore prescribed, may be cut, sand-blasted, or otherwise permanently indented thereon. Packages marked in this manner may be reused by producers and their agents in accordance with the procedure outlined in this article as amended by Treasury Decision 5065, provided such identifying symbols and serial numbers are distinct and legible when the reused packages are filled and shipped.

[SEAL] GUY T. HELVERING,
Commissioner.

Approved: October 3, 1941.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 41–7438; Filed, October 4, 1941; 10:31 a. m.]

[T. D. 5076, Regulations No. 3, amended]

PART 182—INDUSTRIAL ALCOHOL

Pursuant to the authority in sections 3105, 3124 (a) (6), and 3176 of the Internal Revenue Code, Regulations No. 3 is amended by adding thereto the following new articles:

TRANSFER OF TAX-PAID ALCOHOL BY PIPE LINE TO RECTIFYING PLANTS

ART. 171. The Commissioner may, in his discretion, authorize the installation of a pipe line for the transfer of alcohol produced in accordance with these regulations from the weighing tank in an industrial alcohol bonded warehouse, after tax-payment, to storage tanks in a rectifying plant for use in rectification and bottling, when such rectifying plant is contiguous to, or is in the immediate vicinity of the bonded warehouse. The Commissioner will determine from all the circumstances in each case whether the rectifying plant is in the immediate vicinity of the bonded warehouse.

ART. 172. The proprietor of a bonded warehouse who desires to install a pipe line for the transfer of tax-paid alcohol to a contiguous rectifying plant, or rectifying plant in the immediate vicinity of the bonded warehouse, must file application in triplicate with the district supervisor showing the relative position of the bonded warehouse and the rectifying plant, the proprietorship thereof, and a full description of the proposed pipe line.

ART. 173. Upon receipt of the application, the district supervisor will make such inquiry as he may deem necessary to determine the propriety of granting the permission sought and will then forward all copies of the application to the Commissioner with his recommendation thereon. The Commissioner will indicate his approval or disapproval on all copies of the application and return two copies to the district supervisor who will forward one copy to the applicant. Where the application is approved, the proprietor of the warehouse will, upon installation of the pipe line, file amended application, Form 1431, and plans and plat covering such changes in equipment in accordance with these regulations.

ART. 174. The pipe line shall be constructed and the outlet of the weighing tank secured in the manner provided by § 183.54 of Regulations 4, respecting pipe lines from the cistern room to storage tanks in an internal revenue bonded warehouse on the distillery premises.

ART. 175. Where a pipe line has been installed for the transfer of alcohol direct from the weighing tank in the bonded warehouse to a contiguous rectifying plant or rectifying plant in the immediate vicinity, as provided herein, and the proprietor of the warehouse desires to transfer such alcohol, he shall execute application for the tax-payment of such alcohol on Form 1594, "Application for Collector's Certificate of Tax-Payment of Distilled Spirits for Shipment in Tank Cars," in duplicate, appropriately modified to cover the transfer by pipe line. The proprietor and the store-

keeper-gauger shall then proceed in accordance with the provisions of these regulations, as amended, respecting the gauging and withdrawal of spirits for tax-payment in railroad tank cars. The proprietor will forward all copies of Form 1440, prepared in accordance with Article 63, with Form 1594, in duplicate, accompanied by proper remittance for the tax, to the collector of internal revenue.

ART. 176. The collector will note on all copies of Form 1440, the tax-payment (including the serial number of the certificate, Form 1595), in the column provided for entering the serial numbers of tax-paid stamps, execute the certificate of tax-payment on Form 1440, and issue Form 1595, "Collector's Certificate of Tax-Payment of Distilled Spirits for Shipment in Tank Cars," which certificate shall be appropriately modified to cover the transfer of alcohol by pipe line. The collector will fill in all the required data in the blank spaces on the certificate, except those provided in the lower left corner for the verification of the storekeeper-gauger, and shall date and sign the certificate in the manner required by § 183.299 of Regulations 4. The certificate is not negotiable and shall not be used for any spirits other than those described therein. The collector will enter on the original and copy of Form 1594, in the space provided, the serial number, date, and amount of the certificate issued. The collector will retain one copy of Form 1440 and the original copy of Form 1594. He will mail or deliver the certificate, Form 1595, and the original and remaining copies of Form 1440 to the proprietor of the warehouse or his designated agent, in accordance with the proprietor's request in Form 1594. The collector will send one copy of the application, Form 1594, to the district supervisor.

ART. 177. The proprietor shall deliver the certificate of tax-payment, Form 1595, and all copies of Form 1440 to the storekeeper-gauger at the bonded warehouse. The storekeeper-gauger will verify the contents of the weighing tank and date and sign the certificate, Form 1595, in the space provided therefor. The certificate must be attached to a board on the weighing tank by means of a tack in each corner, after which it will be cancelled in the same manner as a tax-paid stamp attached to a package and covered with a coating of transparent varnish, shellac or lacquer to prevent any alteration thereof.

ART. 178. When the certificate of tax-payment has been affixed to the weighing tank and cancelled, the storekeeper-gauger will unlock the outlet valve and permit the proprietor to transfer the alcohol by pipe line to the rectifying plant named in the certificate. The alcohol shall be transferred only under the immediate supervision of the storekeeper-gauger. After the alcohol has been transferred, the storekeeper-gauger will forward one copy of Form 1440 and the cancelled Form 1595 to the district supervisor, and deliver two copies of Form 1440 to the proprietor, who will deliver one copy of such form to the rectifier.

ART. 179. The report of gauge, Form 1440, delivered to the rectifier by the proprietor, shall be attached to the storage tank in the rectifying plant. The rectifier shall enter the date and quantity of removals from the tank in the blank spaces of such Form 1440. The report of gauge shall be kept on the tank until such time as the quantity covered thereby has been withdrawn from the tank. The report shall then be filed by the rectifier available for inspection by government officers. The alcohol transferred by pipe line may not be used by the rectifier prior to attachment of Form 1440 to the storage tank.

ART. 180. The district supervisor will compare the cancelled certificate with the copy of the application and the report of gauge as to the number of gallons of alcohol, the amount of tax, etc., and investigate any discrepancy. He will then send a copy of the application to the Commissioner and where there is a discrepancy, a report of his findings relative thereto.

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved, October 3, 1941.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 41-7439; Filed, October 4, 1941; 10:31 a. m.]

[T. D. 5077, amending Regulations 4]

PART 183—PRODUCTION OF DISTILLED SPIRITS

Pursuant to the provisions of sections 2883 and 3176 of the Internal Revenue Code, Regulations 4 are hereby amended by adding the following new article and sections:

ARTICLE XLI. *Transfer of Tax-Paid Distilled Spirits by Pipe Line to Rectifying Plants*

§ 183.437 *Commissioner may authorize.* The Commissioner may, in his discretion, authorize the installation of a pipe line for the transfer of distilled spirits produced under section 2883, Internal Revenue Code, at a proof in excess of 159 degrees and reduced in the receiving cistern to not more than 159 and not less than 100 degrees proof, from the weighing tank in the cistern room of a registered distillery, after tax-payment, to storage tanks in a rectifying plant for use in rectification and bottling, when such rectifying plant is contiguous to, or is in the immediate vicinity of the distillery. The Commissioner will determine from all the circumstances in each case whether the rectifying plant is in the immediate vicinity of the distillery. (Secs. 2883, 3176, I.R.C.)

§ 183.438 *Application.* A distiller who desires to install a pipe line for the transfer of such spirits to a contiguous rectifying plant or rectifying plant in the immediate vicinity of the distillery, must file application in triplicate with the district supervisor showing the relative positions of the plants and the proprietorship thereof, and giving a full description of the proposed pipe line. (Secs. 2883, 3176, I.R.C.)

§ 183.439 *Action on application.* Upon receipt of the application, the district supervisor will make such inquiry as he may deem necessary to determine the propriety of granting the permission sought and will then forward all copies of the application to the Commissioner with his recommendation thereon. The Commissioner will indicate his approval or disapproval on all copies of the application and will return two copies to the district supervisor who will forward one copy to the applicant. Where the application is approved, the distiller will, upon installation of the pipe line, file amended distiller's notice, Form 27-A, and plans, as provided in § 183.149 in the case of major changes in equipment, and an amended plat. (Secs. 2883, 3176, I.R.C.)

§ 183.440 *Pipe line construction.* The pipe line shall be constructed and the outlet of the weighing tank secured, in the manner provided by § 183.54, respecting pipe lines from the cistern room to storage tanks in an internal revenue bonded warehouse on the distillery premises. (Secs. 2883, 3176, I.R.C.)

§ 183.441 *Application, Form 179.* Where a pipe line has been installed for the transfer of distilled spirits direct from the weighing tank in the distillery to a contiguous rectifying plant or rectifying plant in the immediate vicinity under the provisions of this article, and the distiller desires to transfer such spirits, he shall execute application for the tax-payment of such spirits on Form 179, in quadruplicate. The distiller and the storekeeper-gauger shall then proceed in accordance with the provisions of §§ 183.281, 183.282, and 183.297 respecting the gauging and withdrawal of spirits for tax-payment in railroad tank cars, insofar as the provisions thereof are applicable. (Secs. 2883, 3176, I.R.C.)

§ 183.442 *Application for certificate of tax-payment, Form 1594.* The distiller will forward all copies of Form 179 and Form 1520, prepared in accordance with § 183.297, with Form 1594, "Application for Collector's Certificate of Tax-Payment of Distilled Spirits for Shipment in Tank Cars," in duplicate, appropriately modified to cover the transfer by pipe line, accompanied by proper remittance for the tax to the collector of internal revenue. (Secs. 2883, 3176, I.R.C.)

§ 183.443 *Certificate of tax-payment, Form 1595.* The collector will note the tax-payment (including the serial number of the certificate, Form 1595) in the column on all copies of Form 179 and Form 1520, provided for entering the serial numbers of tax-paid stamps, execute a certificate of tax-payment on Form 179 and issue Form 1595, "Collector's Certificate of Tax-Payment of Distilled Spirits for Shipment in Tank Cars," which certificate shall be appropriately

modified to cover the transfer of spirits by pipe line. The collector shall fill in all the required data in the blank spaces on the certificate, except those provided in the lower left corner for the verification of the storekeeper-gauger, and shall date and sign the certificate in the manner required by § 183.299. The certificate is not negotiable and shall not be used for any spirits other than those described therein. The collector will enter on the original and the copy or copies of Form 1594 in the space provided, the serial number, date and amount of the certificate issued. The collector will retain one copy each of Form 179 and Form 1520, and the original copy of Form 1594. He will mail or deliver the certificate, Form 1595, and the original and remaining copies of Form 179 and Form 1520 to the distiller or his designated agent, in accordance with the distiller's request in Form 1594. The collector will send one copy of the application, Form 1594, to the district supervisor. (Secs. 2883, 3176, I.R.C.).

§ 183.444 *Storekeeper-gauger's verification.* The distiller shall deliver the certificate of tax-payment, Form 1595, and all copies of Form 179 and Form 1520 to the storekeeper-gauger at the distillery. The storekeeper-gauger will verify the contents of the weighing tank and date and sign the certificate, Form 1595, in the space provided therefor. The certificate must be attached to a board on the weighing tank by means of a tack in each corner, after which it will be cancelled in the same manner as a tax-paid stamp attached to a package, and covered with a coating of transparent varnish, shellac or lacquer to prevent any alteration thereof. (Secs. 2883, 3176, I.R.C.)

§ 183.445 *Release of spirits for transfer.* When the certificate of tax-payment has been affixed to the weighing tank and cancelled, the storekeeper-gauger will unlock the outlet valve and permit the distiller to transfer the spirits by pipe line to the rectifying plant named in the certificate. The spirits shall be transferred only under the immediate supervision of the storekeeper-gauger. After the spirits have been transferred, the storekeeper-gauger will forward one copy of Form 179 and Form 1520 and the cancelled Form 1595 to the district supervisor, retain one copy of Form 179 and Form 1520, and deliver one copy of Form 179 and two copies of Form 1520 to the distiller, who will immediately deliver one copy of Form 1520 to the rectifier. (Secs. 2883, 3176, I.R.C.)

§ 183.446 *Rectifier's use of Form 1520.* The report of gauge, Form 1520, delivered to the rectifier by the distiller, shall be attached to the storage tank in the rectifying plant. The rectifier shall enter the date and quantity of removals from the tank in the blank space on such Form 1520. The report of gauge shall be kept on the tank until such time as the quantity covered by such report has been withdrawn from the tank. The report shall then be filed by the rectifier, available for inspection by government officers. The spirits transferred by pipe line may not be used by the rectifier prior to attachment of Form 1520 to the storage tank. (Sec. 3176, I.R.C.)

§ 183.447 *Comparison of cancelled certificate with application.* The district supervisor will compare the cancelled certificate with the copy of the application and the report of gauge as to the number of gallons of distilled spirits, the amount of tax, etc., and investigate any discrepancy. He will then send the copy of the application to the Commissioner and where there is a discrepancy, a report of his findings relative thereto. (Sec. 3176, I.R.C.)

