



FEDERAL REGISTER

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Rules, Regulations, Orders	TITLE 15—COMMERCE	CONTENTS
<p style="text-align: center;">TITLE 14—CIVIL AVIATION</p> <p>CHAPTER III—AIR SAFETY BOARD, CIVIL AERONAUTICS AUTHORITY</p> <p>AMENDMENT OF RULES AND REGULATIONS</p> <p>At a session of the Air Safety Board held at its office in Washington, D. C., on the 30th day of November, 1939:</p> <p>Acting pursuant to the authority vested in it by the Civil Aeronautics Act of 1938, particularly Section 702 (a) (1) thereof, and finding that such action is desirable in the public interest and is necessary to carry out the provisions of, and to exercise and perform its powers and duties under said Act, the Air Safety Board amends its rules and regulations which were promulgated July 11, 1939 and filed with the FEDERAL REGISTER on August 24, 1939 (4 F.R. 3716):</p> <p>Paragraph (1), relating to <i>Notification</i>, is amended by striking the words "registered number" in the first sentence thereof and inserting in lieu thereof the words "identification mark."</p> <p style="text-align: right;">By the Board.</p> <p style="text-align: right;">R. D. Hoyt, <i>Executive Officer.</i></p> <p>At a session of the Civil Aeronautics Authority held at its office in Washington, D. C., on the 5th day of December 1939:</p> <p>Acting pursuant to Section 702 (a) (1) of the Civil Aeronautics Act of 1938, the Civil Aeronautics Authority approved the above amendment to the rules and regulations of the Air Safety Board.</p> <p style="text-align: right;">By the Authority.</p> <p>[SEAL] PAUL J. FRIZZELL, <i>Secretary.</i></p> <p>[F. R. Doc. 39-4534; Filed, December 7, 1939; 10:34 a. m.]</p>	<p style="text-align: center;">TITLE 15—COMMERCE</p> <p>CHAPTER III—BUREAU OF FOREIGN AND DOMESTIC COMMERCE</p> <p style="text-align: center;">[Order No. 7]</p> <p>SUB-TITLE B—REGULATIONS RELATING TO COMMERCE</p> <p>PART 305—FOREIGN TRADE STATISTICS</p> <p>§ 305.33 is amended to read as follows:</p> <p><i>Declarations for exports by railways, ferryboats, and vehicles.</i> (a) Any person who delivers merchandise to any transportation company for exportation from the United States to a foreign country by rail, ferryboat, or vehicle must deliver to the collector of customs at the port through which the merchandise passes into foreign territory export declarations in triplicate on commerce form 7525, showing the kinds, quantities, and values of all merchandise delivered by him or his agent to such carrier for exportation.</p> <p>(b) The collector shall not permit any car or other vehicle laden with merchandise intended for exportation to any foreign country to depart from the United States until a declaration specifying the kinds, quantities, and values of the merchandise has been delivered to him by the shipper or his agent.</p> <p>§ 305.38 is amended to read as follows:</p> <p><i>Car manifests—Shipper's export declarations.</i> (a) Upon arrival of merchandise for exportation at a border port the carrier must deliver to the collector of customs a car manifest, giving marks and numbers, the name of the shipper or consignee, description of the goods, and the destination thereof. This manifest may be the waybill, or a copy thereof or a copy of the manifest prepared for the foreign customs. The required shipper's export declarations in triplicate must be attached to the car manifest or waybill when delivered to the collector.</p> <p>(b) Under the provisions of the Act of March 3, 1893, no railway car containing commodities for export will be permitted to leave the United States until</p>	<p style="text-align: center;">RULES, REGULATIONS, ORDERS</p> <p>TITLE 14—CIVIL AVIATION:</p> <p>Civil Aeronautics Authority: Rules and regulations amended 4791</p> <p>TITLE 15—COMMERCE:</p> <p>Bureau of Foreign and Domestic Commerce: Foreign trade statistics, declarations for exports by railways, etc. 4791</p> <p>TITLE 19—CUSTOMS DUTIES:</p> <p>Bureau of Customs: Antidumping; safety matches from Finland, etc. 4792</p> <p>TITLE 20—EMPLOYEES' BENEFITS:</p> <p>Railroad Retirement Board: Contributions and reports by employee representatives, etc. 4792</p> <p>Railroad Retirement Act of 1937, regulations amended 4794</p> <p>TITLE 25—INDIANS:</p> <p>Office of Indian Affairs: Shoshone Tribe of the Wind River Reservation, Wyo.; disbursement of pro-rata shares of judgment fund. 4795</p> <p style="text-align: center;">NOTICES</p> <p>Department of the Interior: Bituminous Coal Division: <i>Bituminous Coal Producers Board for District No. 20 v. John Arronco, et al.</i>, hearing 4797</p> <p>Office of Indian Affairs: Shoshone Tribe of the Wind River Reservation, Wyo., declaration of policy in disbursement of judgment fund 4797</p> <p>Department of Labor: Wage and Hour Division: Issuance of certificates for employment of learners: Apparel industry (2 notices) 4793</p> <p style="text-align: right;">(Continued on next page)</p> <p style="text-align: right;">4791</p>

