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Washington, Saturday, March 11, 1939

The President

EXECUTIVE ORDER

DESIGNATING FAIRBANKS, ALASKA, AS A CUSTOMS PORT OF ENTRY, AND DISCONTINUING SEWARD, ALASKA, AS A CUSTOMS PORT OF ENTRY

By virtue of and pursuant to the authority vested in me by the act of August 1, 1914, 38 Stat. 609, 623 (U. S. C., title 19, sec. 2), it is ordered as follows:

1. Fairbanks, Alaska, is hereby designated as a customs port of entry in Customs Collection District No. 31 (Alaska), with headquarters at Juneau, Alaska.

2. Seward, Alaska, is hereby discontinued as a customs port of entry in Customs Collection District No. 31 (Alaska).

3. This order shall become effective thirty days from the date hereof.

FRANKLIN D ROOSEVELT
THE WHITE HOUSE,
March 9, 1939.

[No. 8064]

[F. R. Doc. 39-802; Filed, March 10, 1939; 11:34 a. m.]

Rules, Regulations, Orders

TITLE 19—CUSTOMS DUTIES

BUREAU OF CUSTOMS

[T. D. 49813]

REGULATIONS PRESCRIBED UNDER THE INTERNAL REVENUE CODE

To Collectors of Customs and Others Concerned:

All regulations (including all Treasury decisions), prescribed by the Commissioner of Customs and approved by the Secretary of the Treasury, applicable under any provision of law on the date of the enactment of the Internal Revenue Code, to the extent such provision of law is superseded by said Internal

Revenue Code, are hereby prescribed under, and made applicable to, the provisions of said Internal Revenue Code corresponding to the provision of law so superseded, insofar as any such regulation is not inconsistent with said Internal Revenue Code.

These regulations are issued under authority of the provisions of section 251 of the Revised Statutes (U. S. C., title 19, sec. 66) and section 3791 of the Internal Revenue Code, and under such other provisions of said Internal Revenue Code as correspond to the several provisions of law under which any regulation or Treasury decision hereby prescribed and made applicable was issued.

[SEAL] **JAMES H. MOYLE,**
Commissioner of Customs.

Approved, March 4, 1939:

STEPHEN B. GIBBONS,
Acting Secretary of the Treasury.

[F. R. Doc. 39-799; Filed, March 9, 1939; 4:15 p. m.]

TITLE 26—INTERNAL REVENUE

BUREAU OF INTERNAL REVENUE

[T. D. 4889]

PRESCRIBING REGULATIONS UNDER THE INTERNAL REVENUE CODE

To Collectors of Internal Revenue and Others Concerned:

All regulations (including all Treasury Decisions), prescribed jointly by the Commissioner of Internal Revenue and the Commissioner of Customs and approved by the Secretary of the Treasury, applicable under any provision of law on the date of the enactment of the Internal Revenue Code, to the extent such provision of law is superseded by the Code, are hereby prescribed under, and made applicable to, the provisions of the Code corresponding to the provision of law so superseded, insofar as any such regulation is not inconsistent with the Code.

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These regulations are issued under authority of the provisions of section 3791 of the Internal Revenue Code and under such other provisions of the Code as correspond with the several provisions of law under which any regulation or Treasury Decision hereby prescribed and made applicable was issued.

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.
JAMES H. MOYLE,
Commissioner of Customs.

Approved, March 8, 1939.

JOHN W. HANES,
Acting Secretary of the Treasury.

[F. R. Doc. 39-803; Filed, March 10, 1939;
12:07 p. m.]

TITLE 47—TELECOMMUNICATION FEDERAL COMMUNICATIONS COMMISSION

CHAPTER II. GENERAL SUBSTANTIVE RULES PART 23. TECHNICAL REGULATIONS

The Commission amended Section 23.03 in the following particulars, to become effective immediately:

4730) 4732.5 kc.—Aviation
4735)

(Sec. 4 (1), 48 Stat. 1066; 47 U. S. C. 154 (1)) [Rule 229, as amended by the F. C. C. on March 6, 1939]

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 39-800; Filed, March 10, 1939;
10:36 a. m.]

Notices

TREASURY DEPARTMENT.

Office of the Secretary.

COMPANIES AUTHORIZED TO ACT AS ACCEPTABLE SURETIES ON BONDS IN FAVOR OF THE UNITED STATES

SAINT PAUL-MERCURY INDEMNITY COMPANY

MARCH 9, 1939.

To the heads of Departments and Independent Establishments of the Government, bond-approving officers, and others concerned:

You are hereby advised that on January 23, 1939, the "Saint Paul-Mercury Indemnity Company of Saint Paul," Saint Paul, Minnesota, a Delaware corporation, formally changed its name to that of "Saint Paul-Mercury Indemnity Company." A copy of the Certificate of Amendment of the Certificate of Incorporation of the "Saint Paul-Mercury Indemnity Company of Saint Paul," duly certified by the Secretary of State of the State of Delaware, has been received and filed in the Treasury.

The change in the name of the company does not affect its status or liability with respect to any obligation in favor of the United States or in which the United States has an interest, which the Saint Paul-Mercury Indemnity Company of Saint Paul may have undertaken, pursuant to its authority under the Act of August 13, 1894, as amended to qualify as sole surety on such obligations.

Hereafter the name of the company will appear as "Saint Paul-Mercury Indemnity Company" on Treasury Form No. 356, which shows a list of the companies authorized to act as acceptable sureties on bonds in favor of the United States.

JOHN W. HANES,
Acting Secretary of the Treasury.

[F. R. Doc. 39-804; Filed, March 10, 1939;
12:07 p. m.]

DEPARTMENT OF THE INTERIOR.

National Bituminous Coal Commission.

[General Docket No. 15]

ESTABLISHMENT OF MINIMUM PRICES AND MARKETING RULES AND REGULATIONS

ORDER FOR AND NOTICE OF FINAL HEARING IN THE MATTER OF THE DETERMINATIONS OF THE WEIGHTED AVERAGE OF THE TOTAL COSTS OF THE TONNAGE PRODUCED WITHIN MINIMUM PRICE AREAS 1, 2, 3, 4, 5, 6, 7, 9 AND 10

Whereas, The Commission, on the 25th day of May, 1938, caused this general proceeding in Docket No. 15 to be in-

stituted,¹ and thereafter, upon proper notice, held a hearing, as to Minimum Price Areas 6, 7, 9 and 10, in the Hearing Room of the Commission, Denver, Colorado, commencing on the 13th day of June, 1938, and, as to Minimum Price Area 1, held a hearing before the Commission in its Hearing Room, Washington, D. C., commencing on the 6th day of July, 1938, and as to Minimum Price Areas 2, 3, 4 and 5, held a hearing before the Commission in its Hearing Room, Washington, D. C., commencing on the 15th day of July, 1938, for the purposes of receiving evidence relating to the weighted average of the total costs, per net ton, of the tonnage produced within each of the several minimum price areas, at which hearings all interested parties were afforded an opportunity to be heard, and

Whereas, At said hearings certain composite reports were introduced and received in evidence, but due to certain litigation and injunctions, the individual cost reports of producers, upon which the said composite exhibits were based, were not made available for inspection by interested parties or for introduction in evidence, and

Whereas, There being no further evidence offered by any interested parties, the said hearings were closed, with the understanding that a further hearing would be held at a later date to afford interested parties an opportunity to offer further affirmative evidence, to cross-examine witnesses, and to object to any evidence received at said hearings, and

Whereas, Upon consideration of the evidence adduced at said hearings the Commission made determinations of the weighted average of the total costs, per net ton, of the tonnage produced within Minimum Price Areas 6, 7, 9 and 10 on the 30th day of July, 1938, and of the weighted average of the total costs per net ton of the tonnage produced within Minimum Price Area 1 on the 10th day of August, 1938, and of the weighted average of the total costs, per net ton, of the tonnage produced within each of Minimum Price Areas 2, 3, 4 and 5 on the 19th day of August, 1938, in conformity with Findings of Fact and Conclusions made by the Commission and issued and published on the dates of the respective determinations, and

Whereas, Thereafter, the Supreme Court of the United States having dissolved an injunction which prohibited the Commission from making the individual cost reports of producers available for inspection, the Commission thereupon caused said hearings to be reopened, and the said individual cost reports to be made available for inspection by interested parties from and after the 6th day of February, 1939, (which reports for all minimum price areas are now, and will continue to be available for inspection at the Offices

¹ F. R. 1200, 1226 DI.