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: October 2, 1941.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 41-7437; Filed, October 4, 1941; 10:31 a. m.]

[T. D. 5078, amending Regulations 15]

PART 190—RECTIFICATION OF SPIRITS AND WINES

1. Pursuant to the provisions of sections 2801 (e) (1) and 3176 of the Internal Revenue Code, Regulations 15 [1] are amended as hereinafter set forth.

2. Section 190.45 is amended by adding a new paragraph thereto, as follows:

§ 190.45 *Pipelines.*

* * * * *

(f) *Pipe line from contiguous distillery or distillery in immediate vicinity.* The pipe line used for the conveyance of tax-paid spirits from the cistern room of a contiguous distillery or distillery in the immediate vicinity of the rectifying plant, as provided in Regulations 4, as amended, and the pipe line used for the conveyance of tax-paid alcohol from a contiguous bonded warehouse or bonded warehouse in the immediate vicinity of the rectifying plant, as provided in Regulations 3, as amended, shall be of a fixed and permanent character, constructed of metal and so arranged as to be exposed to view throughout its entire length, and all connections, valves, flanges, unions, etc., shall be brazed, welded, or otherwize secured. The pipe line shall be connected directly to the storage tank in the receiving room of the rectifying plant, and must be equipped with a valve, at or near the point of entrance to the storage tank, capable of being locked with a Government lock. When the storage tank is mounted on scales the pipe line may be connected therewith by means of short, detachable hose connections if the end of the pipe line is equipped with a valve which may be locked with a Government lock. Where spirits are to be conveyed to two or more storage tanks in the rectifying plant, the pipe line may be connected with the storage tanks by manifold connections so arranged as to control the flow of spirits into each tank. There shall be painted on each pipe line extending from the manifold to the storage tanks a number corresponding with the serial number of the storage tank with which the pipe pine is connected, unless the arrangement of the pipe line is such that the identity of the tank with which it is connected is apparent. (Secs. 2801 (e) (1), 2839, 3176, I.R.C.)

3. Sections 190.33, 190.170, 190.173 and 190.174 are amended to read as follows:

§ 190.33 *Storage tanks.* If spirits are received in tank cars, or by pipe line from the cistern room of a contiguous distillery or distillery in the immediate vicinity of the rectifying plant, or by pipe line from a contiguous bonded warehouse or bonded warehouse in the immediate vicinity of the rectifying plant, suitable storage tanks must be provided in the receiving room within which to store such spirits, except that such storage tanks will not be required in the case of spirits received in tank cars which are transferred directly to processing and bottling tanks in accordance with § 190.170 (a). Each storage tank shall be constructed of metal and be of uniform dimensions from top to bottom. Each such tank shall be equipped with a suitable measuring device, or mounted on scales, whereby the actual contents will be correctly indicated. There shall be painted on each tank the words, "Storage Tank," followed by its serial number and capacity in wine gallons. A suitable board shall be provided on each storage tank for the attachment of Forms 1520 and 1440, as hereinafter provided. Manheads, inlets, and outlets of the tanks must be provided with facilities for locking with Government locks. Stopcocks must be provided and so arranged as to control completely the flow of spirits, both into and out of the tank. The construction of the valves must be such that they can be secured with Government locks. The pipe connections containing such stopcocks or valves must be brazed, welded, or otherwise secured, to the tanks in such a manner that they cannot be detached or altered without showing evidence of tampering. Storage tanks must not be permanently connection with pipe lines used for the conveyance of air, distilled water, or other substances than spirits. (Secs. 2801 (e) (1), 2829, 3176, I.R.C.)

§ 190.170 *Receipt at rectifying premises*—(a) *Receipt in tank cars.* Where distilled spirits are received in tank cars

(a) *Receipt in tank cars.* Where distilled spirits are received in tank cars or wines are received in tank cars, tanks, or tank trucks, they may be transferred directly from such containers into processing or bottling tanks if permission is first obtained from the district super-

[1] 5 F.R. 2016, 3180.

visor and the spirits or wines are first inspected by a Government officer. When liquors are so transferred the rectifier must submit Form 122 or Form 230 to the Government officer assigned to the plant, or to the district supervisor or designated officer for approval as provided in §§ 190.177–190.201, 190.340–190.361 [Articles XXVI and XXXIV], immediately the tank cars, tanks, or tank trucks are emptied. Distilled spirits may be received in tank cars only if the premises of the rectifier are equipped with suitable railroad siding facilities. Before permitting spirits to be transferred from a tank car into a storage tank or a processing or bottling tank, the Government officer will see that the railroad car seals are intact on the tank car and that the car bears the collector's certificate of taxpayment, Form 1595. When spirits are transferred into or out of storage tanks the Government officer shall open and close the Government locks, but it shall be the duty of the proprietor to manipulate the stopcocks or valves controlling the flow of the spirits. The officer will keep a memorandum record of the quantities of spirits entered into and withdrawn from each storage tank by dates, in order that he may determine that only lawful, tax-paid spirits are withdrawn from such tanks for rectification.

(b) *Receipt by pipe line.* Where spirits are received by pipe line from the cistern room of a contiguous distillery or distillery in the immediate vicinity of the rectifying plant, as provided by Regulations 4, as amended, or alcohol is received by pipe line from a contiguous bonded warehouse or bonded warehouse in the immediate vicinity of the rectifying plant, as provided in Regulations 3, as amended, they shall be conveyed directly into the storage tank or tanks in the receiving room. When spirits are transferred into or out of such tanks, the Government officer shall follow the procedure specified in the foregoing paragraph, insofar as it is applicable. (Secs. 2801 (e) (1), 3176, I.R.C.)

§ 190.173 *Disposition of gauge report*—(a) *Receipt in tank cars.* When distilled spirits received in a tank car are run into a storage tank, the report of gauge, Form 1520 in the case of spirits other than alcohol, and Form 1440 in the case of alcohol, sent to the rectifier by the vendor, shall be attached to such storage tank. The rectifier shall enter the date and quantity of removals from the storage tank in a blank space on the report of gauge. The report of gauge shall be kept on the tank until such time as the quantity covered by such report has been withdrawn from the tank. The report shall then be filed by the rectifier available for inspection by Government officers. If the spirits are transferred directly from the tank car into a processing or bottling tank, the rectifier shall make a notation to that effect on the report of gauge and file it. The requirements of this section shall not preclude use of the spirits prior to receipt of Form 1520 or 1440.

(b) *Receipt by pipe line.* When spirits received by pipe line are run into the storage tank, the report of gauge, Form 1520 or Form 1440, delivered to the rectifier by the vendor shall be attached to the storage tank. The rectifier shall enter the date and quantity of removals from the tank in the blank space on such Form 1520 or Form 1440. The report of gauge shall be kept on the tank until such time as the quantity covered by such report has been withdrawn from the tank. The report shall then be filed by the rectifier, available for inspection by Government officers. The spirits transferred by pipe line may not be used by the rectifier prior to attachment of Form 1520 or Form 1440 to the storage tank. (Secs. 2801 (e), (1), 3176, I.R.C.)

§ 190.174 *Mixing of different spirits prohibited.* Spirits received in tank cars or by pipe line which were produced from different materials, or by two or more distillers or from different combinations of the same materials at less than 190 degrees of proof, or which differ in kind according to the standards of identity established under the Federal Alcohol Administration Act, or which differ more than 10 degrees in proof, or which are otherwise heterogeneous, may not be mingled in a storage tank, nor may spirits received in tank cars be mingled in a storage tank with spirits received by pipe line. (Secs. 2801 (e) (1), 3176, 3254 (g), I.R.C.)

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved: October 3, 1941.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 41–7440; Filed, October 4, 1941; 10:32 a. m.]

TITLE 32—NATIONAL DEFENSE

CHAPTER IX—OFFICE OF PRODUCTION MANAGEMENT

SUBCHAPTER B—PRIORITIES DIVISION

PART 967—FORMALDEHYDE, PARAFORMALDEHYDE, HEXAMETHYLENETETRAMINE AND SYNTHETIC RESINS

Amendment No. 2 to General Preference Order No. M–25 to conserve the supply and direct the distribution of formaldehyde, paraformaldehyde, hexamethylenetetramine and synthetic resins produced therefrom

Section 967.1 (*General preference order No. M–25* [1]) is hereby amended in the following particulars:

(1) In paragraph (c) (1) (i), Utilitarian Non-decorative Garment Buttons shall be included in the enumeration designated Classification I.

(2) In paragraph (c) (1) (ii), the words "not otherwise specifically provided for" shall be added after the word "Buttons" appearing in the enumeration designated Classification II.

(3) Paragraph (c) (2) (i) (as amended) shall commence "Until October 31st, 1941" instead of "Until September 30th, 1941".

(4) Paragraph (c) (2) (ii) (as amended) shall commence "Until October 31st, 1941" instead of "Until September 30th, 1941".

This Order shall take effect immediately. (P.D. Reg. 1, Aug. 27, 1941, 6 F.R. 4489; O.P.M. Reg. 3, March 8, 1941, 6 F.R. 1596, as amended Sept 12, 1941, 6 F.R. 4865; E.O. 8629, Jan. 7, 1941; 6 F.R. 191; E.O. 8875, Aug. 28, 1941, 6 F.R. 4483; sec. 2 (a), Public No. 671, 76th Congress, Third Session, as amended by Public No. 89, 77th Congress, First Session; sec. 9, Public No. 873, 76th Congress, Third Session)

Issued this 1st day of October 1941.

DONALD M. NELSON,
Director of Priorities.

[F. R. Doc. 41–7451; Filed, October 6, 1941; 9:30 a. m.]

[1] 6 F.R. 4301, 4527.

PART 984—LEAD

General Preference Order M–38 to Conserve the Supply and Direct the Distribution of Lead

Whereas the national defense requirements have created a shortage of lead (as hereinafter defined) domestically produced, and there exists an uncertainty as to future shipments from abroad, for defense, for private account, and for export and it is necessary, in the public interest and to promote the defense of the United States, to conserve the supply and direct the distribution thereof;

Now, therefore, it is hereby ordered, That:

§ 984.1 *General preference order M–38*—(a) *Definitions.* For the purposes of this Order:

(1) "Lead" means and includes lead metal produced from domestic ores and from imported ores, which has been refined by any recognized method, in all forms and shapes current in the trade; antimonial lead, and lead metal produced from scrap, excluding, however, metal in the hands of any manufacturer, produced by him either in his own plant or on toll from any lead-bearing material and mill residue originating in his own plant or returned to him by his customers in the usual course of business from material purchased from the manufacturer.

(2) "Refiner" means any person who produces lead as hereinbefore defined, from ores or scrap by any process in grades suitable for fabrication; and also

includes any person who has such lead produced for him under toll agreement.

(3) "Dealer" means any person who procures lead either by importing or from domestic sources for resale without change in form, whether or not such person receives title to or physical delivery of the material, and includes selling agents, warehousemen, and brokers.

(b) *Regulations incorporated.* Except as modified by the terms of this order and as otherwise specifically provided herein, all of the provisions and definitions of Priorities Regulation No. 1, issued by the Director of Priorities on August 27, 1941 (Part 944), as amended from time to time, are hereby included as a part of this order with the same effect as if specifically set forth herein.

(c) *Directions as to deliveries by refiners and dealers*—(1) *Delivery schedules.* Hereafter, each refiner and dealer shall file with the Division of Priorities, Office of Production Management, not later than the 20th day of the month next preceding the month during which any delivery of lead is to be made, and in such form or forms as may be from time to time prescribed by said Division, a schedule of his proposed shipments of lead for the ensuing month, including thereon such information as may be required by the instructions accompanying such form.

(2) *Withheld deliveries: Allocations.* Beginning October 1, 1941, each refiner shall set aside from his production of lead during each calendar month (including therein lead produced for him by others under toll agreement and excluding lead produced by him for others under toll agreement) a quantity to be determined and specified from time to time by the Director of Priorities and to be delivered only upon express direction of the Director of Priorities. Any amount so set aside shall be excluded from the refiner's schedule of proposed shipments filed under the provisions of paragraph (c) (1) above. The Director of Priorities will from time to time allocate deliveries of lead to be made by refiners from the quantities withheld under the provisions of this paragraph. In shipping the balance of his production, each refiner must give preference to Defense Orders as required by the provisions of Priorities Regulation No. 1, and must be governed by preference ratings assigned to particular contracts or purchase orders: *Provided,* That a refiner may satisfy in full his commitments to any one customer during any calendar month up to, but not exceeding, one minimum carload lot.

(3) *Allocation of lead from Metals Reserve Company's supply.* Hereinafter all lead released by the Metals Reserve Company will be allocated by the Director of Priorities.