§ 223.68 *Fee Patent Indians.* For the purposes of this sub-part a "fee patent Indian" shall be an adult Indian who has received a patent in fee to his allotment. Fee patent Indians shall be required to submit a program, the approval of which shall be in conformity with Sections 223.50, 223.51, 223.52, 223.53, 223.54, 223.55, and 223.63. Fee patent Indians shall not be required to conform to the provisions of Section 223.56 (b), but shall be required to conform to the remaining provisions of said section, except that they shall be required to conform to the provisions of Section 223.56 (a) only when the purchase of land or an interest in land contemplated by a program concerns lands within the diminished portion of the Wind River Reservation. Fee patent Indians shall not be required to make purchases though purchase orders as provided in Section 223.57, but may have funds disbursed to them by the superintendent for such purchases. The superintendent may disburse to fee patent Indians an initial payment of not more than \$1,350 each for the first year, and thereafter, on evidence of the proper use of the initial payment, a subsequent payment of not more than \$1,000 each for the execution of an approved program. Funds of minor children of fee patent Indians may be included in an approved family program, but their expenditure shall be subject to the same provisions as govern the expenditure of the funds of minor children of Indians other than fee patent Indians. Fee patent Indians shall be required to conform to the provisions of Section 223.58 only when the purchase of real property involves such property situated within the diminished portion of the Wind River Reservation; payment by fee patent Indians for real property outside the diminished portion of the Wind River Reservation may be made by them with funds disbursed to them by the superintendent and approval of title to such property by the Secretary of the Interior shall be only upon their request. Upon the request of fee patent Indians, and with the approval of the Shoshone Business Council and the superintendent, such Indians shall not be required to conform to the provisions of Section 223.59, except that title to real property situated within the diminished portion of the Wind River Reservation shall be taken in the name of the United States in trust for such Indians and title to real property situated outside the diminished portion of the Wind River Reservation shall not be taken in the name of the United States in trust but shall be taken in fee in the name of such Indians. Except as otherwise provided in this section, fee patent Indians shall conform to all the provisions of this sub-part.

§ 223.69 *Non-resident Indians.* The provisions of Section 223.68 pertaining to fee patent Indians shall also apply to Indians other than fee patent Indians who habitually reside away from the Wind

River Reservation and have, to all intents and purposes, severed their affiliation with the tribe, and who shall furnish to the superintendent in writing a statement that they intend to continue to reside away from the reservation and evidence, satisfactory to the superintendent, of their competency and ability to support themselves and manage their own affairs.

§ 223.70 *Definition of "Adult" and "Minor."* The term "adult" shall include all members of the tribe 18 years of age or over, and the term "minor" shall include all members of the tribe less than 18 years of age.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.
NOVEMBER 29, 1939.

[F. R. Doc. 39-4532; Filed, December 7, 1939;
9:38 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket Nos. 1117-FD to 1119-FD and
1121-FD to 1133-FD]

BITUMINOUS COAL PRODUCERS BOARD FOR DISTRICT NO 20, COMPLAINANT, vs. JOHN ARRONCO, BAILEY COAL CO., H. G. CAMPBELL, COMFORT COAL CO., JACK DODS, ERNEST JAGGI, J. B. JOHNSON, LOG CABIN COAL CO., LEO D. MURK, MUTUAL COAL CO., RIO GRANDE COAL CO., J. R. SITTERUD, ORRIN L. SNOW, STANDARD COAL CO., SWEET COAL COMPANY OF UTAH, TWIN CITIES COOPERATIVE, DEFENDANTS

NOTICE OF AND ORDER FOR HEARING

The Bituminous Coal Producers Board for District No. 20, Complainant, having filed with the Bituminous Coal Division, pursuant to Section 5 (b) of the Bituminous Coal Act of 1937, complaints alleging wilful violation by the above-named defendants of the Bituminous Coal Code and/or regulations made thereunder;

It is ordered, That a hearing on such matters be held on January 16, 1940, at 10 o'clock, in the forenoon of that day at a hearing room of the Bituminous Coal Division, Room 200, the Post Office, Salt Lake City, Utah.