(4) *Basis of allocations and directions.* Any allocations or directions by the Director of Priorities pursuant to the provisions of paragraphs (c) (2) and (3) above will be made primarily to insure satisfaction of all defense requirements of the United States, both direct and indirect, and they may be made in the discretion of the Director of Priorities without regard to any preference ratings assigned to particular contracts or purchase orders. The Director of Priorities may also take into consideration the possible dislocation of labor, and the necessity of keeping a plant in operation so that it may be able to fulfill Defense Orders and essential civilian requirements.

(5) *Allotment of purchase orders.* The Director of Priorities may in his discretion require any person seeking to place a purchase order for lead to be delivered by a refiner or dealer to place the same with one or more particular refiners or dealers.

(d) *Assignment of preference rating.* Deliveries of lead, alloys of which lead is an essential component, and manufactured products made of lead or of such alloys under all Defense Orders, to which a preference rating of A–10 or higher has not been assigned are hereby assigned a preference rating of A–10.

(e) *Directions as to deliveries of lead alloys and lead products.* Until further order by the Director of Priorities, deliveries by any person of alloys containing lead as an essential component and of manufactured products made of lead or such alloys may be made subject only to the provisions of Regulation No. 1 of the Division of Priorities and to the provisions of any other order or direction issued by the Director of Priorities affecting any other material used with lead in the manufacture or processing of such alloys or products.

(f) *Violations.* Any person affected by this order, who violates any of its provisions, or a provision of any other order, direction or regulation issued by the Director of Priorities, may be prohibited by the Director from making or receiving further deliveries of lead, or of any other material subject to allocation, or he may be subjected to any other or further action as the Director may deem appropriate.

(g) *Effective dates.* This order shall take effect immediately upon its issuance, and unless sooner terminated by direction of the Director of Priorities, shall expire on the 31st day of March 1942. (P.D. Reg. 1, Aug. 27, 1941, 6 F.R. 4489; O.P.M. Reg. 3, March 8, 1941, 6 F.R. 1596, as amended September 2, 1941, 6 F.R. 4865; E.O. 8629, Jan. 7, 1941, 6 F.R. 191; E.O. 8875, Aug. 28, 1941, 6 F.R. 4483; sec. 2 (a), Public No. 671, 76th Congress, Third Session, as amended by Public No. 89, 77th Congress, First Session; sec. 9, Public No. 783, 76th Congress, Third Session).

Issued this 4th day of October 1941.

DONALD M. NELSON,
Director of Priorities.

[F. R. Doc. 41–7441; Filed, October 4, 1941; 10:45 a. m.]

CHAPTER XI—OFFICE OF PRICE ADMINISTRATION

PART 1307—RAW MATERIALS FOR COTTON TEXTILES

PRICE SCHEDULE NO. 33—CARDED COTTON YARNS

From August 1940 to May 1941 the prices of cotton yarns and cotton textiles were marked by an inflationary rise. To check this advance, the Office of Price Administration issued a schedule of maximum prices for combed yarns in May 1941, and a schedule for six leading types of cotton grey goods in June 1941. It was the aim of the Office of Price Administration in taking these measures to bring about an appropriate adjustment of prices for related products in the cotton textile field to those set forth in the schedules for combed yarn and cotton grey goods. Carded yarns, however, which normally sell for several cents less per pound than combed yarns are now commanding prices as high, and in some instances higher, than the ceiling prices established for combed yarns. This dislocation in the price structure of the textile industry is injurious to national defense and to the civilian economy.

Accordingly, under the authority vested in me by Executive Order No. 8734, it is hereby directed that:

§ 1307.51 *Maximum prices for carded cotton yarn.* (a) On and after the applicable ceiling date (as set forth in Appendix A, incorporated herein as § 1307.60), except as provided in § 1307.51 (b) hereof, no person shall sell, offer to sell, deliver, or transfer carded cotton yarn for commercial use, and no person shall buy, offer to buy, or accept delivery of carded cotton yarn for commercial use, at prices higher than the maximum prices set forth in Appendix A.

(b) The maximum prices established by this Schedule are not applicable to sales, offers to sell, deliveries, or transfers of carded cotton yarn which is to be exported outside the territory of the United States, its territories or possessions, regardless of whether such export is to be effected through a middleman; *Provided, however,* That carded cotton yarn sold or delivered for such export shall not subsequently be sold or delivered for use within the United States, its territories or possessions, at a price higher than the applicable maximum established by this Schedule.*

* §§ 1307.51 to 1307.60 issued pursuant to the authority contained in Executive Order No. 8734, 6 F. R. 1917.

§ 1307.52 *Less than maximum prices.* Lower prices than those set forth in Appendix A may be charged, demanded, paid, or offered.*

§ 1307.53 *Evasion.* The price limitations set forth in this Schedule shall not be evaded whether by direct or indirect methods in connection with a purchase, sale, delivery, or transfer of carded cotton yarn, alone or in conjunction with any other material, or by way of any commission, service, transportation, or

other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding or otherwise.*

§ 1307.54 *Records and reports.* Every person making purchases or sales of carded cotton yarn for commercial use after October 5, 1941, shall keep for inspection by the Office of Price Administration for a period of not less than one year, complete and accurate records of (a) each such purchase or sale, showing the date thereof, the name and address of the buyer or the seller, the price paid or received, the quantity in pounds, and the specifications of the carded cotton yarn sold or purchased, and (b) the quantity of carded cotton yarn (1) on hand, and (2) on order, as of the close of each calendar month.

Persons affected by this Schedule shall submit such reports to the Office of Price Administration as it may, from time to time, require.*

§ 1307.55 *Affirmations of compliance.* On or before November 10, 1941, and on or before the 10th day of each month thereafter, every person who during the preceding calendar month has purchased or sold, whether for immediate or future delivery, or delivered or accepted delivery of carded cotton yarn for commercial use, shall submit to the Office of Price Administration an affirmation of compliance on Form 133:1, containing a sworn statement that during such month all such purchases, sales, or deliveries were made at prices in compliance with this Schedule or with any exception thereto or modification thereof. Copies of Form 133:1 can be procured from the Office of Price Administration, or, provided that no change is made in the style and content of the Form and that it is reproduced on 8″ x 10½″ paper, they may be prepared by persons required to submit affirmations of compliance hereunder.*

§ 1307.56 *Enforcement.* In the event of refusal or failure to abide by the price limitations, record requirements, or other provisions of this Schedule, or in the event of any evasion or attempt to evade the price limitations or other provisions of this Schedule, the Office of Price Administration will make every effort to assure (a) that the Congress and the public are fully informed thereof, and (b) that the powers of the Government are fully exerted in order to protect the public interest and the interests of those persons who comply with this Schedule. Persons who have evidence of the offer, receipt, demand, or payment of prices higher than the maximum prices, or of any evasion or effort to evade the provisions hereof, or of speculation, or manipulation of prices of carded cotton yarn, or of the hoarding or accumulating of unnecessary inventories thereof, are urged to communicate with the Office of Price Administration.*

§ 1307.57 *Modification of the schedule.* Persons complaining of hardship or inequity in the operation of this Schedule may apply to the Office of Price Administration for approval of any modification thereof or exception therefrom.*

§ 1307.58 *Definitions.* When used in this Schedule, the term:

(a) "Person" means an individual, partnership, association, corporation, or other business entity;

(b) "Carded cotton yarn" means carded cotton yarn of the specifications for which maximum prices are established in Appendix A;

(c) "For commercial use" means for any use or purpose except use by an individual buyer at retail for home or private consumption;

(d) "Ceiling date" means the date, as specified in Appendix A, on which this Schedule becomes effective with respect to any given yarn.*

§ 1307.59 *Effective date of the schedule.* This Schedule shall become effective October 6, 1941.*

§ 1307.60 *Appendix A, maximum prices for carded cotton yarn*—(a) *Terms of sale.* The maximum prices set forth in this Appendix are prices for carded cotton yarn with freight prepaid to the purchaser's place of business, except that an extra charge may be made to the extent that the cost of transportation exceeds one cent per pound. The prices are gross prices before discounts of any nature are deducted and they include all commissions.

(b) *Determination of maximum price.* The maximum price for any offer to buy or sell, sale or contract of sale, delivery or transfer of carded cotton yarn shall be determined from paragraph (c) in the following manner.

(1) *Offer to buy or sell.* By the cotton spot price[1] of the business day immediately preceding that on which the offer was made except that, if the offering price is not otherwise specified, an offer to buy or sell at the maximum price applicable on the day the contract of sale is to be made shall not be a violation of the Schedule.

(2) *Sale or contract of sale.* By the cotton spot price of the business day immediately preceding the day on which the sale or contract of sale is made, regardless of the maximum price applicable to the offer pursuant to which such sale or contract is made.

(3) *Delivery or transfer.* By the cotton spot price of the business day immediately preceding that on which the sale or contract of sale is made, regardless of any change in the cotton spot price subsequent thereto.[2]

(c) *Table of maximum prices—Group A.* The following maximum prices are for white carded yarns of all twists from knitting to warp twist, put up on regular-sized cones or tubes or in skeins. Carded yarns of twists outside the above range; yarns in put-ups other than the above; yarns with tensile specifications which cannot be met with cotton used for ordinary commercial quality combed yarns of the same counts; yarns with special constructions; yarns which have regularly sold at a premium because they are specially inspected; and yarns of grades lower than ordinary commercial quality white yarn should not sell for more than these maximum prices, appropriately increased or decreased by the normal trade differentials. This Schedule is to be supplemented by a list of fixed differentials for yarns in these classes, to which all subsequent deliveries of such yarns will be subject, regardless of the terms of any contract of sale in existence at the date of issuance of such supplement.

[1] The term "cotton spot price," when used herein, means the average, published daily by the United States Department of Agriculture, Agricultural Marketing Service, of the price quotations for middling 15/16-inch cotton on ten designated spot markets.

[2] This method of determining the maximum price shall be used in connection with deliveries and transfers pursuant to sales or contracts of sale made before, as well as on or after, the applicable ceiling date.

Yarn No.	Cotton spot prices (cents per pound)												
	14.21 to 14.65	14.66 to 15.09	15.10 to 15.54	15.55 to 15.98	15.99 to 16.43	16.44 to 16.87	16.88 to 17.32	17.33 to 17.76	17.77 to 18.21	18.22 to 18.65	18.66 to 19.10	19.11 to 19.54	19.55 to 19.99
	Cents per pound												
Single:													
8s and under	33	33.5	34	34.5	35	35.5	36	36.5	37	37.5	38	38.5	39
10s	33.5	34	34.5	35	35.5	36	36.5	37	37.5	38	38.5	39	39.5
12s	34	34.5	35	35.5	36	36.5	37	37.5	38	38.5	39	39.5	40
14s	34.5	35	35.5	36	36.5	37	37.5	38	38.5	39	39.5	40	40.5
16s	35	35.5	36	36.5	37	37.5	38	38.5	39	39.5	40	40.5	41
18s	35.5	36	36.5	37	37.5	38	38.5	39	39.5	40	40.5	41	41.5
20s	36	36.5	37	37.5	38	38.5	39	39.5	40	40.5	41	41.5	42
24s	37	37.5	38	38.5	39	39.5	40	40.5	41	41.5	42	42.5	43
26s	38	38.5	39	39.5	40	40.5	41	41.5	42	42.5	43	43.5	44
30s	40	40.5	41	41.5	42	42.5	43	43.5	44	44.5	45	45.5	46
36s	43	43.5	44	44.5	45	45.5	46	46.5	47	47.5	48	48.5	49
38s	44	44.5	45	45.5	46	46.5	47	47.5	48	48.5	49	49.5	50
40s	45	45.5	46	46.5	47	47.5	48	48.5	49	49.5	50	50.5	51
50s	53	53.5	54	54.5	55	55.5	56	56.5	57	57.5	58	58.5	59
Plied:													
8s and under	37	37.5	38	38.5	39	39.5	40	40.5	41	41.5	42	42.5	43
10s	37.5	38	38.5	39	33.5	40	40.5	41	41.5	42	42.5	43	43.5
12s	38	38.5	39	39.5	40	40.5	41	41.5	42	42.5	43	43.5	44
14s	38.5	39	39.5	40	40.5	41	41.5	42	42.5	43	43.5	44	44.5
16s	39	39.5	40	40.5	41	41.5	42	42.5	43	43.5	44	44.5	45
18s	39.5	40	40.5	41	41.5	42	42.5	43	43.5	44	44.5	45	45.5
20s	40	40.5	41	41.5	42	42.5	43	43.5	44	44.5	43	45.5	46
24s	41	41.5	42	42.5	43	43.5	44	44.5	45	45.5	46	46.5	47
26s	42	42.5	43	43.5	44	44.5	45	45.5	46	46.5	47	47.5	48
30s	44	44.5	45	45.5	46	46.5	47	47.5	48	48.5	49	49.5	50
36s	48	48.5	49	49.5	50	50.5	51	51.5	52	52.5	53	53.5	54
38s	49	49.5	50	50.5	51	51.5	52	52.5	53	53.5	54	54.5	55
40s	50	50.5	51	51.5	52	52.5	53	53.5	54	54.5	55	55.5	56
50s	58	58.5	59	59.5	60	60.5	61	61.5	62	62.5	63	63.5	64

(d) *Ceiling date.* The maximum prices established herein become effective, with respect to yarn of the types listed in Paragraph (c), Group A, on October 6, 1941, which shall constitute the ceiling date for that Group.*

Issued this 3d day of October 1941.

LEON HENDERSON,
Administrator.

[F. R. Doc. 41-7429; Filed, October 3, 1941; 1:55 p. m.]

PART 1316—COTTON TEXTILES

AMENDMENT TO PRICE SCHEDULE NO. 11—COTTON GREY GOODS[1]

Section 1316.7 (a) (2) is hereby amended in part, as follows:

§ 1316.7 *Schedule of maximum prices*—(a) *Maximum prices for cotton grey goods.*

* * * * *

(2) *Group II.*

Type of cloth	*Price per yard, f. o. b. seller's point of shipment (cents)*
Combed lawns.	
36"—76 x 72	9¾
36"—88 x 80	10¾
40"—68 x 56	9
40"—72 x 68	10
40"—76 x 72	10¼
40"—88 x 80	11¼
40"—96 x 92	12⅞
40"—96 x 100	[2] 13½
40"—108 x 112	16⅜
45"—76 x 72	11⅞
45"—88 x 80	12⅞

(Executive Order No. 8734, 8875, 6 F.R. 1917, 4483)

Effective October 4, 1941.

Issued this 4th day of October 1941.

LEON HENDERSON,
Administrator.

[F. R. Doc. 41-7442; Filed, October 4, 1941; 10:59 a. m.]

PART 1335—CHEMICALS

PRICE SCHEDULE NO. 34—WOOD ALCOHOL

Sec.

Methyl alcohol is an essential chemical which is used as an antifreeze and in the manufacture of formaldehyde, denatured alcohol, paints, varnishes, enamels, and many other products. Most methyl alcohol is produced synthetically. The remainder, herein referred to as "wood alcohol," is produced by the distillation of wood.

As a result of conditions engendered by the national defense program, the demand for methyl alcohol has increased sharply, causing a shortage of supply. A steep rise in the prices of the various grades of wood alcohol has occurred. The price of the denaturing grade, representing approximately one-half of the wood alcohol production, increased from 45 cents per gallon for tank-car quantities in the second quarter of 1941 to 60 cents per gallon in the third quarter. Substantial transactions have taken place at even higher prices. Such a price movement threatens to create an unsound market in wood alcohol and also to dislocate the market for synthetic methyl alcohol. Producers of the latter product have refrained from increasing its price. The largest producer, in fact, has announced a price reduction in recent weeks. It is therefore unnecessary at this time to establish maximum prices for synthetic methyl alcohol.

After investigation and conferences with representatives of the methyl alcohol industry, the Office of Price Administration has found that, under existing conditions, there is no justifiable reason for prices of wood alcohol in excess of 60 cents per gallon for tank-car quantities. Further increases in price would, therefore, be inflationary.

Accordingly, under the authority vested in me by Executive Order 8734, it is hereby directed that:

§ 1335.251 *Maximum prices for wood alcohol.* On and after October 10, 1941, regardless of the terms of any contract of sale or purchase, or other commitment, no person shall sell, offer to sell, deliver or transfer wood alcohol in containers of 50 gallons or more, and no person shall buy, offer to buy, or accept delivery of wood alcohol in containers of 50 gallons or more, at prices higher than the maximum prices set forth in Appendix A, incorporated herein as § 1335.259.*

*§§ 1335.251 to 1335.259, inclusive, issued pursuant to authority contained in Executive Order No. 8734, 6 F.R. 1917.

§ 1335.252 *Less than maximum prices.* Lower prices than those set forth in Appendix A may be charged, demanded, paid or offered.*

§ 1335.253 *Evasion.* The price limitations set forth in this Schedule shall not be evaded whether by direct or indirect methods in connection with a purchase, sale, delivery, or transfer of wood alcohol, alone or in conjunction with any other material, or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or by alteration of formula or grades of wood alcohol, or otherwise.*

§ 1335.254 *Records and reports.* Every person making purchases or sales of wood alcohol in containers of 50 gallons or more after October 10, 1941, shall keep for inspection by the Office of Price Administration for a period of not less than one year, complete and accurate records of each such purchase or sale, showing the date thereof, the name and address of the buyer or the seller, the price paid or received, and the specifications and quantity, including the size of the containers, of the wood alcohol purchased or sold.

Persons affected by this Schedule shall submit such reports to the Office of Price Administration as it may, from time to time, require.*

§ 1335.255 *Affirmations of compliance.* On or before November 10, 1941, and on or before the 10th day of each month thereafter, every person who, during the preceding calendar month, has sold wood alcohol in containers of 50 gallons or more, whether for immediate or future delivery, shall submit to the Office of Price Administration an affirmation of compliance on Form 134:1, containing a sworn statement that during such month all such sales were made at prices in compliance with this Schedule or with any exception or modification thereof. Copies of Form 134.1 can be procured from the Office of Price Administration, or, provided that no change is made in the style and content of the Form and that it is reproduced on an 8 x 10½" paper, they may be prepared by persons required to submit affirmations of compliance hereunder.*

§ 1335.256 *Enforcement.* In the event of refusal or failure to abide by the price limitations, report requirements, or other provisions of this Schedule, or in the event of any evasion or attempt to evade the price limitations or other provisions of this Schedule, the Office of Price Administration will make every effort to assure (a) that the Congress and the public are fully informed thereof, (b) that the powers of the Government are fully exerted in order to protect the public interests and the interests of those persons who comply with this Schedule, and (c) that the procurement services of the Government are requested to refrain from purchasing wood alcohol from those persons who fail to comply with this Schedule. Persons who have evidence of the offer, receipt, demand or payment of prices higher than the maximum prices, or of any evasion or effort to evade the provisions hereof, or of speculation, or manipulation of prices of wood alcohol, or of the hoarding or accumulating of unnecessary inventories thereof, are urged to communicate with the Office of Price Administration.*

§ 1335.257 *Modification of the schedule.* Persons complaining of hardship or inequity in the operation of this Schedule may apply to the Office of Price Administration for approval of any modification thereof or exception therefrom.*

§ 1335.258 *Definitions.* When used in this Schedule, the term:

(a) "Person" means an individual, partnership, association, corporation, or other business entity;

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[1] 6 F.R. 3180, 3595, 3988, 4324.

[2] For combed lawns of the construction 40" 96 x 100 which meet United States Marine Corps specifications for Rubberized Poncho (adopted May 10, 1938, corrected to December 30, 1940), a premium of ¾¢ per yard may be charged.

(b) "Wood alcohol" means the various grades of methyl alcohol of wood origin listed in Appendix A hereof.*

§ 1335.259 *Appendix A, maximum prices for wood alcohol.* The following maximum prices are established for wood alcohol:

(a) *Tank cars*—(1) *East of the Mississippi River.*

	Cents per gallon, delivered
Denaturing grade	60
Pure methyl alcohol	60
95% methyl alcohol [1]	60
97% methyl alcohol [1]	60

[1] Specifically designated percentages include all approximations thereof.

(2) *West of the Mississippi River.* Maximum prices for tank car quantities in territory west of the Mississippi River are determined by adding 3 cents per gallon to the maximum prices established above for tank cars in territory east of the Mississippi River.

(b) *Drums and other containers; carload quantities.* Maximum prices for drums and other containers, in carload quantities, in territory east or west of the Mississippi River, are determined by adding 6 cents per gallon to the maximum prices established for tank cars in the respective territory by paragraph (a) of this Appendix.

(c) *Drums and other containers; less than carload quantities.* Maximum prices for drums and other containers, in less than carload quantities, in territory east or west of the Mississippi River, are determined by adding 16 cents per gallon to the maximum price established for tank cars in the respective territory by paragraph (a) of this Appendix.

Issued this 3d day of October 1941.

LEON HENDERSON,
Administrator.

[F. R. Doc. 41-7432; Filed, October 3, 1941; 4:21 p. m.]

PART 1338—SILK AND SILK PRODUCTS

AMENDMENT TO PRICE SCHEDULE NO. 14—RAW SILK AND SILK WASTE [1]

§ 1338.8 *Appendix A* is hereby amended in part, as follows:

§ 1338.8 *Appendix A, maximum prices for raw silk and silk waste*

TABLE II

[Prices per pound, ex seller's warehouse]

Type	Grade	G	F	E	D	C	B	A	AA	AAA	Special AAA	Special AAA	Special AAA	Special AAA
	Percentage evenness	63	68	73	78	81	83	85	87	90	92	93	94	95
	DENIER													
* * *	* * *	*	*	*	*	*	*	*	*	*	*	*	*	*
China, Yellow,[1] rereeled.[2]	13-15 to 18-20, inc.	$2.80	$2.90	$2.96	$3.03	$3.08	$3.15	$3.25	$3.35	$3.45	$3.55	$3.65	$3.75	$3.85
	20-22 to 30-32, inc.	2.73	2.83	2.88	2.90	2.92	3.00	3.08	3.15	3.28	3.38	3.48	3.58	3.68

[1] Any China silk of undesignated grade (i. e., percentage evenness) shall sell at a price not exceeding 75 cents per pound below the Grade G, 63 percent evenness, price for its denier.
[2] The prices set forth are for rereeled China silk. Ordinary reeled China silk shall sell at prices not exceeding 5 cents per pound below the prices for re-reeled China silk for equivalent colors, deniers, and qualities.

(Executive Order No. 8734, 8875, 6 F.R. 1917, 4483)

Effective September 30, 1941.

Issued this 4th day of October, 1941.

LEON HENDERSON,
Administrator.

[F. R. Doc. 41-7431; Filed, October 3, 1941; 4:08 p. m.]

TITLE 36—PARKS AND FORESTS

CHAPTER II—FOREST SERVICE

PART 261—TRESPASS

KAIBAB NATIONAL FOREST—PARTRIDGE CREEK, DOUBLE A, IRISHMAN DAM, AND DEVIL DOG GRAZING ALLOTMENTS—WILLIAMS RANGER DISTRICT

Order for the Removal of Trespassing Horses, Mules, and Burros

Whereas a number of horses, mules, and burros are trespassing and grazing on land in the Partridge Creek, Double A, Irishman Dam, and Devil Dog Grazing Allotments, Williams Ranger District, Kaibab National Forest, in the State of Arizona; and

Whereas these horses, mules, and burros are consuming forage needed for domestic livestock, are causing extra expense to established permittees, and are injuring national forest lands; and

Whereas the alternate sections of land lying within the exterior boundaries of some of the above mentioned allotments are privately owned, and the owners of said lands have given the United States exclusive possession of them pursuant to Regulation C-3 (D) [36 CFR 231.3 (d), amended 6 F.R. 1785]; and

Whereas these horses, mules, and burros are trespassing and grazing on said privately owned lands to the injury thereof; and, because the migratory proclivities of said horses, mules, and burros cause them to wander from said privately owned lands to the Federally owned lands, their presence on said privately owned lands imperils the Federally owned lands in the Kaibab National Forest;

[1] 6 F.R. 3893.

Now, therefore, by virtue of the authority vested in the Secretary of Agriculture by the Act of June 4, 1897 (30 Stat. 35; 16 U.S.C. 551), and the Act of February 1, 1905 (33 Stat. 628; 16 U.S.C. 472), the following order for the occupancy, use, protection, and administration of land in the Partridge Creek, Double A, Irishman Dam, and Devil Dog Grazing Allotments, Williams Ranger District, Kaibab National Forest, is issued:

§ 261.50 *Temporary closure from livestock grazing.* (a) The Partridge Creek, Double A, Irishman Dam, and Devil Dog Allotments, Williams Ranger District, Kaibab National Forest, and all privately owned lands lying within the exterior boundaries of these allotments over which the United States has obtained exclusive possession as provided in Regulation G-3 (D) [36 CFR 231.3 (d)[1]], are hereby closed from the date of this order to December 31, 1941, to the grazing of horses, mules, and burros, except those horses, mules, and burros that are lawfully grazing on or crossing land in such allotments pursuant to the regulations of the Secretary of Agriculture, or that are used in connection with operations authorized by regulations, or that are used as riding, pack, or draft animals by persons traveling over such lands.

(b) Officers of the United States Forest Service are hereby authorized to dispose of, in the most humane manner, all horses, mules, and burros found trespassing or grazing in violation of this order.

(c) Public notice of intention to dispose of such horses, mules, and burros shall be given by posting notices in public places or advertising in a newspaper of general circulation in the locality in which the Kaibab National Forest is located.

Done at Washington, D. C., this 6th day of October 1941. Witness my hand and the seal of the Department of Agriculture.

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

[F. R. Doc. 41-7454; Filed, October 6, 1941; 11:19 a. m.]

TITLE 42—PUBLIC HEALTH

CHAPTER I—UNITED STATES PUBLIC HEALTH SERVICE

PART 28—PAYMENTS TO PROVIDE TRAINING FOR NURSES

REGULATIONS OF THE SURGEON GENERAL GOVERNING PAYMENTS FOR TRAINING FOR NURSES

Sec.
28.1 Definitions.
28.2 Requirements for participation in basic nursing program.
28.3 Priority requirements for basic nursing program.
28.4 Requirements for participation in refresher courses.

[1] 6 F.R. 1468.

Sec.
28.5 Requirements for participation in postgraduate courses.
28.6 Approval of plans and determination of allotments.
28.7 Methods of payment for refresher courses.
28.8 Methods of payment for basic nursing and postgraduate courses.

Pursuant to the authority contained in the Federal Security Agency Appropriation Act, 1942 (approved July 1, 1941, Public Law 146, 77th Congress, 1st Session, Chapter 269, Title II), under the heading "Public Health Service" and subheading "Training for Nurses (national defense)", the following regulations pertaining to payments for basic programs for student nurses, refresher courses for inactive registered nurses, and postgraduate courses for registered nurses are hereby prescribed:

§ 28.1 *Definitions*—(a) *Basic nursing program.* This term refers to a program for student nurses which qualifies graduates for licensure or for certification to practice as a registered nurse in the State in which the nursing school is located.

(b) *Refresher courses.* This term refers to courses designed to prepare inactive registered nurses for the active practice of nursing.

(c) *Postgraduate courses.* This term refers to courses designed to prepare registered nurses in special fields, such as teaching, anaesthesia, orthopedic nursing, psychiatry, obstetrics, midwifery, etc.

(d) *Institution.* This term includes public agencies operating public educational facilities, universities, colleges, hospitals, or schools of nursing.*

* §§ 28.1 to 28.8, inclusive, issued under the authority contained in the Federal Security Agency Appropriation Act, 1942 (approved July 1, 1941, Public Law 146, 77th Congress, 1st Session, Chapter 269, Title II)

§ 28.2 *Requirements for participation in basic nursing program.* To be eligible for participation in a basic nursing program a school of nursing shall meet the following requirements:

(a) The school shall be accredited by the appropriate accrediting agency of the State, Territory, the District of Columbia, or Puerto Rico.

(b) The school shall be connected with or be an integral part of a hospital having a daily average of at least 100 patients.

(c) The school shall be connected with or be an integral part of a hospital approved by the American College of Surgeons and listed on the Hospital Register of the American Medical Association. Mental hospitals shall be approved by the American Psychiatric Association.

(d) The school shall have an educational staff, adequate from the standpoint of size and qualifications to carry out its stated aims.

(e) The requirements for admission to a school of nursing shall be at least graduation from an accredited high school.

(f) The curriculum of the school shall include all those units of instruction necessary to conform with the accepted present practices in basic nursing education. Standards equal to those of the National League of Nursing Education will be used as a guide in evaluating curricula of schools applying for federal funds.

(g) The students shall have well-balanced weekly schedules for time spent in nursing practice, class attendance, study, rest, recreation and other normal activities that are a vital part of the life of any student.

(h) The school shall provide adequate and well-equipped classrooms, laboratories, library and other necessary facilities for carrying out the educational program.

(i) The school shall provide adequate facilities and satisfactory conditions for a health service and health education program which is continuous throughout the entire period the student is in the school.*

§ 28.3 *Priority requirements for basic nursing program.* If the requests for funds exceed the available appropriation, preference will be given to those schools that:

(a) Are approved by appropriate national accrediting agencies.

(b) Require superior educational and personal qualifications for admission.

(c) Offer experience in the out-patient department and in psychiatric, tuberculosis, and communicable disease nursing in addition to the required services.

(d) Provide the most satisfactory conditions for nursing practice in the clinical services.

(e) Provide suitable housing and food service and recreational facilities.

(f) Have up-to-date and comprehensive educational records of students, graduates, and educational personnel.*

§ 28.4 *Requirements for participation in refresher courses.* To be eligible for participation in a refresher program, the school of nursing shall meet the following requirements:

(a) The school shall be accredited by the appropriate accrediting agency of the State, Territory, the District of Columbia, or Puerto Rico.

(b) Facilities for an educational experience in basic clinical fields shall be provided.

(c) A qualified nurse instructor shall be responsible for the program.*

§ 28.5 *Requirements for participation in postgraduate courses.* To be eligible for participation in postgraduate nursing programs, institutions shall meet the following requirements:

(a) Institutions offering postgraduate programs of study in supervision, teaching, or administration in nursing schools or nursing services shall have well established program of study in nursing education for graduate nurses equal to the standards of the National League of Nursing Education.

(b) Public health nursing schools which request funds for field experience facilities shall meet the standards of approved public health nursing programs of study published by the National Organization for Public Health Nursing.

(c) Institutions offering courses for graduate nurses in clinical and technical fields related to nursing, such as anaesthesia, orthopedics, psychiatry, obstetrics, and midwifery, shall provide adequate clinical and other facilities in the specialty and sufficient number of qualified instructors and supervisors.*

§ 28.6 *Approval of plans and determination of allotments.* Institutions desiring to participate in any of the programs shall submit to the Surgeon General, on forms provided by the Public Health Service, a proposed plan, including supporting budgets covering a period of operation ending June 30, 1942.

Plans will be approved in accordance with the following factors:

(a) The adequacy with which the plans submitted measure up to the requirements for participation as described in §§ 28.2, 28.4 and 28.5.

(b) The need for qualified nurses in a particular geographical area.

(c) The relative effectiveness of the plan for providing an increase in the number of qualified nurses in the most economical manner.

If the plans are approved, federal funds will be allotted by the Surgeon General, in the interest of national defense, and within the limits of the appropriation for the purpose of increasing the enrollment of student nurses in basic nursing programs and registered nurses in postgraduate courses, and for the establishment of refresher courses. Applicants for training shall be selected by the participating institutions. Applicants for training in postgraduate courses must have been licensed to practice as registered nurses under the laws of a State, Territory, or the District of Columbia. No funds will be allotted for the organization of new schools, construction of buildings, or cash allowances to students, and no payments made hereunder shall be used for such purposes. Refresher courses shall not exceed three months nor be less than two months in duration. Expenditures shall be made in accordance with the approved plan and subject to the established fiscal procedures of the institution.*

§ 28.7 *Methods of payment for refresher courses.* Payments from an allotment will be made on a reimbursement basis for each quarterly period ending September 30, December 31, March 31, and June 30, in accordance with a certified statement from the authorized administrative officer of the school of nursing as to the number of inactive registered nurses who have completed the course as outlined in the approved plan.*

§ 28.8 *Methods of payment for basic nursing and postgraduate courses.* (a) Payments from an allotment will be made on a reimbursement basis for expenditures made in accordance with the approved plan. Payment will be made for each quarterly period ending September 30, December 31, March 31, and June 30, computed on a proportional basis in accordance with the following factors: (1) the ratio of federal participation to the total institutional funds budgeted in accordance with the approved plan; and (2) the degree to which the purpose of the plan (increased enrollment) is being fulfilled: *Provided*, That payments for tuition will be made when due upon receipt from the authorized administrative head and accounting officer of the institution of an itemized certification of the enrollment of the additional students; and, in special cases, advance payments may be made to institutions whose fiscal procedures make it impossible to operate on a quarterly reimbursement basis. Such advances, none to exceed one month's proportion of an allotment, will be considered for approval by the Surgeon General upon a special request from the institution together with full supporting data as to the necessity for receiving advance monthly payments. In such instances, a special system of monthly expenditure reporting to the United States Public Health Service will be prescribed.

(b) Before payment will be made, the institution shall submit to the Surgeon General, on forms supplied by the Public Health Service, a quarterly report of expenditures certified by the authorized administrative head and accounting officer of the institution.

(c) Although plans are approved on the basis of the fiscal year ending June 30, the allotments will be pro rated on a quarterly basis. Any funds allotted for a quarter but not utilized may be made available for reallotment to the same or any other qualifying institution on the basis of new plans for a period not to extend beyond June 30, 1942.

(d) Subsequent to the approval of a plan, proposals for new projects or revised budgets for existing projects may be submitted for approval at any time during the fiscal year. Consideration of such proposals will be contingent upon the availability of funds for reallotment.*

August 20, 1941.

THOMAS PARRAN,
Surgeon General.

Approved: September 8, 1941.

PAUL V. MCNUTT,
Administrator.

Approved: October 1, 1941.

FRANKLIN D ROOSEVELT
The White House.

[F. R. Doc. 41-7434; Filed, October 4, 1941; 9:43 a. m.]

TITLE 46—SHIPPING

CHAPTER I—BUREAU OF MARINE INSPECTION AND NAVIGATION

SUBCHAPTER G—OCEAN AND COASTWISE: GENERAL RULES AND REGULATIONS

[Order No. 156]

PART 62—LICENSED OFFICERS AND CERTIFICATED MEN

OCTOBER 6, 1941.

Section 62.202 *Staff department*, is amended to read as follows:

§ 62.202 *Staff department.* The staff department shall consist of officers registered under the provisions of these regulations, pursers' clerks, and such persons as may be assigned to the senior registered surgeon. Such staff department shall be a separate and independent department composed of a medical division and a purser's division. The medical division shall be under the charge of the senior registered surgeon who shall be responsible solely to the master or, in the absence of the master, to the officer in charge of the vessel. The purser's division shall be under the charge of the senior registered purser who shall be responsible solely to the master or, in the absence of the master, to the officer in charge of the vessel.

SUBCHAPTER H—GREAT LAKES: GENERAL RULES AND REGULATIONS

PART 78—LICENSED OFFICERS AND CERTIFICATED MEN

Sections 78.101 *Staff officers*, 78.102 *Staff department*, and 78.103 *Scope* are amended to read as follows:

§ 78.101 *Scope.* See § 62.200 which is identical with this section. (Sec. 7, 53 Stat. 1147; 46 U.S.C., Sup. 247)

§ 78.102 *Staff officers.* See § 62.201 which is identical with this section. (Sec. 7, 53 Stat. 1147; 46 U.S.C., Sup. 247)

§ 78.103 *Staff department.* See § 62.202, as amended, which is identical with this section. (Sec. 7, 53 Stat. 1147; 46 U.S.C., Sup. 247)

[SEAL] WAYNE C. TAYLOR,
Acting Secretary of Commerce.

[F. R. Doc. 41-7464; Filed, October 6, 1941; 11:48 a. m.]

TITLE 50—WILDLIFE

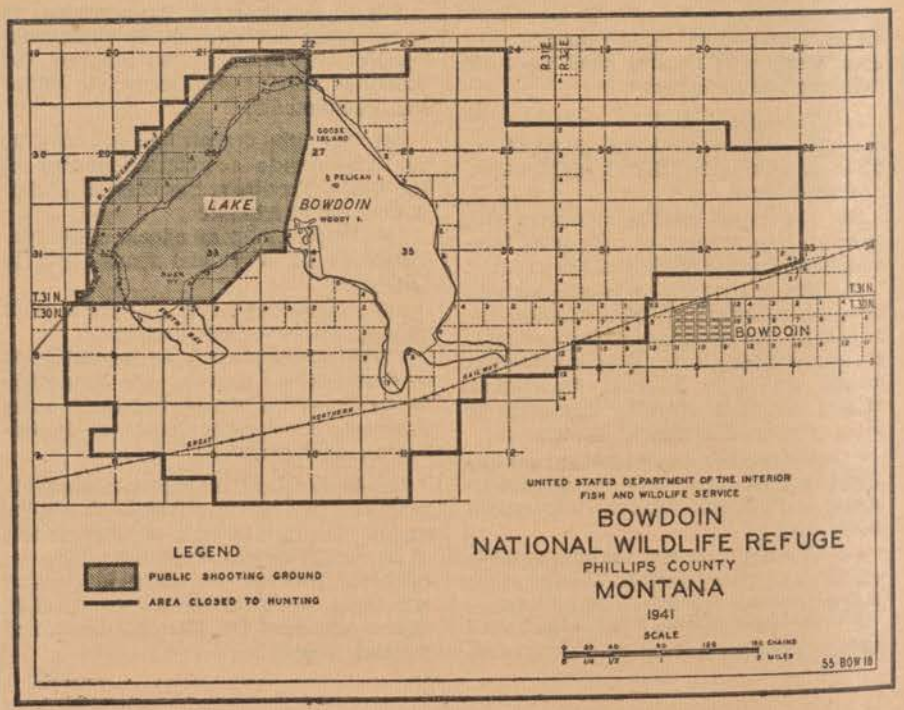
CHAPTER I—FISH AND WILDLIFE SERVICE

PART 22—ROCKY MOUNTAIN REGION NATIONAL WILDLIFE REFUGES

BOWDOIN NATIONAL WILDLIFE REFUGE, MONTANA

Under authority of section 84 of the act of March 4, 1909, as amended by the act of April 15, 1924, 43 Stat. 98, the administration of which was transferred to the Secretary of the Interior on July 1, 1939, by Reorganization Plan No. II (53 Stat. 1431), and in extension of § 12.9 of the regulations of December 19, 1940,[1] for the administration of national wildlife refuges, the title and opening paragraph of the regulations governing the *"Hunting of waterfowl and coots within the specified areas of the Lake Bowdoin Migratory Waterfowl Refuge, Montana,"* approved September 27, 1940,[2] by the Acting Secretary of the Interior, are amended so as to read as follows:

[1] 5 F.R. 5284.
[2] 5 F.R. 3950.



§ 22.96 *Hunting of waterfowl and coots within the specified areas of the Bowdoin National Wildlife Refuge, Montana, permitted.*[1] Migratory waterfowl (except those species for which no open season is prescribed by the Migratory Bird Treaty Act Regulations), and coots may be taken on and in all lands and waters of the Bowdoin National Wildlife Refuge embraced within the boundary designated 'public shooting ground' on the diagram dated 1941 hereto attached and made a part of this regulation when, in manner, by means, and to the extent not prohibited either by Federal or State law or by regulations, and under the following special provisions, conditions, restrictions, and requirements:

JOHN J. DEMPSEY,
Acting Secretary of the Interior.

[F. R. Doc. 41-7408; Filed, October 3, 1941; 9:55 a. m.]

Notices

WAR DEPARTMENT.

[Contract No. W-398-qm-10141; O. I. #4223]

SUMMARY OF CONTRACT FOR SUPPLIES

CONTRACTOR: THE AUTOCAR COMPANY, ARDMORE, PENNSYLVANIA

Contract for Tractor-trucks, * * *.
Amount: $4,089,423.00.
Place: Holabird Quartermaster Depot, Baltimore, Md.
This contract, entered into this 13th day of June 1941.

Scope of this contract. The contractor shall furnish and deliver Tractor-Trucks * * * for the consideration stated $4,089,423.00 in strict accordance with the specifications, schedules and drawings, all of which are made a part hereof.

Changes. Where the supplies to be furnished are to be specially manufactured in accordance with drawings and specifications, the contracting officer may at any time, by a written order, and without notice to the sureties, make changes in the drawings or specifications, except Federal Specifications. Changes as to shipment and packing of all supplies may also be made as above provided.

Delays—Damages. If the contractor refuses or fails to make deliveries of the materials or supplies within the time specified in Article 1, or any extension thereof, the Government may by written notice terminate the right of the contractor to proceed with deliveries or such part or parts thereof as to which there has been delay.

Payments. The contractor shall be paid, upon the submission of properly certified invoices or vouchers, the prices stipulated herein for articles delivered and accepted or services rendered, less deductions, if any, as herein provided. Unless otherwise specified, payments will be made on partial deliveries accepted by the Government when the amount due on such deliveries so warrants; or, when requested by the contractor, payments for accepted partial deliveries shall be made whenever such payments would equal or exceed either $1,000 or 50 percent of the total amount of the contract.

Variations. Quantities listed hereon are subject to increase (or decrease) of not to exceed ****%. This option to remain in effect until *****.

Terms of payment. Discount will be allowed for prompt payment as follows: 20 calendar days $**** per unit.

The supplies and services to be obtaied by this instrument are authorized by, are for the purpose set forth in, and are chargeable to procurement authority: QM 15915 P 37-3053 A 0525.003-12, AC 30 P 85-30 A 0705-12, AC 11 P 71-1381 A 0705-01, the available balance of which is sufficient to cover cost of same.

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

[F. R. Doc. 41-7435; Filed, October 4, 1941; 9:43 a. m.]

[Contract No. W 431 qm-5241; O. I. 107]

SUMMARY OF CONTRACT FOR SUPPLIES

CONTRACTOR: WEST POINT MANUFACTURING COMPANY, NEW YORK, N. Y.

Contract for: Furnishing and delivering Duck, cotton, and Cloth, Cotton, according to Schedule of Supplies.
Amount: $1,207,114.20.
Place: Jeffersonville Quartermaster Depot, Jeffersonville, Indiana.
This contract, entered into this 9th day of August 1941.

Scope of this contract. The contractor shall furnish and deliver Duck, cotton; Cloth, cotton for the consideration stated one million two hundred seven thousand one hundred fourteen dollars ($1,207,114.20) and twenty cents, in strict accordance with the specifications and schedules.

The supplies and services to be obtained by this instrument are authorized by, are for the purpose set forth in, and are chargeable to procurement authority: QM 15401 P 14-3019 A 0515-12 P. D. J-E-131, QM 15401 P 14-30 A 0515-12, the available balance of which is sufficient to cover cost of same.

Delays—Damages. If the contractor refuses or fails to make deliveries of the materials or supplies within the time specified in Article 1, or any extension thereof, the Government may by written notice terminate the right of the contractor to proceed with deliveries or such part or parts thereof as to which there has been delay.

Payments. The contractor shall be paid, upon the submission of properly certified invoices or vouchers, the prices stipulated herein for articles delivered and accepted or services rendered, less deductions, if any, as herein provided. Unless otherwise specified, payments will be made on partial deliveries accepted by the Government when the amount due on such deliveries so warrants; or, when requested by the contractor, payments for accepted partial deliveries shall be made whenever such payments would equal or exceed either $1,000 or 50 percent of the total amount of the contract.

This contract authorized under Procurement Directives Nos. J-E-131, J-E-1.

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

[F. R. Doc. 41-7436; Filed, October 4, 1941; 9:43 a. m.]

[Contract No. W 669 qm-13110; O. I. No. 1115]

SUMMARY OF CONTRACT FOR SUPPLIES

CONTRACTOR: NATIONAL WEAVING COMPANY, INC., LOWELL, NORTH CAROLINA

Contract for: Cloth, Cotton, Uniform, Twill, Khaki.
Amount: $1,859,200.00.
Place: Philadelphia Quartermaster Depot, Philadelphia, Pa.
This contract, entered into this twenty-ninth day of August 1941.

Scope of this contract. The contractor shall furnish and deliver * * * linear yards Cloth, Cotton, Uniform, Twill, Khaki for the consideration stated totaling one million, eight hundred fifty-nine thousand, two hundred dollars ($1,859,200.00) in strict accordance with the specifications, schedules and drawings, all of which are made a part hereof.

Payments. The contractor shall be paid, upon the submission of properly certified invoices or vouchers, the prices stipulated herein for articles delivered and accepted or services rendered, less deductions, if any, as herein provided. Unless otherwise specified, payments will be made on partial deliveries accepted by the Government when the amount due on such deliveries so warrants; or, when requested by the contractor, payments for accepted partial deliveries shall be made whenever such payments would equal or exceed either $1,000 or 50 percent of the total amount of the contract.

Delays—Damages. If the contractor refuses or fails to make delivery of acceptable material or supplies within the time or times specified in Article 1, or any extension or extensions thereof, the actual damage to the Government for the delay will be impossible to determine, and in lieu thereof the contractor shall pay to the Government as fixed, agreed, and liquidated damages for each calendar day of delay in the delivery of any articles, the amount as set forth in the

[1] See Executive Order No. 8592, dated November 12, 1940 (5 F.R. 4478), changing the name of this refuge.

specifications or accompanying papers, and the contractor and his sureties shall be liable for the amount thereof.

Liquidated damages. Under the terms and conditions stipulated in Article 17 of this contract, the contractor shall pay to the Government, as liquidated damages, for each calendar day of delay in the delivery of any article, a sum equal to * * * percentum of the price of such article for each day's delay after the time specified for delivery.

The supplies and services to be obtained by this instrument are authorized by, are for the purpose set forth in, and are chargeable to procurement authority QM 323 P 2-02 A 0515-2 the available balance of which is sufficient to cover cost of same.

This contract authorized under Procurement Directive No. P-C-108 (42).

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

[F. R. Doc. 41-7449; Filed, October 6, 1941; 9:19 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order No. 622]

ALLOCATION OF FUNDS FOR LOANS

SEPTEMBER 23, 1941.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation	*Amount*
Alabama 2042G1 Montgomery	$2,500,000

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 41-7443; Filed October 4, 1941; 11:20 a. m.]

[Administrative Order No. 623]

ALLOCATION OF FUNDS FOR LOANS

SEPTEMBER 29, 1941.

Pursuant to section 3 (c) of the Rural Electrification Act of 1936 and upon information and data in the files of the Rural Electrification Administration, I hereby determine that the number of farms not receiving central station electric service for each state and the number of such farms for the United States at the beginning of the current fiscal year are set forth in the following schedule, and I hereby allot from the sum of $50,000,000, being fifty per centum of the total sum made available for the current fiscal year, the respective sums for loans in the several States as hereinafter set forth.

	Farms without central station electric service July 1, 1941	*Allotment for loans during the fiscal year ending June 30, 1942*
United States	3,970,649	$50,000,000
Alabama	188,746	2,376,765
Arizona	12,168	153,224
Arkansas	190,174	2,394,747
California	21,658	272,726
Colorado	32,836	413,484
Connecticut	3,663	46,126
Delaware	4,794	60,368
Florida	45,548	573,559
Georgia	161,033	2,027,792
Idaho	13,763	173,309
Illinois	118,739	1,495,209
Indiana	75,549	951,343
Iowa	125,318	1,578,054
Kansas	124,327	1,565,575
Kentucky	208,894	2,630,477
Louisiana	132,507	1,668,581
Maine	17,080	215,078
Maryland	21,775	274,200
Massachuetts	5,297	66,702
Michigan	45,589	574,075
Minnesota	137,351	1,729,579
Mississippi	256,092	3,224,813
Missouri	208,100	2,620,478
Montana	33,123	417,098
Nebraska	95,062	1,197,059
Nevada	1,923	24,215
New Hampshire	5,554	69,938
New Jersey	1,835	23,107
New Mexico	28,805	362,724
New York	44,538	560,840
North Carolina	195,576	2,462,771
North Dakota	69,962	880,990
Ohio	80,783	1,017,252
Oklahoma	155,087	1,952,918
Oregon	17,329	218,214
Pennsylvania	65,527	825,142
Rhode Island	414	5,213
South Carolina	99,558	1,253,674
South Dakota	67,454	849,408
Tennessee	202,417	2,548,916
Texas	320,002	4,029,593
Utah	6,911	87,026
Vermont	10,582	133,253
Virginia	121,885	1,534,825
Washington	20,686	260,486
West Virginia	71,482	900,130
Wisconsin	92,335	1,162,719
Wyoming	10,818	136,225

[SEAL] HARRY SLATTERY,
Administrator.

[F. R. Doc. 41-7444; Filed, October 4, 1941; 11:20 a. m.]

Surplus Marketing Administration.

ORDER TERMINATING THE LICENSE FOR MILK—SAN DIEGO, CALIFORNIA, SALES AREA

Henry A. Wallace, Secretary of Agriculture of the United States of America, pursuant to the provisions of Public Act No. 10, 73d Congress, as amended, issued on January 30, 1935, effective February 1, 1935, the license for milk—San Diego, California, sales area. Such license was last amended July 13, 1935, effective July 14, 1935.

It appearing that, under present conditions, the regulation of the handling of milk in said sales area under said license, is no longer necessary, it is hereby determined, pursuant to the powers conferred upon the Secretary of Agriculture by section 8c (16) (A) of such act, that the license for milk—San Diego, California, sales area, as amended, does not tend to effectuate the declared policy of the act and that such license shall be, and the same hereby is, terminated as of 11:59 p. m., P. s. t., September 30, 1941.

Done at Washington, D. C., this 6th day of October 1941. Witness my hand and the seal of the Department of Agriculture.

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

[F. R. Doc. 41-7453; Filed, October 6, 1941; 11:18 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

NOTICE OF GRANTING OF EXCEPTION

Notice is hereby given that pursuant to § 516.18 of the Record Keeping Regulations, Part 516, the Administrator of the Wage and Hour Division has granted The Cleveland Cutter and Reamer Company, Cleveland, Ohio, authority to maintain payroll records which omit *daily or weekly totals of straight-time earnings* and *weekly totals of overtime excess compensation* on condition that such items be obtainable through extension, recomputation, or transcription pursuant to §§ 516.16 and 516.17 of those Regulations.

The authority is subject to voidance for misrepresentation and revocation for cause.

Signed at Washington, D. C. this 3d day of October 1941.

PHILIP B. FLEMING,
Administrator.

[F. R. Doc. 41-7461; Filed, October 6, 1941; 11:53 a. m.]

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

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

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

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

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

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

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

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

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

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

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

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective October 6, 1941. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

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

Apparel

The following certificates at the rate of 75% of the applicable hourly minimum wage.

Anderson Brothers Consolidated Cos.', Inc., Floyd and High Streets, Danville, Virginia; Coveralls, Coats, Pants, Shirts, Autojackets, Smocks, Bonnets, Aprons, Jumpers, Headbands, Overalls, Physicians' Gowns; 10 percent; October 6, 1942.

Beautee-Fit Company, Inc., 860 South Los Angeles Street, Los Angeles, California; Brassieres; 5 learners; October 6, 1942.

Bennett Brassiere Company, 5–7 East 16th Street, New York, New York; Brassieres; 5 learners; April 6, 1942.

The Bloomfield Company, 2212 Superior Avenue, Cleveland, Ohio; Dresses; 10 percent; October 6, 1942.

C. P. Brown Manufacturing Company, 217–223 Third Street, Des Moines, Iowa; Overalls, Pants, Coveralls, Shirts; 10 percent; October 6, 1942.

Joseph B. Buchwald, 621 Broadway, New York, New York; Shoulder Straps for Ladies' Slips; 2 learners; March 30, 1942.

Buttnick Manufacturing Company, 204 First Avenue South, Seattle, Washington; Overalls, Coveralls, Jumpers; 5 learners; October 6, 1942.

Carbondale Products Company, Inc., 21 Dundoff Street, Carbondale, Pennsylvania; Ladies' Rayon Underwear; 10 learners; February 23, 1942.

James V. Caruso, 22 Evergreen Avenue, Middletown, Connecticut; Suspenders; 3 learners; October 6, 1942.

Central Manufacturing Company, One Legion Street, Clarksville, Tennessee; Cotton Work Shirts and Pants; 10 percent; October 6, 1942.

Central Manufacturing Company, Dickson, Tennessee; Cotton Work Shirts and Pants; 10 percent; October 6, 1942.

Chic Lingerie Company, Inc., 1126 Santee Street, Los Angeles, California; Ladies' Underwear and Sportswear; 10 percent; October 6, 1942.

Cosmopolitan Manufacturing Company, Cambridge, Massachusetts; Men's Rainwear, Topcoats; 5 percent; October 6, 1942.

Covington Manufacturing Company, 118 Pace Street, Covington, Georgia; Shirts; 5 learners; October 6, 1942.

Central Wash Suit Company, Inc., Haverstraw, New York; Children's Wash Suits, Snow Suits and Ladies' Sportswear; 5 percent; October 6, 1942.

Frank Cowan Manufacturing Company, 217–223 Second Street, San Francisco, California; Women's & Children's Sportswear, Women's Uniforms and Dresses; 5 learners; October 6, 1942.

Cut-Rite Undergarment Company, 29 Chuctunanda Street, Amsterdam, New York; Nightgowns; 10 percent; October 6, 1942. (This certificate replaces one issued bearing expiration date of November 25, 1941.)

Derby Sportswear, Inc., 420 East German Street, Herkimer, New York; Children's Apparel; 10 percent; October 6, 1942.

Herman Fishman and Company, 40 King Street, Mount Holly, New Jersey; Boys' Wash Suits; 5 learners; October 6, 1942.

Fletcher Brothers Company, 436–440 South Liberty Street, Winston-Salem, North Carolina; Overalls; 4 learners; October 6, 1942.

J. Freezer and Son, Inc., Radford, Virginia; Shirts; 10 percent; October 6, 1942. (This certificate replaces one issued bearing expiration date of November 1, 1941.)

Mary Galt Manufacturing, Inc., Railroad Street, Cartersville, Georgia; Bedjackets; 36 learners; March 16, 1942.

R. B. Glover Company, Dyersville, Iowa; Shirts; 8 learners; October 6, 1942. (This certificate replaces one issued bearing expiration date of November 28, 1941.)

H. B. Glover Company, 480–498 Iowa Street, Dubuque, Iowa; Pajamas, Robes, Mackinaw Coats, Shirts; 10 percent; October 6, 1942.

Maxwell Goldstein, Main and Center Streets, Forest City, Pennsylvania; Children's Snow Suits; 20 learners; March 30, 1942.

Hollywood Maxwell Company, 6773 Hollywood Boulevard, Hollywood, California; Brassieres, Girdles, Artificial Busts; 10 percent; October 6, 1942.

Joseph Horowitz and Sons, Inc., 43 Liberty Street, Batavia, New York; Shirts; 10 percent; October 6, 1942.

Hortex Manufacturing Company, 209–11–13 South Oregon Street, El Paso, Texas; Pants and Shirts; 8 learners; October 6, 1942.

Hydecraft Sportwear Corporation, 691 Lawrence Street, Lowell, Massachusetts; Jackets and Breeches; 10 percent; October 6, 1942.

Johnson and Company, 100 S. Minnesota Avenue, St. Peter, Minnesota; overalls, Coveralls, 5 learners; October 6, 1942.

K & C Blouse Company, 302 South Marbel Street, Chicago, Illinois; Women's Blouses; 3 learners; October 6, 1942.

Kahn Manufacturing Company, Royal and St. Louis Streets, Mobile, Alabama; Pants, Suits, Overalls, Sport Shirts; 50 learners; April 6, 1942.

Louis Kazon, Main Street, Poultney, Vermont; Dresses; 10 percent; October 6, 1942.

Kramer Tie Company, 26 East 14th Street, Bayonne, New Jersey; Men's Neckwear; 6 learners; February 3, 1942.

LeRoy Shirt Company, 11 Chestnut Street, South Norwalk, Connecticut; Shirts and Sport Shirts; 10 learners; October 6, 1942.

Levi Strauss & Company, 250-Valencia Street, San Francisco, California; Overalls, Shirts, Pants, Jackets; 10 percent; October 6, 1942.

M. Limou Manufacturing Company, 400 First Avenue, North, Minneapolis, Minnesota; Infants', Children's, Women's Snow Suits, Coats and Coat Sets; 5 learners; October 6, 1942.

Marionette, Inc., 108 West Lemon Street, Lancaster, Pennsylvania; Children's Dresses; 10 learners; March 16, 1942.

A. F. Martin Manufacturing Company, Tipton, Missouri; Trousers; 30 learners; March 16, 1942.

Charis Corporation, 700 Linden Street, Allentown, Pennsylvania; Corsets; 10 percent; October 6, 1942.

Mayflower Manufacturing Company, 4 North Frederick Street, Baltimore, Maryland; Ladies' Pajamas; 5 learners; October 6, 1942.

George Y. Miller, Front Street, Liverpool, Pennsylvania; Boys' Shirts; 5 learners; October 6, 1942.

Model Blouse Company, Wheat Road, New Jersey; Boys' Shirts; 5 learners; October 6, 1942.

Model Blouse Company, Landisville, New Jersey; Boys' Shirts; 8 learners; October 6, 1942.

Modern Made Sportswear, Inc., 407 East Pico Street, Los Angeles, California; Blouses; 4 learners; October 6, 1942.

New Era Cap Company, Inc., 86 Ellicott Street, Buffalo, New York; Cloth Caps; 3 learners; April 6, 1942.

Nirenberg and Salzman, Inc., North Mohawk Street, Cohoes, New York; Dress and Polo Shirts; 10 percent; October 6, 1942.

Benjamin Noble, 919 Walnut Street, Philadelphia, Pennsylvania; Ladies' Dresses; 4 learners; October 6, 1942.

Northwestern Manufacturing Company, 1213 West Van Buren Street, Chicago, Illinois; Dresses; 5 learners; October 6, 1942.

Paramount Cap Manufacturing Company, Bourbon, Missouri; Cloth Caps; 5 learners; April 6, 1942.

Paramount Cap Manufacturing Company, Bourbon, Missouri; Cloth Caps; 5 learners; December 29, 1941.

The Parker Shirt Company, 24 Walnut Street, New Britain, Connecticut; Men's Shirts; 10 learners; October 6, 1942.

Peerless Mills, 516 Iron Street, Lehighton, Pennsylvania; Ladies' Cotton Dresses; 10 percent; October 6, 1942.

Pottstown Shirt Company, Charlotte and Cherry Streets, Pottstown, Pennsylvania; Men's Shirts; 10 percent; October 6, 1942.

Rainbow Children Dress Company, 1 Johnston Avenue, Trenton, New Jersey; Children's & Juniors' Dresses; 4 learners; October 6, 1942.

The Rauh Company, 9th and Sycamore Streets, Cincinnati, Ohio; Dress Shirts; 10 percent; October 6, 1942. (This certificate replaces one issued bearing expiration date of October 2, 1942.)

Romano Dress Company, 119 South William Street, Newburgh, New York; Dresses; 8 learners; October 6, 1942.

Michael Rose Undergarment Company, 127 Berriman Street, Brooklyn, New York; Ladies' Underwear; 5 learners; October 6, 1942.

Benjamin Shander, 22d and Arch Streets, Philadelphia, Pennsylvania; Ladies' Blouses; 5 learners; October 6, 1942.

Edward Shuwall and Company, Inc., Elizabethtown, Pennsylvania; Children's Dresses; 10 percent; October 6, 1942.

Edward Shuwall and Company, Inc., Hanover Street, Pottstown, Pennsylvania; Children's Dresses; 10 percent; October 6, 1942.

Slumba-Togs Manufacturing Company, Inc., 1306 Memorial Avenue, Williamsport, Pennsylvania; Children's Pajamas; 5 percent; October 6, 1942.

Mattie Adams Sorenson, 2364 West Washington Boulevard, Los Angeles, California; Slack Suits, Sport Blouses; 2 learners; January 19, 1942.

Stahl-Urban Company, North Second Street, Brookhaven, Mississippi; Trousers, Mackinaws, Jackets; 10 percent; October 6, 1942.

State Sportswear Manufacturing Company, Partition Street, Saugerties, New York; Ladies' Blouses and Sportswear; 5 learners; October 6, 1942.

Steiner-Geiss, Inc., 33 Mechanic Street, Freehold, New Jersey; Pajamas, Sportswear; 10 percent; October 6, 1942.

U. P. Dress Manufacturing Company, 119 Baraga Avenue, Marquette, Michigan; Cotton Dresses; 15 learners; March 30, 1942.

Utica Knitting Company, Mill No. 8, 1712 Erie Street, Utica, New York; Lastex and Gabardine Swiss Trunks; 10 percent; October 6, 1942.

Walden Underwear Company, Inc., Elm and Hill Streets, Walden, New York; Ladies' Underwear; 5 learners; October 6, 1942.

Walden Underwear Company, Inc., 54 Liberty Street, Newburgh, New York; Ladies' Underwear; 5 learners; October 6, 1942.

Washington Overall Manufacturing Company, Inc., Maple and Court Streets, Scottsville, Kentucky; Work Pants, Semi-Dress Pants; 10 percent; October 6, 1942.

Westmoreland Garment Corporation, Norvelt, Pennsylvania; Pants; 10 percent; October 6, 1942.

Wilkes Barre Cap Manufacturing Company, 88 East Northampton Street, Wilkes Barre, Pennsylvania; Miners and Shop Caps; 3 learners; April 6, 1942.

Wolfe and Lang, Inc., 35 West 32nd Street, New York, New York; Corsets, Girdles, Corselettes; 10 learners; February 23, 1942.

Artificial Flowers and Feathers

Kaplan Brothers, 45 West 18th Street, New York, New York; 81 learners; *effective October 2, 1941*, expiring November 13, 1941. (Omitted from REGISTER of October 2, 1941.)

Gloves

Boreal Manufacturing Company, 1523 Main Street, Marinette, Wisconsin; Leather, Knit Fabric and Work Gloves; 10 percent; April 6, 1942.

Fairfield Glove and Mitten Company, State Street, Fairfield, Iowa; Leather, Dress, Work and Knit Fabric Gloves; 5 learners; October 6, 1942.

The Glove Corporation, 1535 S. B Street, Elwood, Indiana; Work Gloves; 30 learners; April 6, 1942.

H & P Glove Company, 5–11 4th Avenue, Johnstown, New York; Leather, Dress and Knit Fabric Gloves; 3 learners; April 6, 1942.

Serfis Glove Corporation, Northville, New York; Leather Dress Gloves; 5 learners; April 6, 1942.

Smart Set Glove Company, Inc., 15–17 James Street, Gloversville, New York; Leather Dress Gloves; 4 learners; April 6, 1942.

Superb Glove Company, Johnstown, New York; Leather Dress Gloves; 6 learners; April 6, 1942.

Hosiery

Atlanta Hosiery Mills, 231 Oakland Avenue, S. E., Atlanta, Georgia; Seamless Hosiery; 5 percent; October 6, 1942.

Century Hosiery Corporation, Webb Avenue, Burlington, North Carolina; Seamless Hosiery; 5 percent; October 6, 1942.

Chestertown Hosiery, Inc., Cannon and College Avenues, Chestertown, Maryland; Full Fashioned Hosiery; 5 learners; October 6, 1942.

Excel Hosiery Mills, Hart Street, Union, South Carolina; Seamless Hosiery; 10 learners; June 6, 1942.

Georgia Manufacturing Company, Columbus, Georgia; Seamless Hosiery; 5 learners; October 6, 1942.

Herbert Hosiery Mills, Inc., Washington and Noble Streets, Norristown, Pennsylvania; Seamless Hosiery; 250 learners; June 6, 1942.

Liberty Hosiery Mills, Inc., Lyerly, Georgia; Seamless Hosiery; 5 learners; October 6, 1942.

Lippincott Finishers, 23rd and Lippincott Streets, Philadelphia, Pennsylvania; Full Fashioned Hosiery; 10 learners; April 6, 1942.

Holston Manufacturing Company, Ninth Avenue and Mitchell Street, Knoxville, Tennessee; Seamless Hosiery; 5 percent; October 6, 1942.

M & S Hosiery Mill, Fort Atkinson, Wisconsin; Full Fashioned Hosiery; 3 learners; October 6, 1942.

Mountcastle Knitting Company, Inc., Salisbury Street, Lexington, North Carolina; Seamless Hosiery; 5 learners; October 6, 1942. (This certificate replaces one issued bearing expiration date of November 13, 1941.)

Mountcastle Knitting Company, Inc., Salisbury Street, Lexington, North Carolina; Seamless Hosiery; 10 learners; June 6, 1942.

Pickett Hosiery Mills, Inc., Trade Street, Burlington, North Carolina; Seamless Hosiery; 5 percent; October 6, 1942.

Pickwick Hosiery Mills, Inc., 1539 Tate Street, Corinth, Mississippi; Full Fashioned Hosiery; 5 percent; October 6, 1942.

Roseglen Knitting Mills, 129 S. Harvin Street, Sumter, South Carolina; Seamless Hosiery; 5 learners; October 6, 1942.

Triangle Hosiery Company, High Point, North Carolina; Seamless Hosiery; 5 percent; October 6, 1942.

Knitted Wear

Buffalo Knitting Mills, Applegate Avenue, Pen Argyl, Pennsylvania; Sweaters and Sportswear; 30 learners; February 2, 1942.

Textile

Arrow Elastic Company, Inc., 48 Hampden Street, Springfield, Massachusetts; Elastic Web; 1 learner; October 6, 1942.

Brand Rug Company, 2415 North Howard Street, Philadelphia, Pennsylvania; Rugs; 2 learners; October 6, 1942.

N. A. Textile Corporation, Whitman Mill #2, New Bedford, Massachusetts; Chenille Bedspreads; 10 learners; January 19, 1942.

Signed at Washington, D. C., this 6th day of October 1941.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 41-7462; Filed, October 6, 1941; 11:53 a. m.]

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

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

The employment of learners under these Certificates is limited to the terms and conditions as designated opposite the employer's name. These Certificates are issued upon the employers' repre-

sentations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The Certificates may be cancelled in the manner provided for in the Regulations and as indicated on the Certificate. Any person aggrieved by the issuance of these Certificates may seek a review or reconsideration thereof.

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

Fredwill Manufacturing Company, 13th and Bushkill Drive, Easton, Pennsylvania; Fancy Covered Boxes and Bridge Covers; 15 learners; 6 weeks for any one learner; 25 cents per hour; Sewing Machine Operator; December 1, 1941.

William Heck Saddlery Company, California, Missouri; Harness and Horse Collars; 1 learner; 12 weeks for any one learner; 25 cents per hour; Collar Maker; January 26, 1942.

Signed at Washington, D. C., this 6th day of October 1941.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 41-7463; Filed, October 6, 1941; 11:54 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-210]

MICHIGAN CONSOLIDATED GAS COMPANY V. PANHANDLE EASTERN PIPE LINE COMPANY AND MICHIGAN GAS TRANSMISSION CORPORATION

ORDER DENYING MOTIONS TO DISMISS AND CONSOLIDATE, AND FIXING DATE OF EN BANC HEARING

OCTOBER 3, 1941.

It appearing to the Comission that:

(a) On August 27, 1938, the Panhandle Eastern Pipe Line Company filed with the Commission a schedule of rates and charges, designated in the files of the Commission as Panhandle Eastern Pipe Line Company Rate Schedule FPC No. 12, providing for the sale of natural gas to the Michigan Consolidated Gas Company for resale for ultimate public consumption in and in the vicinity of the City of Detroit, Michigan;

(b) On August 14, 1941, Panhandle Eastern Pipe Line Company filed with the Commission a schedule of rates and charges, designated in the files of the Commission as Panhandle Eastern Pipe Line Company Rate Schedule FPC No. 50, providing for the sale of natural gas to the Consumers Power Company for resale for ultimate public consumption in several cities in the State of Michigan;

(c) On July 16, 1941, the Michigan Consolidated Gas Company filed with the Commission a complaint alleging, among other things, that the said Panhandle Eastern Pipe Line Company, by reason of said Rate Schedules FPC Nos. 12 and 50 and the construction placed thereon by said Panhandle Eastern Pipe Line Company is (1) making or granting to the Consumers Power Company an undue preference or advantage and is subjecting the Michigan Consolidated Gas Company to an undue prejudice or disadvantage, and (2) is maintaining an unreasonable difference in rates, charges, service, facilities, or in other respects, either as between localities or as between classes of service;

(d) On August 2, 1941, the Michigan Public Service Commission filed with the Commission a petition requesting that it be granted leave to intervene in any proceeding initiated pursuant to said complaint of the Michigan Consolidated Gas Company, and such petition was granted by order of August 6, 1941;

(e) On August 12, 1941, the Michigan Gas Transmission Corporation filed with the Commission an answer to said complaint making a general denial of the allegations contained therein, and praying that the complaint be dismissed as to said Michigan Gas Transmission Corporation;

(f) On August 15, 1941, the Panhandle Eastern Pipe Line Company filed with the Commission an answer to said complaint of the Michigan Consolidated Gas Company, making a general denial of the allegations contained therein and moving the Commission to dismiss said complaint, or in the alternative, to consolidate any proceeding instituted pursuant to said complaint with the proceedings heretofore instituted at Docket Nos. G-200 and G-207;

The Commission *orders* that:

(A) Said motion of Michigan Gas Transmission Corporation to dismiss the complaint herein and the said motions of the Panhandle Eastern Pipe Line Company to dismiss the complaint herein or to consolidate this proceeding with the proceedings at Docket Nos. G-200 and G-207 be and they are hereby denied;

(B) A public hearing upon said complaint shall be held before the Commission, sitting *en banc*, commencing on October 20, 1941, at 10:00 A. M. (EST) at 1800 Pennsylvania Avenue NW., in the City of Washington, D. C.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 41-7448; Filed, October 6, 1941; 9:18 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-397]

IN THE MATTER OF MOUNTAIN STATES POWER COMPANY

ORDER GRANTING APPLICATION

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

Mountain States Power Company, a subsidiary company of Standard Gas and Electric Company which is a registered holding company, having filed an application and an amendment thereto, pursuant to the Public Utility Holding Company Act of 1935, particularly section 10 thereunder, regarding its proposed acquisition from Montana-Dakota Utilities Co. of the latter company's purchase money note in the face amount of $95,000 in payment of the purchase price of certain existing electric utility properties located in and near Baker, Montana, to be sold by Mountain States Power Company to Montana-Dakota Utilities Co.; and pursuant to section 6 (a) of said Act regarding its sale of said purchase money note at face amount by endorsement without recourse to Northwestern National Bank and Trust Co. of Minneapolis;

Said application having been filed on September 5, 1941 and an amendment thereto having been filed on September 26, 1941, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 under said Act, and the Commission not having received a request for a hearing with respect thereto within the period specified in said notice or otherwise, and not having ordered a hearing thereon:

It appearing to the Commission that no application pursuant to section 6 (a) of said Act is required to be filed by Mountain States Power Company regarding its sale of said purchase money note; and

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

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

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

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-7456; Filed, October 6, 1941; 11:25 a. m.]

[File No. 31-482]

IN THE MATTER OF KOPPERS UNITED COMPANY

ORDER CONSENTING TO WITHDRAWAL OF APPLICATION PURSUANT TO REQUEST OF APPLICANT

At a regular session of the Securities and Exchange Commission held at its

office in the City of Washington, D. C., on the 3d day of October, A. D. 1941.

Koppers United Company having filed an application pursuant to section 2 (a) (8) of the Public Utility Holding Company Act of 1935 for an order declaring that The United Light and Power Company is not a subsidiary of said Koppers United Company, said Koppers United Company owning 28.4% of the voting stock of The United Light and Power Company at the time of the filing of such application; and said Koppers United Company having thereafter reduced its holdings to 4.75% of the number of shares of such voting stock of The United Light and Power Company presently issued and outstanding; and said Koppers United Company having requested the consent of the Commission to the withdrawal of the aforementioned application;

The Commission hereby consents to the withdrawal of the aforementioned application: *Provided, however,* That nothing herein contained shall be construed to be a modification of the Commission's orders of May 10, 1940 and June 13, 1940, concerning, among other matters, such application, so that all evidence already adduced in the hearing on such application will, so far as relevant, constitute part of the record in proceedings on applications filed pursuant to section 3 of the Public Utility Holding Company Act of 1935 by Koppers United Company—File No. 31–167, Fuel Investment Associates—File No. 31–162 and Eastern Gas and Fuel Associates—File No. 31–164: *And provided further, however,* That nothing herein contained shall be deemed to affect any other application which said Koppers United Company now has on file before this Commission, and to that effect

It is so ordered.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 41–7457; Filed October 6, 1941; 11:25 a. m.]

[File No. 67–17]

IN THE MATTER OF NORTHEASTERN WATER AND ELECTRIC CORPORATION

ORDER PERMITTING WITHDRAWAL OF DECLARATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 4th day of October, A. D. 1941.

Northeastern Water and Electric Corporation, a registered holding company, having filed on April 4, 1940, a declaration pursuant to the then Rule U-12B–1, promulgated under section 12 (b) of the Public Utility Holding Company Act of 1935, concerning cash advances to, among others, Presque Isle Water Company, in an amount not to exceed $58,000, and the Commission having issued an order on August 2, 1940, permitting the declaration under certain terms and conditions, but reserving jurisdiction "over the loan of any money pursuant to the instant declaration filed pursuant to Rule U-12B–1 by Northeastern Water and Electric Company, to Presque Isle Water Company"; and

The Commission having issued an order on August 13, 1940, permitting the declaration, to the extent of an $8,000 loan by the declarant to Presque Isle Water Company, to become effective and reserving jurisdiction over the remaining $50,000 of the proposed loan to Presque Isle Water Company; and

Northeastern Water and Electric Corporation having requested permission to withdraw said declaration insofar as it relates to the proposed loan of $50,000 to Presque Isle Water Company;

It is ordered, That Northeastern Water and Electric Corporation be, and it hereby is, permitted to withdraw said declaration, to the extent indicated.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 41–7458; Filed, October 6, 1941; 11:26 a. m.]

[File No. 59–27]

IN THE MATTER OF INTERNATIONAL UTILITIES CORPORATION, RESPONDENT

ORDER DENYING MOTIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 1st day of October, A. D. 1941.

Counsel for respondent having moved to dismiss this proceeding, asserting the unconstitutionality of the Public Utility Holding Company Act of 1935 and the invalidity of the notice served herein; and

Counsel for the Public Utilities Division having moved for an order requiring respondent to take action within 30 days to effect a redistribution of voting power among its security holders; and

Counsel having filed briefs and having presented argument, and the Commission being fully advised in the premises and having this day issued its Opinion herein;

It is ordered, That the motion of counsel for respondent be and it hereby is denied; and that the motion of counsel for the Public Utilities Division be and it hereby is denied without prejudice, however, to its renewal at the completion of the hearing; and

It is further ordered, That the hearing herein be reconvened at the offices of the Securities and Exchange Commission, 1778 Pennsylvania Avenue NW., Washington, D. C., at 10: 00 a. m. on October 13, 1941, for the purpose of receiving additional evidence with respect to all of the allegations and issues set forth in the Notice of and Order for Hearing of July 15, 1941; and

It is further ordered, That Richard Townsend, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the reconvened hearing in this matter. The officer so designated to preside at the hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Public Utility Holding Company Act of 1935 and to a trial examiner under the Commission's Rules of Practice.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 41–7459; Filed, October 6, 1941; 11:26 a. m.]

IN THE MATTER OF ASSOCIATED GAS AND ELECTRIC COMPANY AND STANLEY CLARKE, TRUSTEE THEREOF, IN HIS CAPACITY AS SUCH; ASSOCIATED GAS AND ELECTRIC CORPORATION AND WILLARD L. THORP AND DENIS J. DRISCOLL, TRUSTEES THEREOF, IN THEIR CAPACITY AS SUCH; GENERAL GAS & ELECTRIC CORPORATION, SOUTHEASTERN ELECTRIC AND GAS COMPANY, AND VIRGINIA PUBLIC SERVICE COMPANY, RESPONDENTS

NOTICE OF AND ORDER FOR SECOND POSTPONEMENT

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

The Commission having issued, on September 17, 1941, a Notice of and Order for Postponement in the above captioned matter extending the time to September 30, 1941, within which respondents may submit an answer in said proceedings and postponing until October 8, 1941, the scheduled public hearing on such matters;

Respondents having sought by written request a second postponement of the date for submitting the required answer and having requested further postponement of the scheduled hearing;

It is ordered, That the time within which respondents may answer be and is hereby extended to October 15, 1941, and that the date of the scheduled hearing on such matters be and is hereby postponed to October 23, 1941.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 41–7460; Filed, October 6, 1941; 11:26 a. m.]