It is further ordered, That W. A. Cuff or any other officer or officers of the Bituminous Coal Division designated by the Director thereof for that purpose shall preside at the hearing in such matters. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the

Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to the complainant, to the defendants, and to any other person who may have an interest in such proceeding. Any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Bituminous Coal Division on or before January 12, 1940.

The matters concerned herewith are in regard to complaints filed by Bituminous Coal Producers Board for District No. 20, alleging wilful violation by the above-named defendants of the Bituminous Coal Code and/or regulations made thereunder for failure to pay District Board Assessments.

Dated, December 7, 1939.

[SEAL] H. A. GRAY,
Director.

[F. R. Doc. 39-4538; Filed, December 7, 1939;
11:39 a. m.]

Office of Indian Affairs.

DECLARATION OF POLICY IN DISBURSEMENT OF THE JUDGMENT FUND OF THE SHO- SHONE TRIBE OF THE WIND RIVER RES- ERVATION, WYOMING

NOVEMBER 29, 1939.

The Shoshone Judgment Fund represents the cash equivalent of land which was taken from the Tribe. The Fund, therefore, should be treated by the Shoshone Indians as a capital asset, in the nature of land, and thus to be conserved.

Congress has authorized the pro-ration of a portion of the Judgment Fund to living Indians for their use to foster their development and to enable them to become self-supporting. The objects for which the individual portions of the Judgment Fund may be expended have been strictly limited and defined by the Congress as indicated by the following extract from the act of July 27, 1939 (53 Stat. 1128-1130):

"Purchase of land, improvement of lands to be acquired or already held by the Indian, for the erection and improvement of suitable homes, the purchase of building material, farming equipment, livestock, feed, food, seed, grain, tools, machinery, implements, household goods, bedding, clothing, and any other equipment or supplies necessary to enable the Indians to fit themselves for or to engage in farming, livestock, industry, or such other pursuits or vocations, including education, as will enable them to become self-supporting: Provided, however, That the funds of the aged, infirm, decrepit, and incapacitated members may be used for their proper maintenance and support in the discretion of the Secretary of the Interior. The remainder of the share of each adult in-

dividual Indian, including accrued interest, shall be made available under such rules and regulations as the Secretary of the Interior may prescribe, and the remainder of the share of each minor Indian shall, with accrued interest, be held intact until such Indian reaches the age of eighteen years, when it shall be available under the same conditions as herein provided for adults. As herein used the term "adult" shall include the members of the tribe eighteen years of age or over, and the term "minor" shall include all members less than eighteen years of age. On the death of any enrolled member, adult or minor, the sum on deposit to his credit shall be available for expenditure for the benefit of his heirs for the purposes herein authorized."

The programs to be developed must, therefore, be in accord with the stated Congressional policy. The policy applies equally to those who may reside on the Wind River Reservation or any other reservation and those who, by reason of having received patents in fee or otherwise, are residing outside of the jurisdiction of any Indian Agency.

Production of income is dependent upon the success of the enterprise in which the individual invests his capital. Individuals should use great care and thought in determining the uses to which their share of the Judgment Fund will be put, with a view to obtaining the greatest amount of income over the longest possible period.

The money here involved represents a substantial part of the heritage of living Indians. In order that the value of this heritage may be of the greatest benefit to the present generation and be preserved for future generations, those responsible for the preparation and consideration of programs for the expenditure of these funds are charged with the duty of safeguarding such funds and of giving careful consideration to any and all plans for their use.

The representatives of the various technical activities at the Wind River Indian Agency will advise with and assist the Indians in the preparation of their programs. Approval of a program will be expedited by taking it up with the division head most familiar with the type of program contemplated, before it is submitted to the Superintendent.

In all family programs which contemplate the use of funds of minors or adults (other than the head of the family and his wife), attention must be given to the probability that in the future such minors or adults may desire to create a new home or to develop their individual plans or programs on their own allotments or on land they may acquire. Care should be exercised so that the normal development of such individuals will not be impeded.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[F. R. Doc. 39-4533; Filed, December 7, 1939;
9:38 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

NOTICE OF DESIGNATION OF PRESIDING OFFICER FOR HEARING ON MINIMUM WAGE RECOMMENDATION OF INDUSTRY COMMITTEE NO. 6 FOR THE SHOE MANUFACTURING AND ALLIED INDUSTRIES

Whereas the Notice of Hearing on Minimum Wage Recommendation of Industry Committee No. 6 for the Shoe Manufacturing and Allied Industries provided that said hearing will be held before a presiding officer to be designated by the Administrator before December 11, 1939; and

Whereas the issues to be presented at said hearing have been narrowly confined by Sections 8 (b) and 8 (c) of the Fair Labor Standards Act of 1938 and by the report and recommendation of Industry Committee No. 6.

Now, therefore, it is hereby ordered and notice is hereby given that:

1. Major Robert N. Campbell be the Presiding Officer at said hearing on the minimum wage recommendation of Industry Committee No. 6 and conduct said hearing in accordance with the rules published in the notice of said hearing; and

2. No intermediate report will be prepared by the Presiding Officer unless so directed by the Administrator, but in lieu thereof, the Presiding Officer shall turn over to the Administrator at the close of the hearing the complete record of the proceedings had before him and the Administrator shall thereafter hear oral argument or accept written briefs upon said record or both as he may determine.

Signed at Washington, D. C., this 7th day of December 1939.

HAROLD D. JACOBS,
Administrator.

[F. R. Doc. 39-4543; Filed, December 7, 1939;
12:19 p. m.]

NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES FOR THE EMPLOYMENT OF LEARNERS IN THE APPAREL INDUSTRY

Notice is hereby given that Special Certificates for the employment of learners in the Apparel Industry at hourly wages lower than the minimum wage applicable under Section 6 of the Fair Labor Standards Act of 1938 are issued ex parte under Section 14 of the said Act, Section 522.5 (d) of Regulations Part 522, as amended, to the employers listed below effective December 8, 1939, until October 24, 1940, subject to the following terms:

OCCUPATIONS, WAGE RATES, AND CONDITIONS

The employment of learners in the Apparel Industry under these Certificates is limited to the following occupations, learning periods, and minimum wage rates:

(1) A learner is a person who has had less than eight weeks experience in the

past three years upon a stitching operation in the Apparel Industry.

(2) The employment of learners under these Certificates is limited to the operation of stitching machines and for eight (8) weeks for any one learner. During this period, learners shall be paid at least 22½¢ per hour. If experienced workers are paid on a piece rate basis, the same piece rates shall be paid to the learners employed on similar work and they shall receive earnings on such piece rates if in excess of 22½¢ per hour, but in no case less than 22½¢ per hour.

(3) These Special Certificates are issued on representations by the employers that experienced stitching machine operators are not available.

(4) Any one of these Special Certificates may be canceled as of the date of its issue if found that experienced workers were available when the Certificate was issued and may be canceled prospectively or as of the date of violation if found that any of its terms have been violated or that skilled workers have become available.

(5) Under these Special Certificates, no learner shall be employed at a subminimum wage until and unless the Certificate is posted and kept posted in a conspicuous place in the plant in which learners are employed.

NUMBER OF LEARNERS

Not in excess of 5% of the total number of stitching machine operators employed in the plant may be employed under any of these Certificates, unless otherwise indicated hereinbelow opposite the employer's name:

NAME AND ADDRESS OF FIRM AND PRODUCT

Biberman Brothers, Inc., Northumberland, Pennsylvania (5 learners), dresses.
Big Jack Overall Company, Bristol, Pennsylvania, overalls, work pants and shirts.

Frances Gee Garment Co., Richmond, Missouri, dresses and uniforms.

Signed at Washington, D. C., this 7th day of December 1939.

MERLE D. VINCENT,
Director, Hearings Branch.

[F. R. Doc. 39-4544; Filed, December 7, 1939;
12:43 p. m.]

NOTICE OF ISSUANCE OF A SPECIAL CERTIFICATE FOR THE EMPLOYMENT OF LEARNERS IN THE APPAREL INDUSTRY

Notice is hereby given that Special Certificates for the employment of learners in the Apparel Industry at hourly wages lower than the minimum wage applicable under Section 6 of the Fair Labor Standards Act of 1938 are issued to the employers listed below effective December 8, 1939, until April 5, 1940, unless otherwise indicated, subject to the following terms and limited to the number of learners indicated opposite the employer's name: