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Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 29—ESTABLISHMENT OF MAXIMUM STIPENDS FOR POSITIONS IN GOVERNMENT HOSPITALS FILLED BY STUDENT OR RESIDENT TRAINEES

Under the authority vested in the Commission by Executive Order No. 9750 (11 F.R. 7649) the following regulations establishing maximum stipends for positions in Government hospitals filled by student or resident trainees are hereby prescribed:

Sec.

- 29.1 Maximum stipends prescribed.
29.2 Stipends under existing agreements with trainees.
29.3 Stipends of trainees assigned to Federal hospitals as affiliates.
29.4 Exclusion of other trainee positions and establishment of maximum stipends.
29.5 Extent of regulations.
29.6 Inquiries.

AUTHORITY: §§ 29.1 to 29.6, inclusive, issued under E.O. 9750, 11 F.R. 7649.

§ 29.1 *Maximum stipends prescribed.* In accordance with the provisions of Executive Order No. 9750 (11 F.R. 7649) effective at the close of business on July 13, 1946, the following maximum stipends (including overtime pay, maintenance allowances, and other payments in money or kind) for medical and dental interns and residents - in - training, student nurses, student dietitians, and student physical therapists, except as otherwise provided in § 29.2, are hereby approved:

Medical and Dental Interns and Residents

Gallinger and Freedmen's hospitals:

First year approved post graduate training	\$1,600
Second year approved post graduate training	1,900
Third year approved post graduate training	2,200
Fourth year approved post graduate training	2,500
Fifth year approved post graduate training	3,400
Sixth year approved post graduate training	4,150

Medical and Dental Interns and Residents—Continued

All other Federal hospitals:

First year approved post graduate training	\$2,200
Second year approved post graduate training	2,400
Third year approved post graduate training	2,700
Fourth year approved post graduate training	3,000
Fifth year approved post graduate training	3,400
Sixth year approved post graduate training	4,150

NOTE: Maximum stipends for Panama Canal and Panama Railroad are 25 percent above these rates.

Dietitian interns (student dietitians)—one year approved post graduate training..... \$1,470

Physical therapy interns (student physical therapists)—one year approved post graduate training..... 1,470

Student nurses—St. Elizabeth's hospital:
First year training..... 775
Second and third year training, maximum total for two years.... 1,225

NOTE: The maximum total stipend of \$1225 for the second and third years is effective only so long as student nurses at St. Elizabeth's hospital are assigned during these years to affiliated hospitals for one year of training with no compensation other than maintenance.

Freedmen's hospital—Total for three year training..... \$2,823

NOTE: This maximum stipend is effective only so long as student nurses at Freedmen's hospital pay \$200 or more for tuition and related expenses for which they would not be charged at other Federal hospitals.

All other Federal hospitals:

First year training.....	\$775
Second year training.....	865
Third year training.....	985

§ 29.2 *Stipends under existing agreements with trainees.* Stipends (including maintenance allowances and other payments in kind) under existing agreements with trainees, which are in excess of maximums in the above schedules, are hereby approved as maximums for the duration of training under such agreements: *Provided*, That any part payments for overtime work are not included in such maximum: *And provided*, That statements of the terms of such agreements, with schedules of stipends

(Continued on p. 8569)

CONTENTS

REGULATIONS AND NOTICES

ALIEN PROPERTY CUSTODIAN:	Page
Vesting orders, etc.:	
American Potash & Chemical Corp.....	8618
Baetzner, Federico.....	8617
Bank fuer Landwirtschaft, A. G.....	8619
Bobbin, Adolff, Co., Inc.....	8625
Deutsche Reichsbank.....	8616
Fehrenbach, Albert.....	8622
Gaffney, Katharina.....	8630
Kreutzer, Rudolf, and Walter Kreutzer.....	8624
Mukai, Kenzaburo.....	8624
Nakano, Kyoichi.....	8624
Nekomoto, Shunichi, et al.....	8625
Nomura, Shunkichi.....	8619
Northrup, Christine.....	8620
Nothstein, Luise.....	8620
Numrich, Marie.....	8620
Nutzel, Hans.....	8621
One Hundredth Bank, Ltd.....	8621
Oppenheimer, Herman.....	8621
Oppenheimer, Julius.....	8626
Oppenheimer, Recha.....	8627
Osawa, J., & Co. Ltd.....	8627
Otto, G. Ernst, et al.....	8623
Paepcke, Paula.....	8628
Pagels, Elize.....	8628
Pagels, Werner.....	8628
Peterich, Greta.....	8629
Peters, Hashimoto.....	8629
Peterson, Hanna.....	8629
Pfueger, Sophie.....	8626
Wienberg, Elbe.....	8622
CIVIL SERVICE COMMISSION:	
Positions in Government hospitals filled by student or resident trainees, establishment of maximum stipends.....	8567
CIVILIAN PRODUCTION ADMINISTRATION:	
Hides, skins and leather (M-310)	8586
Iron and steel; certified orders carried over to October (M-21, Dir. 14).....	8588
Priorities system operation:	
Building and construction materials (PR 33: Sch. A; List 1 to Dir. 8) (2 documents)	8583



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CONTENTS—Continued

CIVILIAN PRODUCTION ADMINISTRATION—Continued.	Page
Priorities system operation—Con. Iron and steel, emergency suspension of outstanding ratings (PR 1, Dir. 13)	8580
Priorities assistance, restricted, for non-military purposes (PR 28)	8581
Veterans' emergency housing program:	
FPHA temporary re-use housing projects (PR 33, Dir. 11)	8583
Length of time dwelling must be held and offered for sale (PR 33, Am. 1)	8583
Rubber (R-1, Dir. 13)	8589
Suspension orders:	
Moore Construction Co.	8585
Stewart Construction Co.	8586
Tanning materials, vegetable (M-277)	8586
Telephone service (U-2)	8588

COAST GUARD:	Page
Ports, security, and control of vessels in navigable waters of U. S. (Corr.)	8596
DEFENSE TRANSPORTATION, OFFICE OF:	
Rail equipment, conservation; exceptions, permits, and special directions; shipments:	
Apples	8598
Bananas, ripe or soft	8600
Carrots, new fresh harvested	8599
Fruits and vegetables, fresh	8600
Grapes	8599
Lettuce	8600
Onions, new fresh harvested	8599
Potatoes, new fresh harvested Irish, and certified seed potatoes	8598
FARM SECURITY ADMINISTRATION:	
Farm management units, family-size, determination of average value; Alabama, Florida, Georgia, South Carolina (Corr.)	8601
Farm ownership loan limitations:	
Indiana and Iowa	8600
Michigan	8601
FEDERAL HOUSING ADMINISTRATION:	
War housing insurance regulations, revision	8569
FEDERAL POWER COMMISSION:	
Hearings, etc.:	
Carnegie Natural Gas Co.	8603
Lone Star Gas Co. (2 documents)	8601, 8602
Michigan Consolidated Gas Co.	8603
Panhandle Eastern Pipe Line Co. et al.	8603
INTERNATIONAL TRADE, OFFICE OF:	
License, limited production, for new track-laying and wheel tractors	8579
Prohibited exportations (2 documents)	8579, 8580
INTERSTATE COMMERCE COMMISSION:	
Car service; embargo of Lake-cargo coal, appointment of agent	8597
Cars, furnishing standard refrigerators	8616
Tariffs, posting at stations; public files	8598
PRICE ADMINISTRATION, OFFICE OF:	
Adjustments and pricing orders:	
American Girl Shoe Co.	8612
American Hard Coal Co.	8606
Anchor Fuel Co. et al.	8607
Barrick, James E. et al.	8608
Birch Mountain Coal Co., et al.	8609
Briggs Mfg. Co.	8611
Caldwell, Jim, et al.	8609
Firestone Tire and Rubber Co.	8613
Ford Midland Coal Co.	8607
Fraser Furnace Co., Inc.	8610
Helm Coal Co. et al.	8609
Middle Pennsylvania Coal Co. et al.	8606
Milford Concrete Products Co.	8614
Pacific Lumber Co.	8611
So-Lo Works, Inc.	8611
United States Gypsum Co.	8610
Westinghouse Electric Corp.	8607

CONTENTS—Continued	Page
PRICE ADMINISTRATION, OFFICE OF—Continued.	
Automobiles, washing, greasing, polishing, tire changing and battery services (RMPR 165, Am. 8 to Supp. Service Reg. 50)	8595
Boilers and radiation, cast-iron (MPR 272, Am. 11)	8592
Building and construction materials by persons other than manufacturers (Gen. Order 68, Am. 5)	8612
Coal, bituminous, District No. 1 (MPR 120, Order 1708)	8607
Coatings, protective (MPR 245, Am. 1)	8589
Commodities, low priced (SO 139, Am. 4)	8592
Consumer goods other than apparel (MPR 188, Am. 82; Am. 83) (2 documents)	8595
Furniture, metal commercial (MPR 188, Am. 1 to Order 11)	8612
Hawaii:	
Butter, salted (RMPR 373, Am. 103)	8594
Cheese (RMPR 373, Am. 100)	8594
Commodities and services, exemption and suspension from price control (Rev. SO 138, Am. 4)	8591
Sugar, fine granulated (RMPR 373, Am. 102)	8594
Hogs, dressed, and wholesale pork cuts (RMPR 148, Am. 36)	8592
Insecticides, arsenical (RMPR 315, Am. 1)	8592
Machines, parts and industrial equipment (RMPR 136, Am. 48)	8594
Pine, Ponderosa, cut stock (RMPR 94, Am. 2 to Rev. Order 3)	8613
Pulpwood, Virginia and North Carolina (MPR 433, Am. 5; MPR 437, Am. 4) (2 documents)	8593
Radio receivers and phonographs (Territorial Consumer Goods Reg. 1, Am. 1 to Supp. 5)	8596
Regional and district office orders. <i>See also</i> Adjustments.	
Beer and ale, Albuquerque, N. Mex.	8615
Building materials:	
Fargo-Moorhead area	8615
Minot, N. Dak., area	8615
Insulation, Scranton, Pa., area	8613
Resins, synthetic, and plastic materials and substitute rubber (MPR 406, Am. 12)	8594
Shirts, specified utility (RMPR 304, Am. 5)	8590
Sofa beds, upholstered, studio couches and other upholstered dual purpose sleeping equipment (MPR 188, Am. 6 to Order 1509)	8612
Wire and cable (MPR 82, Am. 14)	8593

CONTENTS—Continued

SECURITIES AND EXCHANGE COMMISSION:	Page
Hearings, etc.:	
American Gas and Electric Co. and Scranton Electric Co. Columbia Gas & Electric Corp. Consolidated Electric and Gas Co. Pennsylvania Electric Co. and Associated Electric Co. Utilities Employees Securities Co. et al.	8604 8605 8604 8605 8604
SELECTIVE SERVICE SYSTEM:	
Statement of U. S. citizens of Japanese ancestry; discontinuance of form.	8579
SOLID FUELS ADMINISTRATION FOR WAR:	
Shipments of coal (2 documents)	8575
VETERANS' ADMINISTRATION:	
Adjudication, veterans' claims; service requirements.	8596
General provisions.	8596
Guardianship and legal administration; miscellaneous amendments.	8596
CODIFICATION GUIDE	
A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Documents carried in the Cumulative Supplement by uncodified tabulation only are not included within the purview of this list.	
TITLE 5—ADMINISTRATIVE PERSONNEL:	Page
Chapter I—Civil Service Commission:	
Part 29—Establishment of maximum stipends for positions in Government hospitals filled by student or resident trainees.	8567
TITLE 24—HOUSING CREDIT:	
Chapter V—Federal Housing Administration:	
Part 576—Administrative rules for war housing insurance.	8569
Part 577—Administrative regulations for war housing insurance.	8572
TITLE 30—MINERAL RESOURCES:	
Chapter VI—Solid Fuels Administration for War:	
Part 602—General orders and directives (2 documents).	8575
TITLE 32—NATIONAL DEFENSE:	
Chapter IX—Civilian Production Administration:	
Part 944—Regulations applicable to operation of priorities system (6 documents).	8580, 8581, 8583
TITLE 33—NAVIGATION AND NAVIGABLE WATERS:	
Chapter I—Coast Guard:	
Part 6—Security of ports and control of vessels in navigable waters of U. S.	8596
TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF:	
Chapter I—Veterans' Administration:	
Part 1—General provisions.	8596
Part 2—Adjudication: veterans' claims.	8596
Part 20—Guardianship and legal administration.	8596

CODIFICATION GUIDE—Continued

TITLE 49—TRANSPORTATION AND RAILROADS:	Page
Chapter I—Interstate Commerce Commission:	
Part 148—Posting tariffs at stations.	8598
Chapter II—Office of Defense Transportation:	
Part 500—Conservation of rail equipment (8 documents).	8598, 8599, 8600

and allowances, are filed with the Commission before September 1, 1946.

§ 29.3 *Stipends of trainees assigned to Federal hospitals as affiliates.* Trainees at other hospitals assigned to Federal hospitals as affiliates for part of their training shall receive no stipend from the Federal hospital other than any maintenance provided.

§ 29.4 *Exclusion of other trainee positions and establishment of maximum stipends.* Requests for approval by the Commission of exclusions from the provisions of the Classification Act of 1923, as amended, of other positions filled by persons employed on a student-training or resident-training basis assigned or attached to a hospital, clinic, or medical or dental laboratories, as provided in section 1 of Executive Order 9750, and for approval of maximum stipends not provided in § 29.1 or § 29.2, should be submitted promptly to the Commission with full supporting information.

§ 29.5 *Extent of regulations.* Maximum stipends provided in § 29.1 and § 29.2 apply to any "hospital, clinic, or medical or dental laboratories, owned or operated by the Federal Government (including any agency or instrumentality of the Federal Government, and including the District of Columbia)", unless rates of compensation are otherwise provided by law.

§ 29.6 *Inquiries.* Inquiries concerning these regulations may be directed, in Washington, D. C., to the Field Section, Personnel Classification Division, telephone extension 651, and, in the field, to the appropriate regional or branch regional office.

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL,
President.

[F. R. Doc. 46-13708; Filed, Aug. 7, 1946; 10:30 a. m.]

TITLE 24—HOUSING CREDIT

Chapter V—Federal Housing Administration

Subchapter H—War Housing Insurance

PART 576—ADMINISTRATIVE RULES FOR WAR HOUSING INSURANCE UNDER SECTION 603 OF THE NATIONAL HOUSING ACT

APPROVAL OF MORTGAGEES

Sec. 576.1 Governmental institutions and mortgagees approved under Section 203 (b) of the National Housing Act, approved as mortgagees.

Sec. 576.2 Federal Reserve members, other institutions.
576.3 Charitable or non-profit organizations.
576.4 Approval of other institutions.
576.5 Approval of fiduciary investments.
576.6 Approval may be withdrawn.
576.7 Financial statements to be furnished.
576.8 Proper servicing of mortgages.

APPROVAL OF ACCEPTABLE ASSIGNEES

576.9 Requisites for approval as assignee.
576.10 Acquisition of insured mortgages.
576.11 Withdrawal of approval.

APPLICATION AND COMMITMENT

576.12 Submission of application.
576.13 Form of application.
576.14 Fee to accompany application.
576.15 Approval of application.

ELIGIBLE MORTGAGES

576.16 Form, lien.
576.17 Maximum amount of mortgage.
576.18 Payments and maturity dates.
576.19 Rate of interest.
576.20 Amortization provisions.
576.21 Payment of insurance premiums.
576.22 Mortgagor's payments to include other charges.
576.23 Mortgagee's application of payments.
576.24 Late charge.
576.25 Mortgagor's payments when mortgage is executed.
576.26 Service charge.
576.27 Approval of other charges.
576.28 Project must be acceptable risk in view of shortage of housing.

ELIGIBLE MORTGAGORS

576.29 Mortgage must be only lien upon property.
576.30 Relationship of income to mortgage payments.
576.31 Credit standing of mortgagor.
576.32 Residence of mortgagor.
576.33 Occupancy priority to veterans of World War II.
576.34 Holding property for rent.

ELIGIBLE PROPERTIES

576.35 Nature of title to the realty.
576.36 Dwelling unit located on property.
576.37 Standards for buildings.
576.38 Effective date.

NOTE: The word "defense" appearing in Subchapter H—Part 576 has been changed in this revision to the word "war" to conform with the amendments to Title VI of the National Housing Act, approved May 26, 1942. The term "war" has been substituted for the word "defense" wherever used to conform with such amended act.

AUTHORITY: §§ 576.1-576.38, inclusive, issued under 56 Stat. 55, as amended by 56 Stat. 301, Pub. Law 388, 79th Cong.

The source of §§ 576.1 to 576.38 is Administrative Rules of the Federal Housing Commissioner for war housing insurance under section 603 of the National Housing Act, as amended, effective March 31, 1941, revised July 15, 1946. The term "Commissioner" has been substituted in this revision of Part 576 for the term "Administrator" wherever used to conform with the provisions of Executive Order No. 9070 dated February 24, 1942.

APPROVAL OF MORTGAGEES

§ 576.1 *Governmental institutions and mortgagees approved under section 203 (b) of the National Housing Act, approved as mortgagees.* The following institutions are hereby approved as mortgagees under section 603 (b) of the National Housing Act:

- (a) National mortgage associations;
- (b) Federal reserve banks;
- (c) Federal home loan banks;

(d) Reconstruction Finance Corporation;

(e) RFC Mortgage Company;

(f) Any other Federal, State, or municipal governmental agency that is or may hereafter be empowered to hold mortgages insured under Title II or Title VI of the National Housing Act as security or as collateral or for any other purpose; and

(g) Any mortgagee approved under section 203 (b) of the National Housing Act.

§ 576.2 *Federal Reserve members, other institutions.* Members of the Federal Reserve System, institutions whose accounts are insured by the Federal Savings and Loan Insurance Corporation and institutions whose deposits are insured by the Federal Deposit Insurance Corporation may be approved as mortgagees upon application.

§ 576.3 *Charitable or nonprofit organizations.* Any charitable or nonprofit organization which presents evidence that it is responsible, has permanent funds of not less than \$100,000, and has experience in mortgage investment, may be approved upon application.

§ 576.4 *Approval of other institutions.* Any other institution not hereinbefore mentioned may be approved as a mortgagee upon application if it has the following qualifications and meets the following conditions to the satisfaction of the Commissioner:

(a) It is a chartered institution or other permanent organization having succession;

(b) It is subject to the inspection and supervision of a governmental agency which is required by law to make periodic examinations of its books and accounts and it submits satisfactory evidence that it has sound capital funds of a value of not less than \$25,000 (or if a mutual company or association without capital funds, it has a net worth of not less than \$25,000); or if not subject to such inspection and supervision of a governmental agency, it shall submit an independent detailed audit of its books made by an accountant satisfactory to the Commissioner and reflecting a condition satisfactory to him, and also, so long as its approval as mortgagee continues, shall file with the Commissioner similar audits at least once in each calendar year and submit at any time to such examination of its books and affairs as the Commissioner may require, and comply with any other conditions that the Commissioner may impose;

(c) Its principal activity is lending on or investing in mortgages, funds which are under its own control; and it has sound capital funds properly proportioned to its liabilities and to the character and extent of its operations. Such funds shall be of a value of not less than \$100,000. It is provided that the qualification and condition contained in the preceding sentence shall not apply:

(1) To an institution or other permanent organization of the character described in the first division of paragraph (b) of this section; or

(2) To an institution or other permanent organization that establishes to

the satisfaction of the Commissioner that it is a duly authorized loan correspondent of, and whose approval is requested by, an approved mortgagee or assignee which lends on, or invests in, mortgages on a national scale and is subject to the inspection and supervision of a governmental agency, on the condition that the termination of its relationship as such correspondent will be cause (subject to the provisions of § 576.6) for withdrawal of its approval as an approved mortgagee and on the further condition that the correspondent institution and the institution for which it is authorized to act shall agree to notify promptly the Commissioner of the termination of such relationship, and on the further condition that the correspondent institution shall agree to originate insured mortgage loans for the purpose of sale only to the institution or institutions which requested its approval or to some other institution for which it regularly acts as mortgage loan correspondent under written agreement which has been submitted to and approved by the Commissioner; and

(d) If it is not an institution or other permanent organization of the character described in the first division of paragraph (b) of this section, it shall submit an agreement in writing: (1) that so long as it continues to be approved as a mortgagee, it will not issue any mortgage participating certificates on which it assumes personal liability, or issue any guaranty with respect to principal or interest of any mortgage, except that any such obligations outstanding on the date of the application of such institution may thereafter be renewed; and (2) that it will segregate all monthly payments under mortgages insured by the Commissioner, received by it on account of ground rents, taxes, assessments, and insurance premiums, and will deposit such funds in a special account, or accounts, with some banking institution whose accounts are insured by the Federal Deposit Insurance Corporation and shall use such funds for no purpose other than that for which they were received.

§ 576.5 *Approval of fiduciary investments.* Approval as a mortgagee under §§ 576.1-576.8, of a banking institution or trust company which is subject to the inspection and supervision of a governmental agency, shall be deemed to constitute approval of such institution or company when lawfully acting in a fiduciary capacity in investing fiduciary funds which are under its individual or joint control. Upon termination of such fiduciary relationship, whether by revocation or otherwise, any insured mortgages held in the fiduciary estate shall be transferred to a mortgagee approved under this or the succeeding section and the fiduciary relationship must be such as to permit such transfer.

Nothing in §§ 576.1-576.8 shall be construed to permit the sale to the general public of instruments representing the beneficial interest in all or part of one or more insured mortgages.

§ 576.6 *Approval may be withdrawn.* Approval of an institution as a mortgagee may be withdrawn at any time by notice

from the Commissioner. In the discretion of the Commissioner, the transfer of an insured mortgage to a mortgagee not approved to act under §§ 576.1-576.11 or the failure of a mortgagee not subject to the inspection and supervision of a governmental agency, to segregate all funds received from mortgagors on account of ground rents, taxes, assessments and insurance premiums, and to deposit such funds in a special account, or accounts, with some banking institution, whose accounts are insured by the Federal Deposit Insurance Corporation, or the use of such funds for any purpose other than that for which they were received, or the failure of a mortgagee to conduct its business on the plan indicated by its application for approval, or the termination of its supervision by a governmental agency will be cause for withdrawal of approval. Withdrawal of approval will in no case affect the insurance on mortgages theretofore accepted for insurance.

§ 576.7 *Financial statements to be furnished.* All approved mortgagees shall at any time upon request furnish the Commissioner with a copy of their latest periodic financial statement or report.

§ 576.8 *Proper servicing of mortgages.* All approved mortgagees are required to service insured loans in accordance with acceptable mortgage practices of prudent lending institutions. In the event of default, the mortgagee should be able to contact the mortgagor and otherwise exercise diligence in collecting the amounts due. The holder of the mortgage is responsible to the Commissioner for proper servicing, even though the actual servicing may be performed by an agent of such holder.

APPROVAL OF ACCEPTABLE ASSIGNEES

§ 576.9 *Requisites for approval as assignee.* The Commissioner will upon application approve a chartered institution or other permanent organization as an acceptable assignee if such institution or organization meets the following conditions to the satisfaction of the Commissioner:

(a) It is a corporation or other permanent organization having succession;

(b) It has sound capital funds of not less than \$100,000;

(c) It is subject to the inspection and supervision of a governmental agency;

(d) Its investments in mortgage loans are intended for its own portfolio; and

(e) Its facilities are such that it will be able properly to service mortgages held by it.

§ 576.10 *Acquisition of insured mortgages.* Such an acceptable assignee shall be entitled to acquire insured mortgages from approved mortgagees by assignment after the execution and insurance of such mortgages, and to hold such mortgages without invalidating the insurance thereof, and to service them while so held. An acceptable assignee is not authorized to initiate insured mortgage loans originally or to apply for the insurance of mortgages under section 603 (a) of the National Housing Act; but shall in all other respects be considered as included in the term "mortgagee" as used in the administrative rules in this part

and the regulations of the Federal Housing Commissioner in Part 577 of this chapter.

§ 576.11 *Withdrawal of approval.* Approval of an institution as an acceptable assignee may be withdrawn at any time by notice from the Commissioner. Except in individual cases, approved by the Commissioner, transfer of an insured mortgage to a mortgagee not approved to act under §§ 576.1-576.11 will be cause for withdrawal of approval. Withdrawal of approval will in no case affect the insurance on mortgages theretofore accepted for insurance.

APPLICATION AND COMMITMENT

§ 576.12 *Submission of application.* Any approved mortgagee may submit an application for insurance of a mortgage, about to be executed, or of a mortgage already executed.

§ 576.13 *Form of application.* The application must be made upon a standard form prescribed by the Commissioner.

§ 576.14 *Fee to accompany application.* If the application is for a firm commitment, it must be accompanied by the mortgagee's check for a sum computed at a rate of three dollars (\$3) per thousand dollars (\$1,000) of the original principal amount of the mortgage loan applied for, to cover the costs of appraisal by the Commissioner, but in no case shall such sum be less than ten dollars (\$10). If an application is refused without an appraisal being made by the Commissioner, the fee will be returned to the applicant but no portion of the fee will be returned after appraisal or on account of any difference between the amount applied for and the amount approved for insurance.

If the application is for a conditional commitment, with respect to existing construction, it must be accompanied by the mortgagee's check for ten dollars (\$10) regardless of the amount of the mortgage. The balance, if any, of the fee as stipulated herein shall be payable upon and shall accompany the application for the firm commitment, if any, subsequently submitted pursuant thereto.

If the application is made on behalf of a veteran of World War II, for the insurance of a mortgage to refinance an existing insured mortgage which is in default, by reason of his military service, the fee herein provided may be waived by the Commissioner if he finds that the collection of such fee would be inequitable under the particular circumstances of the transaction.

§ 576.15 *Approval of application.* Upon approval of an application, acceptance of the mortgage for insurance will be evidenced by the issuance of a commitment setting forth, upon a form prescribed by the Commissioner, the terms and conditions upon which the mortgage will be insured.

ELIGIBLE MORTGAGES

§ 576.16 *Form, lien.* The mortgage must be executed upon a form approved by the Commissioner for use in the jurisdiction in which the property covered by the mortgage is situated, by a mortgagor

with the qualifications hereinafter set forth in §§ 576.29-576.33, must be a first lien upon property that conforms with the property standards prescribed by the Commissioner, and the entire principal amount of the mortgage must have been disbursed to the mortgagor, or to his creditors for his account and with his consent.

§ 576.17 *Maximum amount of mortgage.* The mortgage must involve a principal obligation in an amount not in excess of ninety per centum (90%) of the Commissioner's estimate of the necessary current cost as of the date the mortgage is accepted for insurance of a property, urban, suburban, or rural upon which there is located a dwelling designed principally for residential use for not more than four families in the aggregate, which is approved for mortgage insurance prior to the beginning of construction. Such principal obligation should be in an amount of one hundred dollars (\$100) or multiples thereof and must not exceed:

(a) \$5,400 if such dwelling is designed for a single-family residence; or (b) \$7,500 if such dwelling is designed for a two-family residence; or (c) \$9,500 if such dwelling is designed for a three-family residence; or (d) \$12,000 if such dwelling is designed for a four-family residence:

Provided, That the Commissioner may, if he finds that at any time or in any particular geographical area it is not feasible, within such limitations of maximum mortgage amounts, to construct dwellings without sacrifice of sound standards of construction, design, or livability, prescribe by regulation or otherwise higher maximum mortgage amounts not to exceed:

(1) \$8,100 if such dwelling is designed for a single-family residence; or
(2) \$12,500 if such dwelling is designed for a two-family residence; or
(3) \$15,750 if such dwelling is designed for a three-family residence; or
(4) \$18,000 if such dwelling is designed for a four-family residence.

§ 576.18 *Payments and maturity dates.* The mortgage should come due on the first of a month and must have a maturity satisfactory to the Commissioner, not to be less than five nor more than twenty-five years from the date of insurance. The amortization period should be either 10, 15, 20 or 25 years by providing for either 120, 180, 240, or 300 monthly amortization payments.

§ 576.19 *Rate of interest.* The mortgage may bear interest at such rate as may be agreed upon between the mortgagee and the mortgagor, but in no case shall such interest rate be in excess of four per centum (4%) per annum. Interest shall be payable in monthly installments on the principal then outstanding.

§ 576.20 *Amortization provisions.* The mortgage must contain complete amortization provisions satisfactory to the Commissioner, requiring monthly payments by the mortgagor not in excess of his reasonable ability to pay as determined by the Commissioner. The sum of the principal and interest payments

in each month shall be substantially the same.

§ 576.21 *Payment of insurance premiums.* The mortgage may provide for monthly payments by the mortgagor to the mortgagee of an amount equal to one-twelfth of the annual mortgage insurance premium payable by the mortgagee to the Commissioner. Such payments shall continue only so long as the contract of insurance shall remain in effect. The mortgage should provide that upon payment of the mortgage before maturity, the mortgagor shall pay the adjusted premium charge referred to in § 577.3 (b), but shall not provide for the payment of any further charge on account of such prepayment.

§ 576.22 *Mortgagor's payments to include other charges.* The mortgage shall provide for such equal monthly payments by the mortgagor to the mortgagee as will amortize the ground rents, if any, and the estimated amount of all taxes, special assessments, if any, and fire and other hazard insurance premiums, within a period ending 1 month prior to the dates on which the same become delinquent. The mortgage shall further provide that such payments shall be held by the mortgagee in a manner satisfactory to the Commissioner, for the purpose of paying such ground rents, taxes, assessments, and insurance premiums, before the same become delinquent, for the benefit and account of the mortgagor. The mortgage must also make provision for adjustments in case the estimated amount of such taxes, assessments, and insurance premiums shall prove to be more, or less, than the actual amount thereof so paid by the mortgagor.

§ 576.23 *Mortgagee's application of payments.* All monthly payments to be made by the mortgagor to the mortgagee as hereinabove provided, in §§ 576.19-576.22, shall be added together and the aggregate amount thereof shall be paid by the mortgagor each month in a single payment. The mortgagee shall apply the same to the following items in the order set forth:

(a) Premium charges under the contract of insurance;
(b) Ground rents, taxes, special assessments, and fire and other hazard insurance premiums;
(c) Interest on the mortgage; and
(d) Amortization of the principal of the mortgage.

Any deficiency in the amount of any such aggregate monthly payment shall, unless made good by the mortgagor prior to, or on, the due date of the next such payment, constitute an event of default under the mortgage.

§ 576.24 *Late charge.* The mortgage may provide for a charge by the mortgagee of a "late charge", not to exceed two cents for each dollar of each payment more than fifteen days in arrears, to cover the extra expense involved in handling delinquent payments.

§ 576.25 *Mortgagor's payments when mortgage is executed.* The mortgagor must pay to the mortgagee, upon the execution of the mortgage, a sum that will be sufficient to pay the ground rents, if any, and the estimated taxes, special as-

assessments, and fire and other hazard insurance premiums for the period beginning on the date to which such ground rents, taxes, assessments, and insurance premiums were last paid and ending on the date of the first monthly payment under the mortgage and may be required to pay a further sum equal to the first annual mortgage insurance premium, plus an amount sufficient to pay the mortgage insurance premium from the date of closing the loan to the date of the first monthly payment.

§ 576.26 *Service charge.* The mortgagee may charge the mortgagor the amount of the appraisal fee provided for in § 576.14 and an initial service charge to reimburse itself for the cost of closing the transaction. Such service charge shall not exceed one percent of the original principal amount of the mortgage or a charge of \$20, whichever is the greater, except that in cases of property under construction or to be constructed where the mortgagee makes partial disbursements and inspections of the property during the progress of construction, such initial service charge may be in an amount not in excess of 2½ percent of the original principal amount of the mortgage or a charge of \$50, whichever is the greater.

§ 576.27 *Approval of other charges.* In addition to the charges hereinbefore mentioned, the mortgagee may collect from the mortgagor only recording fees and such appraisal fees and cost of the title search as are approved by the Commissioner. Nothing in this section and § 576.26 shall be construed as prohibiting the mortgagor from dealing through a broker, who does not represent the mortgagee, if he prefers to do so, and paying the broker such compensation as is satisfactory to the mortgagor.

§ 576.28 *Project must be acceptable risk in view of shortage of housing.* The mortgage must be executed with respect to a project which, in the opinion of the Commissioner, is an acceptable risk in view of the shortage of housing.

ELIGIBLE MORTGAGORS

§ 576.29 *Mortgage must be only lien upon property.* A mortgagor must establish that after the mortgage offered for insurance has been recorded, the mortgaged property will be free and clear of all liens other than such mortgage and that there will not be outstanding any other unpaid obligation contracted in connection with the mortgage transaction or the purchase of the mortgaged property, except obligations which are secured by property or collateral owned by the mortgagor independently of the mortgaged property; *Provided*, That if the mortgagor is a veteran and obtains a guaranteed loan under Title III of the Servicemen's Readjustment Act of 1944, as amended, the existence of such loan or any secondary lien upon the mortgaged property to secure such loan shall not render the first mortgage ineligible for insurance.

§ 576.30 *Relationship of income to mortgage payments.* A mortgagor must establish that the periodic payments required in the mortgage submitted for

insurance bear a proper relation to his present and anticipated income and expenses.

§ 576.31 *Credit standing of mortgagor.* A mortgagor must have a general credit standing satisfactory to the Commissioner.

§ 576.32 *Residence of mortgagor.* A mortgagor is not restricted as to place of residence and need not be the occupant of the property covered by the mortgage.

§ 576.33 *Occupancy priority to veterans of World War II.* The mortgagor must establish, in a manner satisfactory to the Commissioner, that after completion of the dwelling or dwellings, preference or priority of opportunity to purchase or rent will be given to veterans of World War II and their immediate families, except that this requirement does not apply to hardship cases as defined by the Commissioner and approved by him.

§ 576.34 *Holding property for rent.* The Commissioner may, in his discretion, require the mortgagor to establish that after completion of the dwelling or dwellings, the property will be held for rent in such instances and for such periods of time as the Commissioner may prescribe.

ELIGIBLE PROPERTIES

§ 576.35 *Nature of title to the realty.* A mortgage to be eligible for insurance must be on real estate held in fee simple, or on leasehold under a lease for not less than 99 years which is renewable, or under a lease with a period of not less than 50 years to run from the date the mortgage is executed.

§ 576.36 *Dwelling unit located on property.* At the time a mortgage is insured there must be located on the mortgaged property a dwelling unit designed principally for residential use for not more than four families. Such unit may be connected with other dwellings by a party wall or otherwise.

§ 576.37 *Standards for buildings.* The buildings on the mortgaged property must conform with the standards prescribed by the Commissioner.

§ 576.38 *Effective date.* The administrative rules in this part are effective as to all mortgages on which a commitment to insure under section 603 is issued to an approved mortgagee on or after July 15, 1946.

PART 577—REGULATIONS FOR WAR HOUSING INSURANCE UNDER SECTION 603 OF THE NATIONAL HOUSING ACT

Sec.	
577.1	Citation.
577.2	Definitions.
577.3	Premiums.
577.4	Insurance endorsement.
577.5	Rights of parties on termination of insurance.
577.6	Time of default.
577.7	Transfer of property to the Commissioner; conditions of default in mortgage.
577.8	Condition of property when transferred; delivery of debentures; certificate of claim and definition of the term "waste".
577.9	Satisfactory title evidence.
577.10	Assignment of mortgages.

Sec.

577.11	Termination of contract of insurance.
577.12	Amendments.
577.13	Effective date.

NOTE: The word "defense" appearing in Subchapter H—Part 577 has been changed in this revision to the word "war" to conform with the amendments to Title VI of the National Housing Act, approved May 26, 1942. The word "war" has been substituted for the word "defense" wherever used in order to conform with such amended act.

AUTHORITY: §§ 577.1 to 577.13, inclusive, issued under 55 Stat. 55, as amended by 56 Stat. 301, Pub. Law 388, 79th Cong.

The source of §§ 577.1 to 577.13, inclusive, is regulations of the Federal Housing Commissioner for war housing insurance under section 603 of the National Housing Act, as amended, effective March 31, 1941, revised July 15, 1946. The word "Commissioner" has been substituted in this revision of Part 577 for the word "Administrator" wherever used to conform with the provisions of Executive Order No. 9070 dated February 24, 1942.

§ 577.1 *Citation.* This part may be cited and referred to as "Part 577—Regulations of the Federal Housing Commissioner for war housing insurance under section 603 of the National Housing Act, as amended, effective March 31, 1941, revised July 15, 1946."

§ 577.2 *Definitions.* As used in the regulations in this part:

(a) The term "Commissioner" means the Federal Housing Commissioner.

(b) The term "act" means the National Housing Act.

(c) The term "mortgage" means such a first lien upon real estate as is commonly given to secure advances on, or the unpaid purchase price of, real estate under the laws of the jurisdiction where the real estate is situated, together with the credit instruments, if any, secured thereby.

(d) The term "insured mortgage" means a mortgage which has been insured by the endorsement of the Commissioner.

(e) The term "mortgagor" means the original borrower under a mortgage and his heirs, executors, administrators, and assigns.

(f) The term "mortgagee" means the original lender under a mortgage and its successors and such of its assigns as are approved by the Commissioner.

(g) The term "contract of insurance" means the endorsement of the Commissioner upon the credit instrument given in connection with an insured mortgage, incorporating by reference these regulations.

§ 577.3 *Premiums.* (a) The mortgagee shall pay to the Commissioner an annual mortgage insurance premium equal to one-half of one percent of the average outstanding principal obligation for the twelve-month period following the date on which such premium becomes payable, and calculated in accordance with the amortization provisions without taking into account delinquent payments or prepayments.

The first such premium is to be paid on the date on which such insurance becomes effective by endorsement and shall be calculated on the average outstanding principal balance for the year beginning with a day thirty days prior to the date of the first monthly payment.

Until the mortgage is paid in full or the mortgaged property is acquired by the Commissioner as hereinafter set forth, or until the contract of insurance is otherwise terminated as hereinafter provided, the next and each succeeding premium shall be paid annually thereafter on the anniversary of such day, and the amount of the second premium payment will be adjusted accordingly. Such premiums shall be paid either in cash or debentures issued under Title VI of the National Housing Act at par plus accrued interest.

The provisions of this section shall also apply to mortgages insured prior to the date of this part, but only in respect to premiums payable after the effective date of this part.

(b) In the event that the principal obligation of any mortgage accepted for insurance is paid in full prior to maturity, the mortgagee shall within thirty days thereafter notify the Commissioner of the date of prepayment and shall pay to the Commissioner an adjusted premium charge of one per centum of the original principal amount of the prepaid mortgage, except that if at the time of such prepayment there is placed on the mortgaged property a new insured mortgage in an amount less than the original amount of the prepaid mortgage, such adjusted premium shall be one percent of the difference in such amounts.

In no event shall the adjusted premium exceed the aggregate amount of premium charges which would have been payable if the mortgage had continued to be insured until maturity.

No adjusted premium shall be due or payable in the following cases:

(1) Where at the time of such prepayment there is placed on the mortgaged property a new insured mortgage for an amount equal to or greater than the original principal amount of the prepaid mortgage; or

(2) Where the final maturity specified in the mortgage is accelerated solely by reason of partial prepayments made by the mortgagor which do not exceed in any one calendar year fifteen percent of the original face amount of the mortgage; or

(3) Where the final maturity specified in the mortgage is accelerated solely by reason of payments to principal to compensate for (i) damage to the mortgaged property, or (ii) a release of a part of such property if approved by the Commissioner; or

(4) Where payment in full is made of a delinquent mortgage on which foreclosure proceedings have been commenced, or for the purpose of avoiding foreclosure, if the transaction is approved by the Commissioner; or

(5) Where the final maturity specified in the mortgage is accelerated solely by reason of partial prepayments which in any one calendar year exceed fifteen percent (15%) of the original face amount of the mortgage, if made by the mortgagor during the period of the national emergency declared by the President to exist on May 27, 1941; or where the principal obligation of any mortgage accepted for insurance is paid in full prior to maturity by the mortgagor during the period of such national

emergency, provided the mortgagee submits to the Commissioner a certificate signed by the mortgagor certifying that the mortgage has been paid in full without refinancing or otherwise creating any obligation or debt for which the mortgagor or property owned by the mortgagor is liable.

Upon such prepayment the contract of insurance shall terminate.

(c) If at the time of prepayment a new insured mortgage is placed on the same property, the Commissioner will refund to the mortgagee for the account of the mortgagor an amount equal to the pro rata portion of the current annual mortgage insurance premium theretofore paid, which is applicable to the portion of the year subsequent to such prepayment.

§ 577.4 *Insurance endorsement.* Upon compliance, satisfactory to the Commissioner, with the terms of his commitment to insure, the Commissioner will endorse the original credit instrument in form as follows:

No. -----
Insured under Section 603 of
The National Housing Act
And Regulations of the
Federal Housing Commissioner
For War Housing Insurance
Dated March 31, 1941
as amended -----
FEDERAL HOUSING COMMISSIONER
By -----
Authorized Agent
Date -----

The mortgage shall be an insured mortgage from the date of such endorsement. The Commissioner and the mortgagee shall thereafter be bound by the regulations in this part with the same force and to the same extent as if a separate contract had been executed relating to the insured mortgage, including the provisions of the regulations in this part of the National Housing Act.

§ 577.5 *Rights of parties on termination of insurance.* In the event the mortgagee forecloses on the mortgaged property, but does not convey it to the Commissioner in accordance with § 577.8 and the Commissioner is given written notice thereof, or in the event the mortgagor pays the obligation under the mortgage in full, prior to the maturity thereof, and the mortgagee pays any adjusted premium required under § 577.3(b), and the Commissioner is given written notice by the mortgagee of such payment by the mortgagor, the obligation to pay any subsequent premium charge for insurance shall cease and all rights of the mortgagee and mortgagor, under § 577.8, shall terminate as of the date of such notice.

§ 577.6 *Time of default.* If the mortgagor fails to make any payment, or to perform any other covenant or obligation under the mortgage, and such failure continues for a period of thirty days, the mortgage shall be considered in default, and the mortgagee shall, within sixty days thereafter, give notice in writing to the Commissioner of such default and similar notices each sixty (60) days until such default is cured.

§ 577.7 *Transfer of property to the Commissioner; conditions of default in*

mortgage. At any time within one year from the date of default the mortgagee, at its election, shall either:

(a) With, and subject to, the consent of the Commissioner, acquire by means other than foreclosure of the mortgage, possession of, and title to, the mortgaged property; or

(b) Commence foreclosure of the mortgage: *Provided*, That if the laws of the State in which the mortgaged property is situated do not permit the commencement of such foreclosure within such period of time, the mortgagee shall commence such foreclosure within sixty days after the expiration of the time during which such foreclosure is prohibited by such laws.

The mortgagee shall promptly give notice in writing to the Commissioner of the institution of foreclosure proceedings and shall exercise reasonable diligence in prosecuting such proceedings to completion.

For the purposes of this section, the date of default shall be considered as thirty (30) days after (1) the first uncorrected failure to perform a covenant or obligation, or (2) the first failure to make a monthly payment which subsequent payments by the mortgagor are insufficient to cover when applied to the overdue monthly payments in the order in which they became due: *Provided, however*, That a mortgagee may, with and subject to the written consent of the Commissioner, apply partial payments to delinquent interest not in excess of two and one-half per centum (2½%), to the exclusion of prior delinquent principal payments, in which event the date of default shall be thirty (30) days after the due date of the earliest monthly payment, any part of which remains unpaid.

If after default and prior to the completion of foreclosure proceedings, the mortgagor shall pay to the mortgagee all monthly payments in default and such expenses as the mortgagee shall have incurred in connection with the foreclosure proceedings, notice shall be given to the Commissioner, and the insurance shall continue as if such default had not occurred.

Nothing contained in this section shall be construed so as to prevent the mortgagee, with the written consent of the Commissioner, from taking action at a later date than herein specified.

If at any time during default the mortgagor is a "person in military service", as such term is defined in the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, the period during which he is in such service shall be excluded in computing the one year period within which the mortgagee shall commence foreclosure or acquire the property by other means as provided in this section, and no postponement or delay in the prosecution of foreclosure proceedings during the period the mortgagor is in such military service shall be construed as failure on the part of the mortgagee to exercise reasonable diligence in prosecuting such proceedings to completion as required by this section. If the mortgagor is a person in military service as defined in such Act, the mortgagee may, by written agreement with the mortgagor, postpone for the period of military service,

and three months thereafter, that part of the monthly payment, or any part thereof which represents amortization of principal, provided such agreement contains a provision for the resumption of monthly payments thereafter in amounts which will completely amortize the mortgage debt within its original maturity. Such agreement, however, will in no way affect the amount of the annual mortgage insurance premium which will continue to be calculated in accordance with the original amortization provisions.

§ 577.8 *Condition of property when transferred; delivery of debentures; certificate of claim and definition of the term "waste".* If the default is not cured as aforesaid, and if the mortgagee has otherwise complied with the provisions of § 577.7, and at any time within thirty (30) days (or such further time as may be necessary to complete the title examination and perfect such title) after acquiring possession of the mortgaged property by foreclosure, or by other means in accordance with § 577.7 (a) tenders to the Commissioner possession of, and a deed containing a covenant which warrants against the acts of the mortgagee and all claiming by, through, or under it, conveying good merchantable title (evidenced as hereinafter provided in § 577.9) to such property undamaged by fire, earthquake, flood, or tornado, and undamaged by waste, except as herein-after in this section provided, and assigns (without recourse or warranty) any and all claims which it has acquired in connection with the mortgage transaction, and as a result of the foreclosure proceedings or other means by which it acquired such property, except such claims as may have been released with the approval of the Commissioner, the Commissioner shall promptly accept conveyance of such property and such assignment and shall deliver to the mortgagee:

(a) Debentures of the War Housing Insurance Fund as set forth in section 604 of the act, issued as of the date foreclosure proceedings were instituted or the property was otherwise acquired by the mortgagee after default, bearing interest at the rate of two and one-half per centum (2½%) per annum payable semi-annually on the first day of January and the first day of July of each year, and having a total face value equal to the value of the mortgage as defined in section 604 (a) of the act. Such value shall be determined by adding to original principal of the mortgage, which was unpaid on the date of the institution of foreclosure proceedings or the acquisition of the property otherwise after default, the amount of all payments, which have been made by the mortgagee for taxes, ground rent, and water rates, which are liens prior to the mortgage, special assessments, which are noted on the application for insurance or which become liens after the insurance of the mortgage, insurance on the property mortgaged and any mortgage insurance premium paid after the institution of foreclosure proceedings or the acquisition of the property otherwise after default, and by deducting from such total any amount received on account of the mortgage after the institution of fore-

closure proceedings or the acquisition of the property otherwise after default and from any source relating to the property on account of rent or other income after deducting reasonable expenses incurred in handling the property: *Provided, however,* That with respect to mortgages on which the unpaid principal obligation at the time of the institution of foreclosure proceedings exceeds eighty percent of the appraised value of the property as of the date the mortgage was accepted for insurance, there will be included in the debentures issued by the Commissioner, on account of the cost of foreclosure (or of acquiring the property by other means) actually paid by the mortgagee and approved by the Commissioner an amount:

(1) Not in excess of 2 per centum of the unpaid principal of the mortgage as of the date of the institution of foreclosure proceedings and not in excess of \$75; or

(2) Not in excess of two-thirds of such cost, whichever is the greater. With respect to mortgages to which the provisions of sections 302 and 306 of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, apply and which are insured under Section 603 of the National Housing Act, there shall be included in the debentures an amount which the Commissioner finds to be sufficient to compensate the mortgagee for any loss which it may have sustained on account of interest on debentures and the payment of insurance premiums by reason of its having postponed the institution of foreclosure proceedings or the acquisition of the property by other means during any part or all of the period of such military service and three months thereafter.

Such debentures shall be registered as to principal and interest and all or any such debentures may be redeemed, at the option of the Commissioner with the approval of the Secretary of the Treasury, at par and accrued interest on any interest payment day on three (3) months' notice of redemption given in such manner as the Commissioner shall prescribe.

(b) A certificate of claim in accordance with section 604 (e) of the act, which shall become payable, if at all, upon the sale and final liquidation of the interest of the Commissioner in such property in accordance with section 604 (f) of the act. This certificate shall be for an amount which the Commissioner shall determine to be sufficient to pay all amounts due under the mortgage and not covered by the amount of debentures and shall include a reasonable amount for necessary expenses incurred by the mortgagee in connection with the foreclosure proceedings or the acquisition of the mortgaged property otherwise and the conveyance thereof to the Commissioner, including reasonable attorney's fees, unpaid interest and cost of repairs to the property made by the mortgagee after default to remedy the waste mentioned in this section. Each such certificate of claim shall provide that there shall accrue to the holder thereof with respect to the face amount of such certificate, an increment at the rate of three per cent per annum.

The term "waste" as used in this section means permanent or substantial injury caused by unreasonable use, or abuse, and is not intended to include damage caused by ordinary wear and tear.

The provisions of this section concerning waste, shall not apply to mortgages on which the unpaid principal obligation at the time of the institution of foreclosure proceedings exceeds 75 percent of the appraised value of the property as of the date the mortgage was accepted for insurance, and in any event the obligation of the mortgagee to repair waste in accordance with such provision shall be limited to the amount of \$100 for each family dwelling unit covered by the mortgage.

§ 577.9 *Satisfactory title evidence.* Evidence of title of the following types will be satisfactory to the Commissioner:

(a) A fee or owner's policy of title insurance, a guaranty or guarantee of title, or a certificate of title, issued by a title company, duly authorized by law and qualified by experience to issue such; or

(b) An abstract of title prepared by an abstract company or individual engaged in the business of preparing abstracts of title and accompanied by the legal opinion as to the quality of such title signed by an attorney at law experienced in examination of titles; or

(c) A Torrens or similar title certificate; or

(d) Evidence of title conforming to the standards of a supervising branch of the Government of the United States or of any State or Territory thereof.

Such evidence of title shall be furnished without cost to the Commissioner and shall be executed as of a date to include the recordation of the deed to the Commissioner, and shall show that, according to the public records, there are not, at such date, any outstanding prior liens, including any past due and unpaid ground rents, general taxes, or special assessments.

If the title and title evidence are such as to be acceptable to prudent lending institutions and leading attorneys generally in the community in which the property is situated, such title and title evidence will be satisfactory to the Commissioner and will be considered by him as good and merchantable.

The Commissioner will not object to the title by reason of the following matters, provided they are not such as to impair the value of the property for residence purposes, or provided they have been brought to the attention of the insuring office for consideration in fixing the valuation:

(1) Customary easements for public utilities, party walls, driveways, and other purposes; customary building or use restrictions for breach of which there is no reversion and which have not been violated to a material extent;

(2) Such restrictions when coupled with a reversionary clause, provided there has been no violation prior to the date of the deed to the Commissioner;

(3) Slight encroachments by adjoining improvements;

(4) Outstanding oil, water, or mineral rights which, in the opinion of the Commissioner, do not impair the value of the property for residence purposes, or which are customarily waived by prudent lending institutions and leading attorneys generally in the community.

§ 577.10 *Assignment of mortgages.* When the insured mortgage is transferred to another approved mortgagee, such transferor and transferee shall both notify the Commissioner of such transfer within thirty days thereof, and the transferee shall thereupon succeed to all the rights and become bound by all the obligations of the transferor under the contract of insurance; and the transferor shall thereupon be released from its obligations under the contract of insurance.

Whenever the insured mortgage is transferred to another approved mortgagee for the purposes of collateral only, no notice need be given to the Commissioner until such collateral is foreclosed, but the transferor shall remain subject to all the obligations of the contract of insurance.

§ 577.11 *Termination of contract of insurance.* The contract of insurance shall terminate upon the happening of either of the following events:

(a) The acquisition of the insured mortgage by, or the pledge thereof to, any person, firm, or corporation, public or private, other than an approved mortgagee, whether individually or in trust for another; *Provided*, That this paragraph shall not be applicable to a mortgage acquired or held by an approved mortgagee, which is a banking institution or trust company inspected and supervised by some governmental agency, for a trust held or administered by it in a fiduciary capacity, as long as such fiduciary relationship shall remain in effect;

(b) The disposal by an approved mortgagee of any partial interest in an insured mortgage or group of insured mortgages (whether to another approved mortgagee or otherwise) by means of a declaration of trust, or by a participation or trust certificate, or by any other device; *Provided*, That this subsection (b) shall not be applicable to any mortgage so long as it is held in a common trust fund maintained by a bank or trust company (1) exclusively for the collective investment and reinvestment of moneys contributed thereto by the bank or trust company in its capacity as a trustee, executor or administrator; and (2) in conformity with the rules and regulations prevailing from time to time of the Board of Governors of the Federal Reserve System, pertaining to the collective investment of trust funds: *Provided further*, That this paragraph shall not be applicable to any mortgage so long as it is held in a common trust estate administered by a bank or trust company which is subject to the inspection and supervision of a governmental agency, exclusively for the benefit of other banking institutions which are subject to the inspection and supervision of a governmental agency, and which are authorized by law to acquire beneficial interests in such common trust estate, nor to any mortgage or group of

mortgages transferred to such a bank or trust company as trustee exclusively for the benefit of outstanding owners of undivided interests in the trust estate, under the terms of certificates issued and sold more than three years prior to said transfer, by a corporation which is subject to the inspection and supervision of a governmental agency.

§ 577.12 *Amendments.* The regulations in this part may be amended by the Commissioner at any time and from time to time, in whole or in part, but such amendment shall not affect the contract of insurance or any mortgage already insured, or any mortgage or prospective mortgage on which the Commissioner has made a commitment to insure.

§ 577.13 *Effective date.* The regulations in this part are effective as to all mortgages on which a commitment to insure under section 603 is issued to an approved mortgagee on or after July 15, 1946. Whenever a mortgagee so desires, the provisions of these regulations shall become a part of any contract of insurance heretofore made.

Issued at Washington, D. C., July 15, 1946.

RAYMOND N. FOLEY,
Federal Housing Commissioner.

[F. R. Doc. 46-13757; Filed, Aug. 7, 1946; 11:43 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[SFAW Reg. 32]

PART 602—GENERAL ORDERS AND DIRECTIVES

SHIPMENTS OF COAL

Correction

In Federal Register Document 46-11609, appearing at page 7402 of the issue for Wednesday, July 3, 1946, the following changes should be made:

1. In § 602.875 (b) the first line of subparagraph (1) should read:

(1) Each shipper of coal produced in the above * * *

2. In § 602.876 (b) the eighth line of the third subparagraph should begin with "shipper" instead of "shipped".

3. The reference to sections in the last line of the first subparagraph of § 602.883 (b) should read "§§ 602.875 to 602.886, inclusive".

[Rev. SFAW Reg. 32]

PART 602—GENERAL ORDERS AND DIRECTIVES

SHIPMENTS OF COAL

NOTE: New and revised matter is set off between asterisks.

*In view of the present supply and requirements conditions in solid fuels, it is deemed necessary and appropriate in the public interest and to promote the national defense to revise SFAW Regulation No. 32 (11 F.R. 7402) to read as follows:

Sec.	
602.875	Districts Nos. 1, 2, 3, 4 and 6.
602.876	Districts Nos. 7 and 8.
602.877	Lake, tidewater or river dock or elevator operators.
602.878	Districts Nos. 9, 10, 11 and 13.
602.879	Districts 5, 12, 14-23, inclusive.
602.880	Dealer's self-imposed limitation.
602.881	Prohibition against receiving illegal shipments.
602.882	Reporting requirements.
602.883	Former §§ 602.700 to 602.725, inclusive (Regulation No. 27).
602.884	Revocation of SFAW Regulation No. 32.

AUTHORITY: §§ 602.875 to 602.884, inclusive, issued under E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat 676, as amended by 55 Stat. 236, 56 Stat. 176, 58 Stat. 827 and 59 Stat. 658.

§ 602.875 *Districts Nos. 1, 2, 3, 4 and 6*—(a) *Shipments to lakes.* *Each shipper of coal produced in these districts shall, until further notice, ship in equal weekly amounts so far as practicable, during the remainder of the lake navigation season, a tonnage sufficient to assure shipment during the entire lake navigation season of not less than 90 per cent of the total tonnage originally committed directly or through lake forwarders, to dock operators and consumers receiving coal via Great Lakes.

If a shipper finds it necessary to ship less than the ascertained equal weekly amount during a particular week, he is required to make this up by shipment of an additional amount in a subsequent week; if a shipper finds it practicable to ship in excess of such ascertained equal weekly amount in a particular week, he may ship less than such amount during a subsequent week to the extent of the excess shipments made in the earlier week.*

These shipments shall take precedence over all other shipments and no shipment shall be made to any person which impairs the ability of the shipper to comply with this section.

Lake forwarders, dock operators and consumers, who transship or receive coal via lake, shall report as promptly as possible to the Solid Fuels Administration for War, Washington 25, D. C., any developing serious inability on their part to meet reasonable minimum requirements of their customers or plants as the case may be.

(b) *Shipments to retail dealers *and wholesalers*.* (1) Each shipper of coal produced in the above districts shall, after arranging to meet his obligations to lakes as provided in § 602.875 (a), ship during the period April 1, 1946 to March 31, 1947, to each retail dealer whom he served during the period April 1, 1945 to March 31, 1946, a tonnage *in comparable sizes* which is not less than 100 per cent of the tonnage supplied to such dealer during that period. Except for shipment via lake under § 602.875 (a), these shipments shall take precedence over all other shipments and no shipment shall be made to any person which impairs the ability of the shipper to comply with this section.

In complying with § 602.875 (b) (1), each shipper shall, so far as practicable, make distribution to each dealer on an equal monthly basis; *Provided, however,*

That the shipper may and should make such deviations therefrom as may be necessary and appropriate (i) to assure compliance with § 602.875 (a); and (ii) to assure that minimum coal requirements are available to industrial consumers so that the national economy and the reconversion program are not unduly and adversely affected by the shutdown of an industrial plant for lack of coal.

(2) If a dealer to whom coal was shipped during the period April 1, 1945, to March 31, 1946, is no longer in business, the shipper has a continuing obligation to the community. Accordingly, the shipper shall apportion the tonnage to which such dealer would have been entitled under this section to one or more dealers in that community who will serve substantially the same customers served by the former dealer. When the shipper transfers the quota of the former dealer to one or more other dealers, he shall notify the appropriate SFAW Area Distribution Manager of the amount of tonnage so transferred.

(3) Any shipper may request that part or all of the tonnage which he is obligated to ship to a dealer at a particular destination be transferred to one or more other dealers at the same destination; *Provided, however,* (i) That a clear showing is made by the shipper that the transferee dealer has the trucks and facilities to take care of the needs of the consumers served by the dealer to whom the tonnage would otherwise be due under this section; and (ii) that the transfer has the approval of the appropriate SFAW Area Distribution Manager. In approving the few transfers which may be appropriate under this section, special consideration will be given by Area Distribution Managers to requests designed to afford to World War II veterans having honorable discharges, or the equivalent thereof, a reasonable opportunity to go into the retail coal business.

(4) Each shipper of coal produced in the above districts shall, in arranging his distribution schedule in accordance with subparagraph (1) of this paragraph, provide for the shipment during the period April 1, 1946 to March 31, 1947 to each wholesaler to whom or for whose account he shipped coal during the period April 1, 1945 to March 31, 1946, an amount of coal sufficient to assure that such wholesaler can meet his obligations as a shipper under subparagraph (1) of this paragraph to those retail dealers to whom the wholesaler delivered such shipper's coal during the period April 1, 1945 to March 31, 1946.*

(5) Any shipper may request that part or all of the tonnage which he is obligated to ship to a wholesaler at a particular destination be transferred to another wholesaler for delivery to retail dealers at the same destination or that the shipper be permitted to make the delivery direct to the retail dealers involved.*

(c) *Shipments to all others.* Shippers of coal produced in the above districts may dispose of the remainder of their supply without limitation to any person (excluding persons receiving coal via lake or retail dealers who are entitled to receive tonnage under § 602.875 (a) and

(b), respectively; *Provided, however,* That until further notice:

(1) Any industrial consumer who has 15 days' supply (25 days for receivers via tidewater or river) or any public utility which has 20 days' supply (30 days for receivers via tidewater or river), based on his burn for the current calendar month, shall not be furnished, from all sources combined, with more than 100 per cent of his monthly consumption requirements, *Provided,* That if any industrial consumer or public utility currently burns either strip-mined coal or low grade deep-mined coal, or both, to the maximum extent practicable as determined by SFAW, he may build up a stock pile of higher grade non-exempt coal to a maximum of 45-days' supply (55 days for receivers via tidewater or river), based on his burn for the current calendar month at not to exceed the rate of 5 days per month.

(2) Any industrial consumer of higher grade deep-mined coal who has more than 15 days' supply (25 days for receivers via tidewater or river) or any public utility which has more than 20 days' supply of higher grade deep-mined coal (30 days for receivers via tidewater or river), based on his burn for the current calendar month, except those who currently burn either strip-mined coal or low grade deep-mined coal to the maximum extent practicable as determined by SFAW, shall not be furnished with higher grade deep-mined coal from all sources combined, during any calendar month, in an amount greater than necessary to leave the consumer with 15 days' supply (25 days for receivers via tidewater or river) but the maximum rate of draw-down shall not exceed 15 days' supply in any one month.

(3) Any industrial consumer who has less than 15 days' supply of higher grade deep-mined coal (25 days for receivers via tidewater or river) or any public utility which has less than 20 days' supply of higher grade deep-mined coal (30 days for receivers via tidewater or river) shall not be furnished with higher grade deep-mined coal from all sources combined, during any calendar month, in an amount greater than necessary to bring his supply as of the end of the month to 15 days' supply for industrial consumers (20 days for receivers via tidewater or river) or 20 days' supply for public utilities (30 days for receivers via tidewater or river); *Provided, however,* If such industrial consumer or public utility is currently burning strip-mined coal or low grade deep-mined coal to the maximum extent practicable as determined by SFAW, such consumer may receive 5 days' supply in addition to the amount provided in this paragraph (c) (3) each month until a maximum of 45 days' supply is reached.*

(d) *Surplus coal.* Notwithstanding any provision of this section, *any shipper of strip-mined or low grade deep-mined coal,* who is unable to dispose fully of his entire output *of such coal* because of any limitation herein, may freely make shipments of such coal to any person, and tonnage so shipped shall not be considered in applying any limitations herein provided. *If a shipper has, or expects to have, any excess coal after having met the obligations imposed by

§§ 602.875 to 602.884, inclusive, or after having disposed of all coal permitted to be shipped by him under §§ 602.875 to 602.884, inclusive, he shall immediately report such excess tonnage by sizes to the SFAW Area Distribution Manager for the district in which the coal is produced. After having made such report, he may proceed to dispose of such excess tonnage but shall not make any commitments for shipment of such coal beyond 5 days from the date of his report. If, after the expiration of said 5 days, the Area Distribution Manager has not otherwise directed disposal of the coal, the shipper will be free to dispose of the coal without direction from SFAW.*

For the purpose of the reports required by § 602.882, surplus coal shall be reported separately.

§ 602.876 *Districts Nos. *7 and* 8—*
(a) *Shipments to lakes.* Each shipper of coal produced in Districts *Nos. 7 or* 8 shall, until further notice, ship in equal monthly amounts so far as practicable, during the 1946 season of lake navigation, the total tonnage committed, directly or through a lake forwarder, to dock operators and consumers receiving coal via the Great Lakes, until such commitments are completed. These shipments shall take precedence over all other shipments and no shipment shall be made to any person which impairs the ability of the shipper to comply with this section.

(1) *To commercial dock operators.* The aggregate of such shipments by each shipper to commercial lake dock operators (directly or through a lake forwarder), however, shall not without specific permission of SFAW exceed (i) 90 percent of the tonnage of prepared sizes (lump and double-screened coal) for domestic use, loaded at a lower lake port and consigned to the commercial lake dock operator from the District No. *7 or* 8 shipper during the 1945 season of lake navigation and (ii) 100 percent of the total prepared sizes for industrial use and other sizes for any use loaded at a lower lake port and consigned to the commercial lake dock operator (directly or through a lake forwarder) from the District No. *7 or* 8 shipper during the 1945 season of lake navigation. It is the present plan of SFAW, so far as consistent with the Districts Nos. *7 or* 8 coal supply and requirements for *those* coals, to arrange so that each commercial lake dock operator will receive sufficient coal from Districts *Nos. 7 or* 8 during the 1946 season of lake navigation to enable the commercial lake dock operator (a) to ship to each retail dealer during the coal year (April 1, 1946 to March 31, 1947) 90 percent of the total of prepared sizes furnished to such dealer by the commercial dock operator during the coal year from April 1, 1945 to March 31, 1946, and (b) to meet the obligations to industrial consumers to the extent necessary to supply their reasonable minimum consumption requirements to April 30, 1947.

(2) *To alongside industrial consumers.* The aggregate of such shipments to industrial consumers receiving coal by vessel or barge at a dock or other unloading facility located on the Great Lakes, directly or through a lake forwarder, dur-

ing the 1946 season of late navigation shall not exceed an amount of *Districts Nos. 7 or * 8 coal which, when added to the consumer's stock pile on May 1, 1946 and his estimated receipts of solid fuel to April 30, 1947 from all sources *combined* and by all other methods of transportation, is greater than his consumption requirements from May 1, 1946 to April 30, 1947.

(3) *Original commitment to be reduced under special circumstances.* Any shipper who is unable, without substantial prejudice to other normal outlets and customers, to meet the requirements of § 602.876 (a) on the basis of his original commitments, *may* compute his commitments to the lakes on the basis of the original commitments less such deductions for unforeseen production losses resulting from stoppages or otherwise as to the shipper appears appropriate and fair. The shipper shall promptly advise the Area Distribution Manager and the commercial dock operators and consumers affected of the computation and deduction, and such computation and deduction hereunder may be reviewed by SFAW and, where necessary, SFAW will take suitable corrective action.

(b) *Shipments to retail dealers *and wholesalers*.* Each shipper of coal produced in *Districts Nos. 7 or * 8 shall, after arranging to meet his obligations to lakes as provided in § 602.876 (a), ship by rail, truck or river to each dealer during the period April 1, 1946 to March 31, 1947, a tonnage of prepared sizes of Districts Nos. 7 or 8 coal for domestic use which is equal to, but does not exceed, 90 per cent of the amount of such sizes shipped to such dealer during the period April 1, 1945 to March 31, 1946. Except for shipments via lake under § 602.876 (a), these shipments shall take precedence over all other shipments and no shipments shall be made to any person which impair the ability of the shipper to comply with this section.

Prepared sizes for domestic use as herein used shall be as set out below and deemed interchangeable:

Low volatile-lump, egg, stove, nut, pea and domestic mine run.

High volatile-block, lump, egg, stove, nut and stoker.

In complying with § 602.876 (b), each shipper shall, so far as practicable, make distribution to each dealer so that during each two-month period June-July and August-September there shall be shipped not less than 10 per cent or more than 15 per cent of the tonnage each shipper is obligated to ship to each dealer under this section. The minimum shipment for the two-month period October-November 1946 shall also be 10 per cent but the maximum shipment for that period shall be 20 per cent; *Provided, however, The maximum shipments herein prescribed shall not be applicable to dealers who purchase 5 carloads or less per year from such shipper. The limitation as to bi-monthly shipments is not applicable to shipments to tidewater receivers.*

The provisions of § 602.875 (b) (2), (b) (3), *(b) (4) and (b) (5)* are hereby incorporated by reference and shall be applicable to the shipments of * Districts

Nos. 7 or * 8 coals to retail dealers provided for in this section.

(c) *Shipments to all others.* Shippers of coal produced in * Districts Nos. 7 or * 8 may dispose of the balance of their supply without limitation to any person (excluding persons receiving coal via lake or retail dealers who are entitled to receive tonnage under §§ 602.876 (a) and (b), respectively); *Provided, however, That until further notice:*

(1) Any public utility which has 20 days' supply of *Districts Nos. 7 or * 8 coal (30 days for receivers via tidewater or river) based upon its burn for the current calendar month shall not be furnished, from all sources combined, with *Districts Nos. 7 or * 8 coal in excess of 100 percent of the consumer's monthly consumption requirements.

(2) Any public utility which has less than 20 days' supply of *Districts Nos. 7 or * 8 coal (less than 30 days for receivers via tidewater or river) based upon its burn for the current calendar month shall not be furnished, from all sources combined, with *Districts Nos. 7 or * 8 coal in excess of 100 percent of the consumer's monthly consumption requirements and such additional tonnage as may be necessary to bring it up to 20 days' supply (30 days for receivers via tidewater or river).

(3) Any public utility which has more than 20 days' supply of *Districts Nos. 7 or * 8 coal (more than 30 days for receivers via tidewater or river) based upon its burn for the current calendar month shall not be furnished, from all sources combined, with *Districts Nos. 7 or * 8 coal in excess of the percentage of the consumer's monthly requirements necessary to leave the consumer with a 20 days' supply (30 days for receivers via tidewater or river), but the maximum rate of draw-down shall not exceed 15 days' reduction in days' supply in any one month.

(4) Any industrial consumer who has a *15* days' supply of *Districts Nos. 7 or * 8 coal (*25* days for receivers via tidewater or river) based upon his burn for the current calendar month shall not be furnished, from all sources combined, with *Districts Nos. 7 or * 8 coal in excess of 100 percent of the consumer's monthly consumption requirements.

(5) Any industrial consumer who has less than *15* days' supply of *Districts Nos. 7 or * 8 coal (less than *25* days for receivers via tidewater or river) based upon his burn for the current calendar month shall not be furnished, from all sources combined, with *Districts Nos. 7 or * 8 coal in excess of 100 per cent of the consumer's monthly consumption requirements and such additional tonnage as may be necessary to bring it up to *15* days' supply (*25* days for receivers via tidewater or river).

(6) Any industrial consumer who has more than *15* days' supply of *Districts Nos. 7 or * 8 coal (more than *25* days for receivers via tidewater or river) based upon his burn for the current calendar month shall not be furnished, from all sources combined, with *Districts Nos. 7 or * 8 coal in excess of the percentage of the consumer's monthly requirements necessary to leave the consumer with a *15* days' supply (*25*

days for receivers via tidewater or river), but the maximum rate of draw-down shall not exceed 15 days' reduction in days' supply in any one month.

(d) *Surplus coal.* *If a shipper has, or expects to have, any excess coal, after having met the obligations imposed by §§ 602.875 to 602.884, inclusive, or after having disposed of all coal permitted to be shipped by him under §§ 602.875 to 602.884, inclusive; he shall immediately report such excess tonnage by sizes to the SFAW Area Distribution Manager for the district in which the coal is produced. After having made such report he may proceed to dispose of such excess tonnage but shall not make any commitments for shipment of such coal beyond five days from the date of his report. If, after the expiration of said five days, the Area Distribution Manager has not otherwise directed disposal of the coal, the shipper will be free to dispose of the coal without direction from SFAW.*

§ 602.877 *Lake, tidewater or river dock or elevator operators.* Lake, tidewater or river dock or elevator operators shall observe the limitations and requirements provided in §§ 602.875 and 602.876 to the extent that they are applicable to their respective distribution situations; *Provided, however, That commercial lake dock operators may, consistent with the normal and reasonable practice of the area during a period of relatively short supply of high grade coal, depart from the specific stock pile limitations provided above and serve their industrial consumers properly to meet their requirements until April 30, 1947.*

§ 602.878 *Districts Nos. 9, 10, 11 and 13—(a) Shipments to retail dealers and wholesalers.* Each shipper of coal produced in these districts shall ship during the period April 1, 1946 to March 31, 1947, to each retail dealer whom he served during the period April 1, 1945 to March 31, 1946, a tonnage of not less than 100 percent of the tonnage in comparable sizes supplied to such dealer during that period. These shipments shall take precedence over all other shipments and no shipment shall be made to any person which impairs the ability of the shipper to comply with this section.

*Except as the shipper and dealer may otherwise arrange among themselves, shipments, or offers of shipment of coal produced in Districts Nos. 9, 10 and 13 shall be made in equal amounts monthly as nearly as practicable.

Except as the shipper and dealer may otherwise arrange among themselves, each shipper of coal produced in District No. 11 shall so arrange his distribution schedules that he shall have shipped, or offered to ship, to each retail dealer not less than 25 percent before October 1, 1946, and not less than 65 percent before January 1, 1947, of the tonnage he is required to ship to that dealer during the fuel year. The balance of the required tonnage shall be shipped in equal amounts monthly as nearly as practicable during the months of January, February and March 1947.

If a retail dealer does not agree to accept shipments as provided in the above paragraphs, when offered by the shipper

on reasonable terms, the shipper is relieved from the obligation of making such shipments to that retail dealer.*

The provisions of § 602.875 (b) (2), (b) (3), (b) (4) and (b) (5) are hereby incorporated by reference and shall be applicable to shipments of coal to retail dealers provided for in this section.

If any shipper has domestic coal in an amount sufficient to supply any dealer in excess of the amount required to be shipped under this section, he shall report forthwith to the Area Distribution Manager, the name and address of the dealer to whom any such excess is being shipped, and the amount of such excess being shipped.

(b) *Shipments after fulfillment of obligations to dealers.* Shippers of coal produced in the above districts may dispose of the balance of their supply to any person without limitation (excluding retail dealers who are entitled to receive tonnage under § 602.878 (a)): *Provided, however,* That until further notice any industrial consumer who has more than 45 days' supply, based upon his burn for the current calendar month, shall not be furnished, from all sources combined, more than 100 percent of his monthly consumption requirements.

(c) *Surplus coal.* Notwithstanding any provisions of this section, any shipper of coal who is unable to dispose of his entire output because of any limitation herein may freely make shipments of such coal to any person, and tonnage so shipped shall not be considered in applying any limitations herein provided. In the event of any future program involving a draw-down of stockpiles, the receiver of such surplus coal shall not be required to draw down to a greater extent than any other consumer with respect to days' supply.

For the purpose of the reports required by § 602.882, surplus coal shall be reported separately.

§ 602.879 *Districts 5, 12, 14-23, inclusive.* No distribution limitations are imposed herein in respect to shipments of coal produced in the above districts.

§ 602.880 *Dealer's self-imposed limitation.* While no specific limitation is imposed upon deliveries by retail dealers to domestic consumers, in view of the limitation placed upon the deliveries to and receipts by such dealers, they will necessarily be guided by this limitation in the deliveries which they make to their customers to the end that all persons in the community will receive a fair share of coal in accordance with the best prevailing practice in the retail coal trade.

§ 602.881 *Prohibition against receiving illegal shipments.* All persons who purchase or receive coal for use or resale are prohibited from ordering or purchasing or receiving any coal which may not lawfully be furnished by a shipper under §§ 602.875 to 602.884, inclusive.

§ 602.882 *Reporting requirements—(a) Consumer reports.* Subject to exception stated below, no shipments or deliveries shall be made under §§ 602.875, 602.876, 602.877 and 602.878, to any consumer unless such consumer shall have filed with his shipper on or before the 24th day of the calendar month preceding the month

of shipment an order containing the following information:

(1) Separately, by uses, the specific number of tons ordered;

(2) Separately, by uses, his estimated days' supply as of the last day of the calendar month during which the order is placed;

(3) Separately, by uses, his current monthly consumption requirements;

(4) Separately, by uses and groups of districts, the total tonnage of coal which he has ordered from all suppliers for delivery to him from each group of districts during the same calendar month.

Districts Nos. 9, 10, 11 and 13 are to be reported as Group A.

Districts Nos. 1-4 inclusive, and 6, are to be reported as Group B.

Districts Nos. 7 and 8 (high volatile) are to be reported as Group C.

Districts Nos. 7 and 8 (low volatile) are to be reported as Group D.

All other districts and Canadian produced coals are to be reported as Group E.

Surplus (exempt) coal under §§ 602.875 (d), 602.876 (d) and 602.878 (c), are to be reported as Group F (with a parenthetical designation of district or origin).

(5) A statement on the order or confirmation of the order, certifying that the consumer is entitled under SFAW regulations to receive the amount of coal ordered, and that he has not placed any other order for coal except as permitted by SFAW regulations.

This section does not apply to any of the following consumers:

(i) A consumer who does not receive, during the calendar month, by rail from all sources combined, more than 200 tons or 4 carloads of bituminous coal;

(ii) A consumer who does not receive, during the calendar month, by truck from all sources combined, more than 400 tons of bituminous coal; and

(iii) A consumer to the extent that he receives coal from a commercial dock operator located on Lake Superior or on the west bank of Lake Michigan, north of and including Waukegan, Illinois, or in the Upper Peninsula of the State of Michigan.

(b) *Wholesaler reports.* No sales, shipments or deliveries shall be made to any wholesaler except a commercial dock operator located on the Great Lakes or on the Atlantic Seaboard north of but not including New York Harbor, unless such wholesaler's order contains the following information:

(1) The names and addresses of the consumers to whom the coal is to be sold by the wholesaler; and

(2) Such information as is required by subsection (a) of this section to be submitted to the wholesaler on the order of his consumer customer.

*In lieu of the requirements of this paragraph (b), a wholesaler, if he so desires, may submit to the SFAW Area Distribution Manager of the district in which the coal purchased by him for resale is produced, a separate report covering coal purchased from each producer, setting forth the information he otherwise would be required to furnish to such producer by subparagraphs (1) and (2) of this paragraph; *Provided, however,* That he notifies the producer

at the time he places his order that he has elected to file this information with SFAW.*

(c) *Reports by producers in Districts 1-13 (except 5 and 12) and tidewater and river dock or elevator operators.* Each producer in the above districts and each commercial dock or elevator operator at tidewater or on river shall, on or before the last day of each calendar month, file with the Area Distribution Manager for his district (reports for District No. 7 to be filed with Solid Fuels Administration for War, Washington 25, D. C.) an appropriate report as provided in Form S. F. A. No. 79 * (Revised July 1946) * for producers or Form 79 (a) * (Revised July 1946) * for dock or elevator operators for the next succeeding month. (For other reporting requirements, see SFAW Order No. 3, as amended.)

§ 602.883 *Former §§ 602.700 to 602.725, inclusive (Regulation No. 27).* The following provisions or excerpts from former §§ 602.700 to 602.725, inclusive (Regulation No. 27, 10 F.R. 2909), as stated or revised below, are herewith adopted and made a part of §§ 602.875 to 602.884, inclusive.

(a) *New and newly acquired mines.* (1) In any event any producer is producing coal at a mine which was not in operation during the period April 1, 1945, to March 31, 1946, he shall report to the Area Distribution Manager for his producing district (i) his approximate daily production and (ii) the tonnage, by sizes, he will have available for distribution to retail dealers. If any mine or section of a strip operation is worked out and abandoned and the operator has acquired and is working a new mine or strip operation, he shall apply the coal from such new workings in the same manner as he would have applied the coal from the former operation, unless SFAW directs otherwise.

(2) Any producer who has acquired a mine which was in operation during the period April 1, 1945, to March 31, 1946, shall supply the same retail dealers served by that mine during the period April 1, 1945, to March 31, 1946, in the same way and to the same extent as if such producer had shipped coal to such dealer during that period, unless SFAW directs otherwise.

(b) *Special reports to area distribution manager and related matters.* Each Area Distribution Manager is authorized to require any shipper of coal to furnish to him a detailed report of his shipments whenever, in the judgment of the Area Distribution Manager, such information is necessary to effectuate the purposes of §§ 602.875 to 602.884, inclusive.

All statements required by §§ 602.875 to 602.884, inclusive, to be contained in written orders and confirmations of orders, as well as those to be contained in reports required to be filed, shall be deemed made to SFAW. Any person disposing of coal may rely upon any statement or representation made by a purchaser pursuant to §§ 602.875 to 602.884, inclusive.

(c) *Data to be preserved.* All persons shall, on behalf of SFAW, keep and preserve for a period of not less than two years all written orders and confirmations of orders given to them pursuant to

the provisions of §§ 602.875 to 602.884, inclusive, and all records of shipments made pursuant thereto. These orders, confirmations of orders and records of shipments shall, upon request, be submitted for inspection, copy and audit by authorized representatives of SFAW.

(d) *No damage clause.* No person shall be held liable for damages or penalties under any contract for any default which shall result directly or indirectly from compliance with the provisions of §§ 602.875 to 602.884, inclusive.

(e) *Violations.* Any person who violates any provision of §§ 602.875 to 602.884, inclusive, or who, by any statement or omission, falsifies any records which he is required to keep, or who certifies false or misleading information to the Solid Fuels Administration for War or any person who obtains bituminous coal by means of a false or misleading statement, may be prohibited from delivering or receiving any material under priority control. SFAW may also take any other action deemed appropriate, including the making of a recommendation for prosecution under sec. 35 (A) of the Criminal Code, 18 U.S.C. sec. 80 (any person found guilty of violating that statute may be fined not more than \$10,000 or imprisoned for not more than ten years, or both) or under the Second War Powers Act, 15 U.S.C. sec. 633, as amended (any person found guilty of violating that statute may be fined not more than \$10,000 or imprisoned for not more than one year, or both).

(f) *Interpretations.* No interpretation of §§ 602.875 to 602.884, inclusive, is authorized or official unless it is in writing and signed by the Administrator, the Deputy Administrator or the General Counsel of SFAW. Inquiries and communications with reference to the meaning and application of §§ 602.875 to 602.884, inclusive, may be addressed to the Solid Fuels Administration for War, Washington 25, D. C., or to the appropriate SFAW Area Distribution Manager.

(g) *Applications for modification or exception.* Applications for modification or for exception from any provision of §§ 602.875 to 602.884, inclusive, shall be filed in triplicate with the SFAW Area Distribution Manager or with the Solid Fuels Administration for War, Washington 25, D. C. Applications shall set forth in detail the grounds for requesting relief and information supporting the request.

(h) *Applicability to Government agencies.* Sections 602.875 to 602.884, inclusive, are not applicable to receipts of coal by the War Department, Navy Department (including Marine Corps), Coast Guard Veterans Administration, Maritime Commission and the War Shipping Administration. It is applicable, however, to the Post Office, Treasury Procurement and Bureau of Prisons in that these agencies are restricted in the amount of coal they may receive.

(i) Words used in §§ 602.875 to 602.884, inclusive, shall have the same meaning as they had in §§ 602.700 to 602.725, inclusive (Regulation No. 27, 10 F.R. 2909), unless otherwise indicated in the context.

§ 602.884 *Revocation of SFAW Regulation No. 32.* Sections 602.875 to 602.886,

inclusive (Regulation No. 32, issued June 28, 1946 (11 F.R. 7402)), are hereby revoked and superseded by §§ 602.875 to 602.884, inclusive. (Revised SFAW Regulation No. 32). (Orders submitted by consumers in July for shipments during August need not be amended or resubmitted.)

This revised regulation shall become effective immediately and shall remain in effect until further notice.

NOTE: The reporting requirements of this regulation and the forms on which reports shall be made have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 5th day of August 1946.

J. A. KRUG,
Solid Fuels Administrator for War.
[F. R. Doc. 46-13711; Filed, Aug. 7, 1946;
10:15 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 323]

STATEMENT OF UNITED STATES CITIZENS OF JAPANESE ANCESTRY

ORDER PRESCRIBING FORMS

Pursuant to authority contained in the Selective Training and Service Act of

1940, as amended, I hereby prescribe the following change in DSS Forms:

Discontinuance of DSS Form 304A, entitled "Statement of United States Citizens of Japanese Ancestry." Disposition shall be made of all unused copies of this form.

The foregoing change shall become a part of the Selective Service Regulations effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

AUGUST, 6, 1946.

[F. R. Doc. 46-13751; Filed, Aug. 7, 1946;
11:47 a. m.]

Chapter VIII—Office of International Trade, Department of Commerce

Subchapter B—Export Control

[Amdt. 222]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is hereby amended as follows:

The list of commodities set forth in paragraph (b) is amended by adding thereto the following commodities:

Dept. of Comm. Sched. B No.	Commodity	Unit	GLV dollar value limits country group	
			K	E
787300	Track-laying tractors, carburetor type (new):			
787430	Under 35 drawbar horsepower.....	Unit.....	None	None
787450	35 under 50 drawbar horsepower.....	Unit.....	None	None
787530	50 under 65 drawbar horsepower.....	Unit.....	None	None
787550	65 under 80 drawbar horsepower.....	Unit.....	None	None
787550	80 and over drawbar horsepower.....	Unit.....	None	None
787600	Track-laying tractors, injection type, new:			
787730	Under 35 drawbar horsepower.....	Unit.....	None	None
787750	35 under 50 drawbar horsepower.....	Unit.....	None	None
787830	50 under 65 drawbar horsepower.....	Unit.....	None	None
787850	65 under 80 drawbar horsepower.....	Unit.....	None	None
787850	80 and over drawbar horsepower.....	Unit.....	None	None
788000	Wheel tractors, new (wheel tractor less wheels included):			
788400	1-plow.....	Unit.....	None	None
788500	2-plow.....	Unit.....	None	None
788500	3-plow.....	Unit.....	None	None

Shipments of any of the above commodities removed from general license which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions.

This amendment shall become effective on August 13, 1946.

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; Pub. Law 389, 79th Congress; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130)

FRANCIS MCINTYRE,
Acting Director,
Requirements and Supply Branch.

[F. R. Doc. 46-13676; Filed, Aug. 6, 1946;
3:22 p. m.]

[Amdt. 224]

PART 821—LIMITED PRODUCTION LICENSE FOR NEW TRACK-LAYING AND WHEEL TRACTORS

Sec. 821.1 General provisions.
821.2 Clearance for export.
821.3 Period of validity.

AUTHORITY: §§ 821.1 to 821.3, inclusive, issued under sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; Pub. Law 389, 79th Congress; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130.

§ 821.1 *General provisions.* (a) There is hereby established a limited production license designated "LPL", authorizing, subject to the other provisions of this part and subject to the conditions contained in the license issued by the Office of International Trade, Department of Commerce, the exportation

of new track-laying tractors and wheel tractors produced or shipped for export pursuant to the provisions of Civilian Production Administration Order L-356 and classified under one of the following Department of Commerce Schedule B numbers:

	<i>Schedule B Nos.</i>
Track-laying tractors.	787300, 787430, 787450, 787530, 787550, 787600, 787730, 787750, 787830, 787850.
Wheel tractors.	788000, 788400, 788500.

(b) Any person, who is a manufacturer, or the agent of a manufacturer, authorized, under the provisions of Civilian Production Administration Order L-356 to produce or ship for export any of the types of track-laying tractors or wheel tractors described in paragraph (a) of this section may, as an alternative procedure to the filing of applications for individual licenses, file an "Application for Limited Production License" (Form IT-48) accompanied by a letter indicating the proposed production and shipment for exportation of new track-laying tractors and wheel tractors during the third calendar quarter ending September 30, 1946, with a proposed schedule of distribution by countries or country groups. All of the terms, conditions, provisions and instructions contained in such form are hereby incorporated as a part of the regulations in this subchapter. All such applications shall contain such information as may be required by the Office of International Trade, Department of Commerce, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(c) Applications for limited production licenses for new track-laying tractors and wheel tractors shall be filed with the Office of International Trade, Department of Commerce, Washington 25, D. C.

(d) Any exporter, whose application for a limited production license for new track-laying tractors or wheel tractors has been approved by the Office of International Trade, Department of Commerce, may, during the period of validity of the license, export under such license to such country or group of countries listed in the attached distribution schedule (Form IT-561) not more than the quantity and type of tractors approved for export to each such country or group of countries in said distribution schedule.

(e) Limited production licenses and related distribution schedules for tractors described in paragraph (a) of this section may be amended upon application of the holder of such license in the form of a letter addressed to the Office of International Trade, Department of Commerce, Washington 25, D. C. Amendments will be issued by letter or by an amended distribution schedule which shall become a part of the limited production license and distribution schedule to which the amendment is applicable.

§ 821.2 *Clearance for export.* (a) The provisions of § 801.7 of this subchapter shall not apply to exportations under any limited production license for new track-laying tractors and wheel

tractors. In lieu of the presentation of an original export license or other document issued by the Department of Commerce, an exporter making an exportation of tractors under the limited production license shall present to the United States Collector of Customs at the port of exit a Shipper's Export Declaration bearing the symbol "LPL", and the number of the limited production license pursuant to which such exportation is being made.

(b) The use by any exporter of the symbol "LPL" on a Shipper's Export Declaration for the purpose of clearing an exportation of new track-laying tractors and wheel tractors constitutes a certification by the exporter (1) that the exportation of the commodities described in such Shipper's Export Declaration is authorized under the limited production license therein identified to the destination specified; (2) that the type and quantity of such commodities are within the distribution schedule relating to such license; and (3) that all of the other provisions and conditions of said license have been met.

§ 821.3 *Period of validity.* Limited production licenses for new track-laying tractors and wheel tractors shall be valid

for the period beginning with the date of issuance and expiring on December 31, 1946, unless the period of validity is reduced or extended by the Office of International Trade, Department of Commerce. All limited production licenses for such vehicles are subject to revocation or revision at any time by the Department of Commerce.

Dated: August 2, 1946.

JOHN C. BORTON,
Director,
Requirements and Supply Branch.

[F. R. Doc. 46-13678; Filed, Aug. 6, 1946; 3:22 p. m.]

[Amdt. 223]

PART 801—GENERAL REGULATIONS
PROHIBITED EXPORTATIONS

SECTION 801.2. *Prohibited exportations* is hereby amended in the following particulars:

The list of commodities set forth in paragraph (b) is amended in the following particulars:

1. The following commodities are hereby added to the list of commodities:

Dept. of Comm. Sched. B No.	Commodity	Unit	GLV dollar value limits country group	
			K	E
	Upper leather (except lining and patent):			
	Cattle, side upper:			
030200	Splits; finished.....	Sq. ft.....	100	25
030300	Splits; wax and rough.....	Lb.....	100	25
030700	Sheep and lamb.....	Sq. ft.....	100	25
	Lining leather:			
032100	Sheep and lamb.....	Sq. ft.....	100	25
	Glove and garment leather (hat leather included):			
033650	Sheep and lamb.....	Sq. ft.....	100	25
033850	Pig and hog.....	Sq. ft.....	100	25
060000	Leather wetting.....	Sq. ft.....	100	25
068000	Leather belting, new.....	Lb.....	100	25

2. The following commodities are hereby removed from the list of commodities:

Dept. of Comm. Sched. B No.	Commodity
813590	Strychnine and strychnine salts, in forms other than bulk.
915590	Dental burrs.

Shipments of any of the above commodities removed from general license which were on dock, on lighter, laden aboard on exporting carrier or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions.

This amendment shall become effective immediately except that with respect to commodities added to the list of commodities, it shall become effective on August 13, 1946.

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; Pub. Law 389, 79th Cong.; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130)

Dated: August 2, 1946.

JOHN C. BORTON,
Director,
Requirements and Supply Branch.

[F. R. Doc. 46-13677; Filed, Aug. 6, 1946; 3:22 p. m.]

Chapter IX—Civilian Production Administration

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827 and Pub. Law 270, 79th Cong., and Pub. Laws 270 and 475, 79th Cong.; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9599, 10 F.R. 10155; E.O. 9638, 10 F.R. 12591; CPA Reg. 1, Nov. 5, 1945, 10 F.R. 13714.

PART 944 — REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Direction 13, as Amended Aug. 7, 1946]

EMERGENCY SUSPENSION OF OUTSTANDING RATINGS FOR IRON AND STEEL

The following direction is issued pursuant to Priorities Regulation 1:

(a) *What this direction does.* The general work stoppages at iron and steel plants will cause an immediate and drastic curtailment in supplies of these basic materials. Since preference ratings already issued for these materials did not take into account the greatly reduced supply, and since it is desired that distributors' stocks be available to fill urgent orders during the emergency, this direction suspends all outstanding ratings for these materials until further notice. It also explains what emergency actions may be taken by CPA.

(b) *Suspension of preference ratings.* (1) Every order for items of iron and steel bearing a preference rating which has been placed, or which is placed during the period covered by this direction, must be treated as unrated. However, this does not apply to orders, on distributors bearing a rating of AAA certified as having been issued by CPA on or after January 21, 1946. In addition, this does not apply to orders for nails served on distributors and bearing a rating of HHH or HH. Also, specific orders must be filled by producers and distributors to the extent required by any written directives issued by CPA.

(2) Upon the revocation of this direction, unless otherwise stated, any portion of an order bearing a rating which has not been filled is again considered rated as if the rating had never been suspended.

(c) *Emergency actions by CPA.* In cases of an emergency where the filling of a particular order for iron and steel is absolutely essential in the interests of the public health or safety, the CPA may issue a specific written directive to a producer or distributor requiring the filling of that order from finished stocks on hand. Alternatively, it may assign a rating of AAA to an order in this type of serious emergency. This rating will be valid only against stocks of distributors, and may not be extended to producers.

(d) *Definitions.* As used in this direction:

(1) "Iron and steel" means only those materials in the forms and shapes listed in Schedule I to CPA Order M-21.

(e) *Effective date.* This direction is effective 12:01 a. m., January 21, 1946, and remains in effect until modified or revoked.

(f) *Revocation of outstanding ratings.* Any preference rating (except AAA) that has been, on August 7, 1946, applied to the delivery of any iron castings or steel product (in the forms listed on Schedule I of Order M-21) is hereby revoked.

(g) *Exemption of deliveries after September 30 and expiration date.* This direction does not apply to any purchase order for iron and steel which calls for delivery after September 30, 1946. This direction will expire at midnight September 30, 1946.

Issued this 7th day of August 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-13715; Filed, Aug. 7, 1946;
11:30 a. m.]

PART 944—REGULATIONS APPLICABLE TO
THE OPERATIONS OF THE PRIORITIES SYSTEM
[Priorities Reg. 28, as Amended Aug. 7, 1946]
RESTRICTED PRIORITIES ASSISTANCE FOR NON-
MILITARY PURPOSES

§ 944.49 *Priorities Regulation 28*—(a) *Background and purpose of this regulation.* With the exception of certain areas of critical shortages, such as the housing and apparel fields, the increased

supply of many materials resulting from reduction in military procurement is generally adequate to meet demands. It is the declared policy of the Civilian Production Administration to remove priority controls as quickly as possible. In view of this situation and policy, the issuance of preference ratings by the CPA will be restricted to a minimum. Outside the areas of critical shortages mentioned above, limited priorities assistance may be given for non-military purposes only in specific instances where the need is clearly demonstrated as necessary to assist reconversion or insure the continued fulfillment of essential civilian or export needs. This regulation describes the conditions under which CC ratings will be assigned in such cases, except for textile fabrics or yarns for use in the United States which are covered by Priorities Regulation 28A.

Paragraph (b) below lists other regulations and orders which explain the assignment and use of preference ratings for purposes not covered by this regulation. Paragraph (c) states how applications should be filed under this regulation for use in this country. Paragraph (d) gives the general rules governing the assignment of such ratings, and paragraphs (e) through (h) cover the special situations where these ratings may be granted. Paragraph (i) explains how CC ratings are granted for export.

(b) *Other procedures for assigning ratings.* Priorities Regulation 1 explains in general the rating system, including the sequence of ratings and the purposes for which AAA and MM ratings are assigned. In addition, Priorities Regulation 28A, and certain orders in the M-317 and M-328 series, explain the assignment of CC ratings for certain textiles and related items, and Priorities Regulation 33 explains the assignment of HH ratings for housing.

(c) *How to apply for a CC rating.* Applications for a CC rating under this regulation for uses in the United States, its territories and possessions, should be made on Form CPA-541A addressed to the Civilian Production Administration, Washington 25, D. C., Ref: PR-28. Applications for textile yarns and fabrics covered by Priorities Regulation 28A should be made in accordance with that regulation, and applications for other textiles and related items for certain end uses should be made as explained in orders in the M-317 and M-328 series.

(d) *When the Civilian Production Administration will assign a CC rating under this regulation.* (1) When effective assistance of other kinds is not practicable (CPA may locate sources able to ship without ratings), CC ratings may be granted for specific items and quantities of materials in the limited classes of cases described in paragraphs (e) through (h) below, upon determination in each instance that all the following conditions are met:

- (i) The use of substitute and less scarce materials is not practicable;
- (ii) Reasonable efforts have been made to get the required item without a rating; and
- (iii) A rating is required to obtain the item by the latest date and in the mini-

mum quantity practicable after taking into consideration material in inventory and material available without a rating.

(2) In the case of production materials and operating supplies, the CPA will not generally assign ratings for more than a 60-day supply of the item in question. This 60-day limitation does not preclude later applications.

(3) Preference ratings will not be assigned for the procurement of items which will be resold without change in form.

(4) The CPA will not grant a CC rating under this regulation where it would preempt an undue proportion of the limited amounts of material available. If the material is in such short supply that it is generally hard to obtain the CPA may provide other procedures rather than a rating under this regulation.

(5) CC ratings will be denied where it appears that the item for which the rating is requested is available under different terms of sale or from a supplier other than the applicant's customary one.

(6) In certain cases, the assignment of CC ratings is governed by or forbidden by other orders of CPA. Thus, no CC ratings will be assigned for items on List A of Priorities Regulation 3. CC ratings will be assigned for deliveries of iron or steel after September 30, 1946, under the provisions of this regulation. CC ratings will not be assigned for deliveries of iron or steel before September 30, however the Civilian Production Administration may in a few circumstances authorize the placing of "certified orders" for steel, iron castings, or merchant pig iron as explained in Directions 12 and 13 to Order M-21.

(7) Where it appears that a CC rating assigned under this regulation will have an undue impact on a single source of supply, the Civilian Production Administration may limit the amount of materials or equipment that may be ordered with the rating from a single source or ordered for delivery during one period of time.

(e) *Critical products.* (1) The CPA may assign a CC rating as explained in Schedule I to this regulation to get material which is needed to sustain or increase production of an item or service listed on that Schedule which the CPA has determined to be in such tight supply that it is a serious threat to the economy.

(2) The Civilian Production Administration may assign CC ratings for the fourth quarter requirements for iron castings and steel of certain products listed on Direction 18 to this regulation on a single application as explained in that direction.

(f) *Production materials, capital equipment and MRO.* Under the conditions stated in paragraph (d), the CPA may grant a CC rating to get production materials, capital equipment or maintenance, repair and operating supplies (MRO) in the following cases:

- (1) The CPA may assign a CC rating to get a "bottleneck" item where a great majority of the materials or of the equipment needed is on hand or is obtainable

without priorities assistance and it is demonstrated that failure to receive it in the quantity and on the date requested will prevent an entire plant from beginning, resuming or maintaining operations at the minimum economic rate. The "minimum economic rate" of operation means the rate of operation at which the plant as a whole must operate to avoid operating at a financial loss, without regard to any particular product if the plant makes more than one. If a plant is currently operating at less than capacity without incurring a financial loss, the minimum economic rate of operation will not be considered a higher rate than the current one, even though some of the plant's regular products are not currently being produced.

(2) Special consideration, not limited to bottleneck items, will be given to the needs of small business and to the business needs of World War II Veterans up to the minimum economic rate of operation. For this purpose "small business" generally means a business in which not more than 250 persons are actively employed. A veteran who wants to get farm machinery or equipment listed in War Food Order 135 of the Department of Agriculture for use on a farm should apply under that order for a veterans' preference certificate. No farmer should apply under this regulation for such farm machinery or equipment unless he qualifies under paragraph (h) (4) below.

(3) CC ratings, however, will not be ordinarily assigned under this paragraph (f) for specialized machinery or equipment designed and made solely for the production of a critical product listed in Schedule I to this regulation. CC ratings for such machinery and equipment will be assigned only under the criteria stated in paragraph (h) below, as it is considered that such specialized machinery or equipment will be used to better advantage for maximum production of critical products if it is sold through normal channels of distribution to the greatest extent possible.

(g) Construction. Under the conditions stated in paragraph (d), the CPA may assign CC ratings in the following cases:

(1) A bottleneck item which is needed to complete non-housing construction, and which is to be physically incorporated in the structure. CC ratings will not be assigned under this paragraph (g) (1) for any materials listed on Schedule A to Priorities Regulation 33.

(2) An item of material not listed on Schedule A to Priorities Regulation 33 which will be physically incorporated in a dwelling and is needed to make the dwelling habitable.

(3) An item of production material, capital equipment, MRO, or material for construction needed by a producer of industrially made houses, sections or panels. Capital equipment will be rated for expansion of facilities only in special cases where the National Housing Agency recommends increased production under the Veterans' Emergency Housing Pro-

gram. An industrially made house, section or panel is either produced in a factory or, in the case of concrete, precast either in a factory, or on the site. CC ratings will be assigned only to producers approved by the National Housing Agency to participate in the Veterans' Emergency Housing Program. The Standards which the National Housing Agency applies in such approvals may be obtained at the Office of the Housing Administrator, Washington 25, D. C.

(4) An item of specialized equipment (except for site-preparation equipment) needed for the erection of industrially made houses or which will be continually used for erection of conventional dwelling units under the Veterans' Emergency Housing Program, or an item of MRO needed for such equipment.

NOTE: Subparagraph (5) formerly subparagraph (3), redesignated Aug. 7, 1946.

(5) A person applying for a CC rating to get construction materials or equipment must show on his application Form CPA-541A that approval for the project has been granted on Form CPA-4386 or CPA-4423, or that the construction is exempt under Veterans Housing Program Order No. 1.

(h) Additional assistance in special cases. Paragraphs (e) through (g) state the provisions under which CC ratings will be given in most situations with the special restrictions and considerations applicable to those situations. In addition, under the conditions in paragraph (d) but without regard to special conditions in paragraphs (e) through (g), the CPA may grant a CC rating under this regulation to get material in the following cases:

(1) The item is needed to prevent a delay in the completion on time of military procurement, production or construction; or

(2) The item is needed for incorporation into a product to be delivered on a CC or HH rating, and the item is not on hand or available on order; or

(3) The item is needed for use by the applicant to eliminate serious hazard to the life, health or safety of a large number of people, or to maintain or establish essential public or other community service; or

(4) The item is essential to replace one which has been destroyed by flood, fire, tornado or other act of God, and the item (i) is to be used on a farm, or (ii) is essential to the continued operation of a plant, facility or service at the minimum economic rate; or

(5) The item is essential to the continued operation of a plant, facility or service at the minimum economic rate and is shown to fall in one of the following cases:

(i) It is needed in an emergency to replace equipment which has actually broken down and cannot be repaired; or

(ii) It is needed to replace equipment which is subject to recurring mechanical breakdowns and is out of service so frequently as to impede operations; or

(iii) It is needed to replace equipment which has been condemned as unsafe or illegal by public authority or insurance underwriters and which cannot be repaired and must be replaced under requirements of law or insurance contracts; or

(6) The item is needed as a repair part to prevent imminent breakdown of machinery or equipment; or

(7) Failure to obtain delivery of the item would result in exceptional community hardship or in unreasonable and exceptional hardship not suffered generally by others in the same industry or activity.

(8) The item is needed for emergency requirements for veterans educational facilities.

(9) The item is required to complete construction or equipment of a plant required for industrial food manufacturing, processing, packaging preservation and storage (except soft drinks, alcoholic beverages and chewing gum). CC ratings will ordinarily be granted for this purpose only where vital for famine relief, or processing or storage of this year's crops. Restaurants, hotels, retail stores and farms are not included in this category.

(1) CC Ratings for export—(1) General. In the case of materials for export (other than certain textiles and related items referred to in paragraph (i) (2) below), applications from Canada should be filed with the Priorities Officer of Canada, and will be handled on the same basis as United States applications. In the case of other exports, upon demonstration that a rating is required, a CC rating may be assigned for procurement in this country of materials for export to prevent serious injury to the minimum essential civilian economies of friendly foreign nations; or to aid in the restoration, development and maintenance of foreign sources of supplies vitally needed in this country; or for other reasons of public policy. Applications for such ratings should be made to the Office of International Trade, Department of Commerce on the forms prescribed by that agency.

(2) Certain textiles and related items. For exports, including shipments to Canada, of cotton broad woven fabrics for which set-asides are provided in the distribution schedules of Order M-317A, seine twine, fish netting, and cotton yarn, CC ratings may be granted, on specific applications only, to the extent of the export programs fixed by the CPA. Applications for such ratings should be made to the Office of International Trade, Department of Commerce, on the forms prescribed by that Agency; except that for shipments to Canada, applications should be filed with the Cotton Administrator of the Wartime Prices and Trade Board and will be acted on by the CPA.

Issued this 7th day of August 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-13716; Filed, Aug. 7, 1946;
11:31 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 33, Schedule A, as Amended Aug. 7, 1946]

§ 944.54 *Schedule A to Priorities Regulation 33.* The priorities assistance assigned to builders under Priorities Regulation 33 may be used only to get the following materials (additions to and deletions from this schedule may be made from time to time):

	<i>Direction to Priorities Regulation 33 applying to the material</i>
Hardwood flooring.....	Direction 1
Millwork (including doors and built-in kitchen cabinets)....	Direction 1
Lumber.....	Direction 1
Softwood plywood (limited by Direction 1A as to uses and quantities).....	Direction 1A
Plumbing fixtures (limited to the following, as listed and defined in Direction 2; bathtubs, lavatories, kitchen sinks, water closets).....	Direction 2
Radiation (cast iron tubular, cast iron convactor, extended surface convactor).....	Direction 3
Cast iron soil pipe and fittings..	Direction 4
Gypsum board.....	Direction 5
Gypsum lath.....	Direction 5
Structural clay tile.....	Direction 6
Common and face brick.....	Direction 6
Concrete blocks.....	Direction 7
Prefabricated houses.....	Direction 8
Prefabricated sections.....	Direction 8
Prefabricated panels.....	Direction 8
Clay sewer pipe.....	None
Warm-air furnaces.....	Direction 9
Building board (except hard-board).....	Direction 10
*Nails.....	None
Builders hardware of the following types only: (1) Butts, hinges, hasps; (2) door locks, lock trim; (3) sash, screen, and shelf hardware; (4) night latches, dead locks; (5) spring hinges; (6) sash balances, sash pulleys.....	None
Metal doors and frames.....	None
Metal windows, sash and frames.....	None
Metal plaster base (metal lath).....	None
Boilers (low pressure—residential heating types).....	None
Furnaces (floor, wall).....	None
Registers and grilles (for heating systems).....	None
Wiring devices (electrical) of the following kinds only: (1) Sockets, lampholders, and lamp receptacles—medium screw base types; (2) convenience receptacles (outlets); (3) toggle switches; (4) wall and face plates; (5) outlet, switch, and receptacle boxes—covers, hangers, supports, and clamps included; (6) box connectors for residential-type metallic or non-metallic sheathed cable.....	None

For item marked with an asterisk (*) in the above list, HHH and HH ratings have no effect on orders placed with producers and such ratings may be disregarded by them.

Definitions of the above items may be given in the appropriate directions.

Issued this 7th day of August 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-13719; Filed, Aug. 7, 1946; 11:30 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Reg. 33, List 1 to Direction 8, as Amended Aug. 7, 1946]

BUILDING AND CONSTRUCTION MATERIALS

The priorities assistance given under Direction 8 to Priorities Regulation 33 to prefabricators may be used only to get the following materials (additions to and deletions from this list may be made from time to time):

	<i>Direction to Priorities Regulation 33 applying to the material</i>
Lumber.....	Direction 1
Hardwood flooring.....	Direction 1
Millwork (including doors and built-in kitchen cabinets)....	Direction 1
Construction plywood, interior and exterior types.....	Direction 1A
Bathtubs.....	Direction 2
Cast iron soil pipe and fittings..	Direction 4
Gypsum Lath.....	Direction 5
Gypsum Board.....	Direction 5
Prefabricated sections.....	Direction 8
Prefabricated panels.....	Direction 8
Building board (except hard-board).....	Direction 10
*Nails.....	None

*A prefabricator may use an HH rating to get the minimum quantities of nails he needs to complete his third-quarter production as approved on Form CPA-4415, regardless of whether his Form CPA-4415 specifically lists nails.

Definitions of the above items may be found in the appropriate directions.

Issued this 7th day of August 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-13717; Filed, Aug. 7, 1946; 11:31 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

VETERANS' EMERGENCY HOUSING PROGRAM; LENGTH OF TIME DWELLING MUST BE HELD AND OFFERED FOR SALE

[Priorities Reg. 33, as Amended June 14, 1946, Amdt. 1]

Section 944.54 *Priorities Regulation 33* is amended by inserting the following new paragraphs after paragraph (h) (1):

The length of time for which a dwelling accommodation must be held and publicly offered for sale to veterans of World War II or members of the Armed Forces is amended from thirty days to sixty days, with respect to accommodations covered by applications approved after August 6, 1946. This applies both in the case of a sale by the original builder and in the case of a sale by a subsequent

owner of such a dwelling accommodation.

This amends the provisions of paragraph (c) (1), paragraph (h) (2), paragraph (h) (3) and paragraph (i) (2) by changing the thirty day period referred to in those paragraphs to sixty days in the case of dwellings held and publicly offered for sale.

This amendment does not affect dwelling accommodations built under the regulation if the application covering the accommodations was approved on or before August 6, 1946. This is true as to such earlier approvals both in the case of the original sales by builders and in the case of sales by subsequent owners. These accommodations, for which approvals were issued on or before August 6, 1946, must be held and publicly offered for sale to veterans of World War II and members of the Armed Forces for thirty days, as provided in earlier versions of Priorities Regulation 33.

This amendment does not affect any provision of Priorities Regulation 33 except the requirements of paragraphs (c), (h) and (i) with respect to the length of time for which a dwelling accommodation built under the regulation must be held for sale and publicly offered to veterans of World War II and members of the Armed Forces. It does not require any change in the length of time for which dwelling accommodations built under the regulation must be held and publicly offered for rent to veterans of World War II and members of the Armed Forces.

Issued this 6th day of August 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-13646; Filed, Aug. 6, 1946; 11:33 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 33, Direction 11 as Amended Aug. 7, 1946]

VETERANS' EMERGENCY HOUSING PROGRAM; FPFA TEMPORARY RE-USE HOUSING PROJECTS

The following direction is issued pursuant to Priorities Regulation 33:

(a) *What this direction does.* As part of the Veterans' Emergency Housing Program under the Veterans' Emergency Housing Act of 1946, the Federal Public Housing Authority (FPFA) is erecting 200,000 temporary housing units for emergency use by veterans in distress situations, pending completion of permanent housing units under the Veterans' Emergency Housing Program. Many of these temporary units are being erected for municipalities, to meet existing housing emergencies, and must be completed as soon as possible. Others are being erected at universities and colleges and must be ready for use during the coming scholastic year. Some of the building materials required for these units are in extremely short supply, and unless special assistance is given, local suppliers will not be able to meet those needs. This direction provides for special assistance to FPFA contractors in some instances. The special assistance includes several types of "super-priority" procedures which may be authorized for many of the building materials on Schedule A to Priorities Regulation

33, if efforts to get them on time through the use of HH ratings are unsuccessful. In addition, as explained in this direction, special assistance for other materials may be available under other CPA orders.

Special Assistance Available

(b) *When contractors may apply for special assistance.* It is expected that a contractor will ordinarily get most of his building materials for an FPFA temporary re-use housing project without any priorities assistance except the HH ratings assigned under Priorities Regulation 33 for the particular materials listed on Schedule A to PR 33.

However, a contractor may apply to the FPFA (see paragraph (v) below) for special assistance under certain circumstances. Unless otherwise specified below, he may apply only in cases where he has served purchase orders (with an HH rating, if authorized) for any building material on three or more sources of supply and received notice of their inability to deliver by the date required. The type of special assistance available and the method of applying depend on the particular material involved, as explained below.

(c) *Types of special assistance.* The various types of special assistance available are tabulated as follows and explained below:

Material for which special assistance is required	Type of special assistance available for particular material
1. Any material listed in paragraph (d) below (certain types of building board, cast iron soil pipe).	"Certified-HH" rating—superior to uncertified HH and CC ratings and extendible to producers.
2. Any material listed in paragraph (j) below (hardwood flooring, lumber, millwork, softwood plywood).	"Individual directive" or other action—requiring preferential treatment by a producer or supplier for a specific contractor's order.
3. Any material listed in paragraph (m) below (certain of the materials listed in Schedule A to PR 33 but not otherwise provided for in this direction).	HHH rating—superior to HH and CC ratings but otherwise identical with HH rating.
4. Any material listed in paragraph (p) below (certain types of heating and plumbing fixtures made for FPFA projects).	"Authorized order"—directed at "earmarked products" made specifically for FPFA projects.
5. Any other material (see paragraph (s) below).....	CC rating under Priorities Regulation 28.

"Certified-HH" Rating Procedure

(d) *Material for which certified-HH ratings may be authorized.* Special assistance for the following materials may be given in the form of authority to use a "certified-HH" rated order:

Material
Cast iron soil pipe (including fittings).
Gypsum board.
Building board (as defined in Direction 10 to PR 33).

A "certified-HH" rated order is an HH rated order to which the endorsement described in paragraph (f) below has been added by an authorized FPFA representative. A certified-HH rating has a higher priority than an uncertified HH rating or a CC rating and is extendible by suppliers. Its priority, however, is lower than ratings of AAA or MM.

(e) *Authorization for certified-HH rating.* Under the conditions stated in paragraph (b) above, a contractor may apply for certified-HH rating assistance by presenting his proposed purchase order to the FPFA. If the FPFA decides that special assistance is needed, the authorized FPFA representative may endorse the following certificate on the contractor's purchase order:

Certified-HH rated order authorized, under Direction 11 to PR 33, for materials to be used in FPFA temporary re-use housing projects.

Signature and title of authorized FPFA representative.

This certificate makes the purchase order a "certified-HH" rated order, entitled to the preferential treatment explained in paragraphs (f) and (g) below. The order will then be returned to the contractor, to be placed by him with his source of supply.

(f) *Suppliers' handling of certified-HH rated orders.* A distributor, jobber, dealer, or other supplier must not fill certified-HH rated orders out of inventory on hand or with material previously ordered. Instead, he must get the material by extending the certified-HH rating to his source of supply. Upon receiving material so ordered, he must deliver it on the order bearing the rating which was extended. Ratings are to be extended as explained in Priorities Regulation 3 except that the following statement is to be added to the certificate required by PR 3:

The items ordered herewith are for certified-HH rated orders authorized, under Direction 11 to PR 33, for materials to be used in FPFA temporary re-use housing projects.

(g) *Producers' handling of certified-HH and other rated orders.* Producers must accept and fill certified-HH rated orders in accordance with the rules of Priorities Regulation 1, for rated orders, subject to the following special rules:

(1) *Priority for certified-HH rating.* A certified-HH rating is of higher priority than an uncertified HH or a CC rating but of lower priority than an AAA or MM rating. Subject to the "ceiling" provision of paragraph (g) (2) below, a producer receiving a certified-HH order for any material listed in paragraph (d) above must fill it in preference to any uncertified HH or CC rated orders.

(2) *"Ceiling" on accepting certified-HH and AAA rated orders.* The maximum combined amount of certified-HH and AAA rated orders which a producer need accept for delivery of any material listed in paragraph (d) above in any month is 20% of his production of that material during that month. A producer may accept more than this amount, but is not required to do so. The FPFA requirements for the materials listed in paragraph (d) above are so large that it is essential that they be spread evenly among all producers. If any single producer devoted a major part of his production to FPFA requirements, the resulting dislocation in his normal distribution might seriously interfere with the other phases of the Veterans' Emergency Housing Program.

(h) *Producer's equitable distribution of remainder of production.* After providing, each month, for certified-HH and AAA rated orders for a particular material listed in paragraph (d) above, a producer should distribute the remainder of the month's production of that material among his customers in each area in a fair and equitable manner, without regard to the certified-HH and AAA rated orders which any such customer may have served on him. In determining the amount of material to be shipped into each area, a producer should give due regard to the requirements of the Veterans' Emergency Housing Program.

(i) *Applicability of PR 33 directions.* The ceiling and set-aside requirements of Priorities Regulation 33 directions covering materials listed in paragraph (d) above do

not apply to quantities delivered or received in connection with certified-HH and AAA ratings. In addition, such quantities are to be excluded by producers and suppliers in all their ceiling and set-aside calculations.

"Individual Directive" or Other Assistance Procedure for Certain Lumber Products

(j) *Materials for which special assistance may be issued.* Special assistance for the following materials may be given by the Civilian Production Administration, in the form of an individual directive or other arrangement under which a producer or supplier will provide preferential treatment for a particular purchase order:

Material (defined in PR 33 directions)	Applicable PR 33 direction
Hardwood flooring.....	Direction 1.
Lumber.....	Do.
Millwork.....	Do.
Plywood (softwood).....	Direction 1A.

(k) *Procedure for getting special assistance.* Under the conditions stated in paragraph (b) above, a contractor may apply for this special assistance by filing a Form CPA-4473 application with the FPFA. If the FPFA believes that special assistance is needed, it will forward the application to the appropriate Civilian Production Administration office (Portland, Oregon, or Washington, D. C.). The Civilian Production Administration office will review the request and, if approved, will take appropriate assistance action, notifying the contractor and other interested persons.

(l) *Applicability of PR 33 directions.* An order for which special assistance is given will be handled in accordance with the applicable direction (1 or 1A) to PR 33, unless otherwise specified in the CPA action.

HHH-Rating Procedure

(m) *Materials for which HHH ratings may be authorized.* Special assistance for a material listed below may be given in the form of authority to use an HHH rating. An HHH rating has a higher priority than a rating of HH or CC but a lower priority than ratings of AAA or MM. The materials for which this assistance may be given are as follows:

Material
Plumbing fixtures, of the following types in residential design models only:
Lavatories.
Kitchen sinks (including sink-and-tray combinations).
Water closets (1-piece combination, bowls, tanks).
Common and face brick.
Concrete blocks.
Clay sewer pipe.
Nails.
Builders hardware—as listed in Schedule A to PR 33.
Wiring devices (electrical)—as listed in Schedule A to PR 33.

(n) *Authorization for HHH rating.* Under the conditions stated in paragraph (b) above, a contractor may apply to the FPFA for authorization to use an HHH rating. Application is to be made in the manner required by the FPFA. If the FPFA decides that the special assistance is needed, it may authorize the contractor to use an HHH rating. The method for using the HHH rating is the same as for the HH rating.

(o) *Suppliers' and producers' handling of HHH ratings.* A supplier or producer must accept and fill an HHH rated order in accordance with the rules of Priorities Regulation 1, subject to the special rules mentioned in this paragraph. He must fill an HHH rated order in preference to an HH or CC rated order. In all other respects, however, an HHH rated order is to be treated exactly as if it were an HH rated order. This includes

handling under any applicable direction to Priorities Regulation 33. If the applicable PR 33 direction permits suppliers to extend an HH rating for a particular material, they may also extend an HHH rating for that material. If, however, the applicable PR 33 direction does not permit extension of an HH rating, an HHH rating is likewise not extendible. If the applicable PR 33 direction requires that certain quantities be set aside for or delivered on HH rated orders, or prohibits delivery of certain quantities except on HH rated orders, these quantities are available for HHH rated orders, if received, as well as HH rated orders. Quantities delivered on HHH rated orders shall be included with quantities delivered on HH orders in making ceiling and set aside calculations.

"Authorized Order" Procedure for "Earmarked Products"

(p) *Materials made specially for FPFA projects ("earmarked products")*. Under Directions 12 and 13 to Order M-21, the CPA is giving special assistance for steel and iron castings to certain producers for the manufacture of specific quantities of the following kinds of plumbing and heating equipment:

Material

- Cooking ranges (21" gas, up to 36" oil).
- Ice refrigerators.
- Shower stalls.
- Space heaters (gas, oil).
- Water heaters (20-gal. gas, 30-gal. oil).

Under Order L-357, the quantities so manufactured are called "earmarked products" and may be sold only on "authorized orders" for FPFA temporary re-use housing projects.

(q) *Authorization for "authorized orders"*. In general, where a contractor needs materials of the kinds listed in paragraph (p) above, he will ordinarily be supplied, on "authorized orders", from the production earmarked for FPFA projects. To get any such earmarked products, a contractor should present one or more proposed purchase orders to the FPFA. The authorized FPFA representative may then place the following endorsement on each purchase order:

Authorized order, under Direction 11 to PR 33 and Order L-357, for earmarked products to be used in FPFA temporary re-use housing projects.

Signature and title of authorized
FPFA representative

This endorsement makes an order an "authorized order". An "authorized order" is not a rated order and is not to be treated as a rated order. It is, however, the only type of order on which "earmarked products" under Order L-357 may be delivered. After endorsement, an order will be returned to the contractor, together with any necessary instructions for placing it. In the case of ice refrigerators, the FPFA arrangements with the producers may provide for direct sale of this item by producers to FPFA contractors, on authorized orders.

(r) *Handling of authorized orders*. Order L-357 explains how suppliers and producers are to handle authorized orders.

CC Rating Procedure

(s) *Materials for which CC rating may be authorized*. Under Priorities Regulation 28, the Civilian Production Administration may assign a CC rating, if certain conditions exist, for construction materials which are not listed on Schedule A to Priorities Regulation 33.

(t) *Procedure for getting CC rating authorization*. Under the conditions specified in Priorities Regulation 28, a contractor may present, to the FPFA, a Form CPA-541A application for a CC rating. If the FPFA believes that such assistance is needed, it will

forward the application to the Civilian Production Administration, Washington 25, D. C., Ref: PR 28. The application will be reviewed by the CPA in accordance with PR 28. If approved, the contractor may use the CC rating as authorized.

(u) *Handling of CC rated orders*. Suppliers and producers must accept and fill CC rated orders in accordance with the rules of Priorities Regulation 1.

Communications and Applications

(v) *Addressing communications and applications*—(1) *By contractors*. Contractors should address all communications concerning this direction, and make all applications under this direction, to the FPFA project engineer or to such other FPFA official as may be designated by that agency.

(2) *By other persons*. Communications by producers and suppliers concerning the operation of the various priorities provisions of this direction and obligations under them should be addressed to the Civilian Production Administration, Washington 25, D. C., Ref: Dir. 11 to PR 33. All other communications should be addressed to the Federal Public Housing Authority, either at the office of the project engineer or at the appropriate regional or field office (see Appendix A).

Definitions

(w) *Definitions*. For the purposes of this direction:

(1) "Contractor" means a contractor or subcontractor engaged to do construction work on an FPFA temporary re-use housing project.

(2) "Producer" means a person owning or operating facilities in which a building material affected by this direction is produced.

(3) "Supplier" means a person who is in the business of buying a building material, from a producer or from any other person, for resale as such. This includes distributors, jobbers, office wholesalers, brokers, and dealers of all types.

Expiration Date

(x) *Expiration date*. This direction will expire at 12 p. m. (e. s. t.), December 31, 1946.

Issued this 7th day of August 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

Communications to an FPFA regional or field office concerning this direction should be addressed, unless otherwise shown below, to the Regional Assistant Director for Development, Federal Public Housing Authority, at whichever of the following addresses is appropriate:

Area served and office address

Region I—Connecticut, Massachusetts, New Hampshire, Rhode Island, Vermont—24 School Street, Boston 8, Mass.

Region II—Delaware, Maryland, New Jersey, New York, Pennsylvania—270 Broadway, New York 7, N. Y.

Region III—Illinois, Indiana, Iowa, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Wisconsin—201 North Wells Street, Chicago 6, Ill.

¹ The following areas of Virginia and Maryland are served by the General Field Office, rather than by the local regional office serving the other areas of those states: Virginia—Alexandria, Fairfax County, Arlington County. Maryland—Montgomery County, Prince Georges County, Cedar Point, Indian Head, Meadale.

Region IV—Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, Virginia—Georgia Savings Bank Building, Peachtree and Broad Streets, Atlanta 3, Ga.

Region V—Arkansas, Colorado, Kansas, Louisiana, New Mexico, Oklahoma, Texas—1411 Electric Building, Fort Worth 2, Tex.

Region VI—Arizona, California, Nevada, Utah, Hawaii—760 Market Street, San Francisco 2, Calif.

Region VII—Idaho, Montana, Oregon, Washington, Wyoming, Alaska—Skinner Building, 5th Avenue and Union Street, Seattle, Wash.

Region VIII—Kentucky, Ohio, Michigan, West Virginia—2073 East Ninth Street, Cleveland 15, Ohio.

Metropolitan District of Columbia, etc.—District of Columbia, Virginia,¹ Maryland,¹ Puerto Rico, Virgin Islands—Director, General Field Office, Federal Public Housing Authority, 1201 Connecticut Avenue, Washington 25, D. C.

[F. R. Doc. 46-13718; Filed, Aug. 7, 1946; 11:31 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-951]

MOORE CONSTRUCTION CO.

A. M. Moore (also known as Art Moore, Archie M. Moore, and Arch M. Moore), and J. D. Moore are co-partners engaged in the contracting business under the name Moore Construction Company, with their principal place of business at 1545 Pennsylvania Street, Denver, Colorado. On January 31, 1946, A. M. Moore was authorized on Form CPA-4386, Serial No. 66-101-000221, to carry on the construction of fifty (50) housing units located in Parkview Addition in Denver, Colorado, pursuant to the Veterans Housing Program under Priorities Regulation 33, and was assigned an HH rating to procure the minimum quantities of certain construction materials listed in Schedule A to Priorities Regulation 33 required for completion of the 50 units described in the authorization. In February and March, 1946, HH ratings granted pursuant to the above authorization were applied by or on behalf of A. M. Moore and J. D. Moore for 1,050,000 feet of dimension lumber, 725,000 feet of sheathing lumber, 195,000 feet of oak flooring, 33,000 feet of finish lumber, 30,000 feet of shelving lumber, 180,000 feet of molding, 2250 interior and exterior doors, 250 garage doors, and 940,000 feet of rock lath, although the minimum quantities of such items required for completion of the 50 housing units were 200,000 feet of dimension lumber, 175,000 feet of sheathing lumber, 50,000 feet of oak flooring, 10,000 feet of finish lumber, 10,000 feet of shelving lumber, 45,000 feet of molding, 500 interior and exterior doors, 50 garage doors, and 235,000 feet of rock lath. The application of these HH ratings for 850,000 feet of dimension lumber, 550,000 feet of sheathing lumber, 145,000 feet of oak flooring, 23,000 feet of finish lumber, 20,000 feet of shelving lumber, 135,000 feet of molding, 1750 interior and exterior doors, 200 garage doors, and 705,000 feet of rock lath, in excess of the quantities needed to complete the authorized housing units constituted grossly negligent violations of Priorities Regulation 3 and Direction 1 to Priorities Regulation 33.

In connection with the extension of HH ratings, A. M. Moore and J. D. Moore failed to keep adequate records in violation of Priorities Regulation 1 and Priorities Regulation 3. These violations have interfered with the controls established by the Civilian Production Administration for the distribution of critical materials. In view of the foregoing, it is hereby ordered that:

§ 1010.951 *Suspension Order No. S-951.* (a) For a period of four months from the effective date of this order A. M. Moore and J. D. Moore shall not apply or extend any preference ratings, regardless of the delivery date named in any purchase order to which such ratings may be applied or extended.

(b) A. M. Moore and J. D. Moore shall cancel immediately all preference ratings which have been applied or extended to orders which have not yet been filled, except that if they have extended a customer's rating to get an item for delivery without change in form to that customer (as distinct from replacing it in inventory), they need not cancel the rating, providing the item when received is promptly delivered to the customer whose rating was extended.

(c) All preference ratings, allotments and allocations presently outstanding in connection with orders for delivery of materials to A. M. Moore and J. D. Moore, or placed prior to the termination date of this order, are void and shall not be given any effect by suppliers of A. M. Moore and J. D. Moore, or any other person. This does not apply to material already delivered or in transit for delivery to them on the effective date of this order.

(d) The provisions of this order shall not apply to preference ratings placed or to be placed on orders for materials necessary to complete 18 houses for which foundations have been constructed of the 50 houses authorized on Form CPA-4386, Project Serial No. 66-101-000221, in Parkview Addition, Denver, Colorado, or to complete any other house authorized under this project on which construction was started prior to the effective date of this order.

(e) A. M. Moore and J. D. Moore shall refer to this order in any application or appeal which they may file with the Civilian Production Administration or the National Housing Administration for priorities assistance.

(f) Nothing contained in this order shall be deemed to relieve A. M. Moore or J. D. Moore from any restriction, prohibition, or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

(g) The restrictions and prohibitions contained herein shall apply to A. M. Moore (also known as Art Moore, Archie M. Moore, and Arch M. Moore) and J. D. Moore, doing business as Moore Construction Company or under any other name, their successors and assigns or persons acting in their behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(h) This order shall take effect on the 16th day of August 1946.

Issued this 6th day of August 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-13687; Filed, Aug. 6, 1946;
4:54 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-952]

STEWART CONSTRUCTION CO.

Jack P. Stewart, doing business as Stewart Construction Company, 802 North Central Avenue, Phoenix, Arizona is engaged in the building of small family dwellings. On January 29, 1946, Jack P. Stewart was authorized on Form CPA-4386, Serial No. 66-02-125 to carry on the construction of 240 housing units located in Westland House Sites, 29th Avenue and West Van Buren, Maricopa County, Arizona, pursuant to the Veterans Housing Program under Priorities Regulation No. 33 and was assigned an HH rating to procure construction materials. Through January, February and March of 1946, Jack P. Stewart applied HH ratings granted pursuant to the above authorization to obtain 1,862,183 board feet of lumber, although only 1,561,776 board feet of lumber were required to complete the 240 houses. The application of these HH ratings to get 300,407 board feet of lumber in excess of the total amount required to complete his construction requirements constituted a violation of Priorities Regulation No. 3. This violation has interfered with the controls established by the Civilian Production Administration for the distribution of critical materials. In view of the foregoing, it is hereby ordered that:

§ 1010.952 *Suspension Order No. S-952.*

(a) For a period of four months from the effective date of this order no authorization shall be granted to Jack P. Stewart to do any construction or use preference ratings, nor shall he apply or extend preference ratings during such period.

(b) All preference ratings, allotments and allocations presently outstanding in connection with orders for delivery of materials to Jack P. Stewart or placed by him prior to the termination of the date of this order are void and shall not be given any effect by the suppliers of Jack P. Stewart. This does not apply to material already delivered or in transit for delivery to him on the effective date of this order.

(c) The provisions of this order shall not apply to preference ratings to be placed on orders for materials necessary to complete the 240 houses located at Westland Home Sites, 29th Avenue and West Van Buren, Maricopa County, Arizona, and authorized on form CPA-4386, Project Serial No. 62-02-125.

(d) Jack P. Stewart shall refer to this order in any application or appeal which he may file with the Civilian Production Administration or the National Housing Administration for priorities assistance or for authorization to carry on construction.

(e) Nothing contained in this order shall be deemed to relieve Jack P. Stewart

from any restriction, prohibition or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

(f) The restrictions and prohibitions contained herein shall apply to Jack P. Stewart, doing business as Stewart Construction Company or under any other name, his successors and assigns or persons acting in his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(g) This order shall take effect on the 16th day of August 1946.

Issued this 6th day of August 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-13688; Filed, Aug. 6, 1946;
4:54 p. m.]

PART 3290—TEXTILE, CLOTHING AND
LEATHER

[Conservation Order M-277, Suspended]

VEGETABLE TANNING MATERIALS

(a) Conservation Order M-277 and all authorizations and instruments addressed to named persons under that order are suspended as of August 31, 1946. This suspension is possible because of the increased production of vegetable tanning materials. If a change in the situation should occur, it may be necessary to reinstate the order in whole or in part.

(b) This suspension does not affect any liabilities incurred for violation of Order M-277 or of actions taken by the War Production Board or the Civilian Production Administration under the order.

Issued this 7th day of August 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-13713; Filed, Aug. 7, 1946;
11:30 a. m.]

PART 3290—TEXTILE, CLOTHING AND
LEATHER

[Conservation Order M-310, as Amended
Aug. 7, 1946]

HIDES, SKINS AND LEATHER

The fulfillment of requirements for the defense of the United States has created shortages in hides, skins and leather for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

- (a) General definitions.
- (b) Provisions applying to all hides, skins, and leather.
- (c) Untanned cattlehides, calfskins, and klps.
- (d) Pickled sheepskins and slats.
- (e) Regular reports.
- (f) Plants without quotas.

- (g) Appeals.
- (h) Communications to the Civilian Production Administration.
- (i) Violations.

§ 3290.196 *Conservation Order M-310*—(a) *General definitions.* (1) "Tanner" means a person in the business of tanning, dressing, or similarly processing hides or skins, who in any calendar month after April 1, 1940, processed or processes more than 500 hides or skins.

(2) "Contractor" means a person in the business of causing hides or skins to be tanned or dressed for his account in any tannery not owned or controlled by him.

(3) "Collector" means a person, including a dealer or importer, engaged in the business of acquiring from others untanned hides or skins for resale, or removing hides or skins from animals not slaughtered by him.

(4) "Producer" means a person in the business of slaughtering animals.

(5) "Military order" means an order for hides, skins or leather for delivery against a specific contract placed by any of the following, or for incorporation in any product to be delivered against such a contract:

The Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration.

(6) "Military specifications" or "military quality" means, except as herein otherwise specifically provided, the specifications applicable to military orders or the quality of material meeting such specifications.

(7) "Sole leather" means vegetable tanned sole leather unless otherwise specified.

(8) "Whole stock" means sides, crops, backs, bends, shoulders with heads on, shoulders with heads off, bellies and belly centers.

(b) *Provisions applying to all hides, skins and leather.* (1) No person shall process any hides, skins or leather contrary to any specific direction issued from time to time by the Civilian Production Administration relating to the processing or production of specific types of leather to meet military or designated civilian requirements.

(2) No producer, collector, tanner, contractor or cutter shall sell, deliver, accept delivery of, cut, use or incorporate in any product any hides skins or leather contrary to any specific direction issued from time to time by the Civilian Production Administration deemed necessary in order to fill military or designated civilian requirements.

(3) Notwithstanding the provisions of any regulation or order of the Civilian Production Administration, no preference rating shall be applied or extended for the delivery of hides, skins or leather, except:

(i) Leather for military orders (excluding sole leather whole stock and cattlehide splits in the blue, pickled, or lime state); or

(ii) When specifically authorized in writing by the Civilian Production Administration pursuant to this paragraph (b) (3) (ii).

(4) [Deleted May 13, 1946.]

(c) *Untanned cattlehides, calfskins and kips*—(1) *Definition.* "Cattlehide", "calfskin" and "kip" mean the hide or

skin of a bull, steer, cow or buffalo, foreign or domestic (excluding slunks).

(2) No producer or collector shall put into process or cause to be put into process any untanned cattlehide, calfskin or kip, or portion thereof, other than splits and gluestock, except to the extent specifically authorized in writing by the Civilian Production Administration. Applications for such authorization may be made by letter setting forth the quantity of each kind of cattlehide, calfskin or kip, or portion thereof, which the applicant desires to put into process or cause to be put into process.

(3) No tanner or contractor shall purchase or accept delivery of any untanned cattlehide, calfskin or kip or portions of any of them for any purpose except in quantities specifically authorized in writing by the Civilian Production Administration. A tanner, however, may accept delivery of and tan hides for the account of a contractor who he knows has been specifically authorized in writing to purchase hides. No person shall make any sale or delivery which he knows or has reason to believe would be accepted in violation of this paragraph. Applications may be made on Form CPA-1325 for the purchase of domestic cattlehides, and on Form CPA-1322 for the purchase of domestic calfskins and kips. Authorization to purchase is granted on Form CPA-1323, which must be returned to CPA with information showing the applicant's use of the authorization in accordance with the terms of the form. The following transactions may be made without authorization:

(i) Transactions between collectors and between producers and collectors for purposes of resale or delivery within the continental United States;

(ii) The purchase and acceptance of delivery of less than 500 hides or skins in any calendar month by any person (other than a tanner or contractor) not specifically authorized to purchase or accept delivery of hides or skins.

(4) *Imported hides and skins.* All hides or skins imported into the continental United States are subject to allocation under this order. No person shall withdraw any hides or skins from United States customs within the continental United States except as specifically authorized in writing by the Civilian Production Administration. On or before arrival of the hides or skins in the United States the importer shall notify the Civilian Production Administration, Hide and Leather Branch, Washington 25, D. C., Ref.: M-310, specifying the quantity, weight, description, grades or selections of the hides or skins, the port of entry, name of ship or railroad car numbers and probable date of arrival. He should also state the names of tanners or contractors, if any, to whom he prefers to sell the hides or skins which he has no quota to receive as a tanner or contractor.

NOTE: Former subparagraph (4) redesignated (5) on August 7, 1946.

(5) In acting under paragraph (c) (3), it will be the policy of the Civilian Production Administration, so far as is practicable, to grant authorizations so that contractors or tanners will obtain cattlehides, calfskins or kips in the proportions that their respective wettings of such skins computed separately during the calendar year 1942, bore to all wettings thereof during that year by all contractors and tanners producing the same type of leather, except that authorizations to tanners or contractors having more than a practicable minimum working inventory may be withheld or may be granted in reduced quantities. Where a tanner or contractor has purchased hides or skins produced outside the continental United States which he intends to process which he has received or which have arrived at a port of entry in the continental United States, the Civilian Production Administration will decrease his subsequent allocations of hides or skins produced in the continental United States by the number of imported skins. Any person who owns a plant equipped to process hides or skins but does not qualify under this paragraph may apply for authorization as described in paragraph (f).

(d) [Deleted Aug. 7, 1946.]

(e) *Regular reports.* Every person described below shall, on or before the 10th day of each month execute and file reports with the Civilian Production Administration, as directed on the respective forms mentioned below:

NOTE: "Tanners and contractors of pickled sheepskins * * *" deleted Aug. 7, 1946.

Tanners and contractors of cattle hides.....	CPA-1325
Tanners and contractors of calfskins and kips.....	CPA-1322

Tanners and contractors must file the above reports as required by this paragraph whether or not they have engaged in operations in the preceding month.

Failure to file any of the reports mentioned above or any other reports requested pursuant to approval by the Bureau of the Budget shall constitute a violation of this order.

(f) *Plants without quotas.* Any person who owns a plant equipped to process hides or skins but whose past operations do not qualify him under paragraph (c) (5), may apply for authorization under paragraph (c) by letter. The letter should be addressed to the Civilian Production Administration, Hide and Leather Branch, Washington 25, D. C., and should indicate the name and address of the plant, type and quantity of leather raw material which the applicant wishes to process per month, and the quantity of each type which he has processed during the preceding four calendar months. Authorizations may be granted on an equitable basis to applicants who did not process a monthly average of more than 500 hides and skins of all kinds during the preceding four calendar months.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the

particular provision appealed from and stating fully the grounds of the appeal.

(h) *Communications to the Civilian Production Administration.* All reports, applications, forms, or communications required under or referred to in this order, and all communications concerning this order, shall, unless otherwise directed, be addressed to the Civilian Production Administration, Textile Division, Washington 25, D. C., Ref: M-310.

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

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 7th day of August 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1: Revoked Aug. 27, 1945.

INTERPRETATION 2: Revoked Jan. 17, 1946.

[F. R. Doc. 46-13714; Filed, Aug. 7, 1946;
11:30 a. m.]

PART 3294—IRON AND STEEL PRODUCTION
[General Preference Order M-21, Direction
14]

STATUS OF CERTIFIED ORDERS CARRIED OVER
TO OCTOBER

The following direction is issued pursuant to General Preference Order M-21:

(a) Any "certified orders" for iron castings or steel placed under Direction 12 or 13 to Order M-21, scheduled for delivery in September, but which are not delivered in September, shall be treated as orders rated CC during the month of October only.

Issued this 7th day of August 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-13712; Filed, Aug. 7, 1946;
11:30 a. m.]

PART 4501—COMMUNICATIONS

[Utilities Order U-2, as Amended Aug. 7,
1946]

TELEPHONE SERVICE

- (a) Definitions.
 - (b) Preference in obtaining telephone service.
 - (c) Reports.
 - (d) Appeals and applications.
 - (e) Violations.
 - (f) Communications.
- Schedule A-1

Schedule A-2
Schedule B
Schedule C

§ 4501.1 *Utilities Order U-2*—(a) *Definitions.* (1) "Operator" means any individual, partnership, association, business trust, corporation, receiver, or any form of enterprise whatsoever, whether incorporated or not, the United States, the District of Columbia, any state or territory of the United States, any political, corporate, administrative or other division or agency thereof, to the extent engaged in rendering telephone communication service within, to, or from the United States, its territories or possessions.

(2) "Merchant Marine" has the same meaning as in Section 1 of Public Law numbered 87, Seventy-Eighth Congress, approved June 23, 1943.

(b) *Preference in obtaining telephone service.* Exchange line plant, exchange central office equipment, or telephone sets made available through normal disconnection or by new acquisition shall be used to take care of applications for service for which the foregoing facilities can be respectively employed, in the following order:

(1) Business service and residence main service to the extent required for the proper discharge of duties essential to the activities in the categories listed on Schedule A1 attached; public pay station service; temporary installation of residence main service when the operator finds that immediate installation of service is essential to the protection of life; temporary installation of one residence extension telephone when the operator finds it essential in cases of serious illness; one residence extension telephone and/or connection with an answering bureau for practicing physicians and surgeons, change of address of business service and of residence main service within the same central office area; and service specifically authorized by the Civilian Production Administration because of essentiality or unreasonable hardship.

(2) Changes of address of business service within the same exchange or to another exchange of the same operator within the same metropolitan area or within such other area as is defined by the operator's established practices, except as provided in paragraph (b) (1) above.

(3) New business service for an enterprise which the operator finds is substantially owned and principally operated or managed by a veteran who applies for service within twenty-four months after being honorably separated or placed on terminal leave from the armed forces of the United States or the merchant marine provided such enterprise is expected to be the veteran's principal means of livelihood. The applicant for service must certify to these facts in substantially the form set forth in the Certification Form (WPBI-2545).

(4) Business service other than that included in the above categories.

(5) Residence main service set forth in Schedule B.

(6) Changes of address of residence main service within the same exchange or to another exchange of the same operator within the same metropolitan area or within such other area as is defined by the operator's established practices, except as provided in paragraph (b) (1) above.

(7) New residence main service to the extent required for the proper discharge of duties essential to the activities in the categories listed on Schedule A2 attached.

(8) New residence main service set forth in Schedule C.

(9) New residence main service other than that included in the above categories.

(10) Residence extension telephones other than those specifically set forth in category (1) above.

(c) *Reports.* All operators affected by this order shall execute and file such reports as the Civilian Production Administration shall from time to time require; subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(d) *Appeals and applications.* Applications for relief under this order or appeals should be filed on Form CPA-2117.

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

(f) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: Civilian Production Administration, Washington 25, D. C., Ref.: U-2.

Issued this 7th day of August 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A1—GOVERNMENTAL AND PUBLIC
HEALTH AND WELFARE

1. *Governmental.*—(a) Official Army, Navy, Marine Corps and Coast Guard Units and the Veterans' Administration.

(b) Official Federal, State, county and municipal government services.

(c) Official agencies of foreign governments.

2. *Public Health and Welfare.*—(a) Public or private organizations directly serving the public safety, health or welfare, such as: hospitals, clinics, sanatoria; physicians, surgeons, dentists, nurses, nurses' registries, veterinarians, ambulance services, manufacturers or distributors (wholesale and retail) of drugs, surgical, medical, hospital or dental supplies or equipment; mortuaries, burial service organizations; the American Red Cross and similar agencies.

(b) Philanthropic and eleemosynary organizations recognized as such by the Bureau of Internal Revenue, including their fundraising offices; United Service Organizations and other similar organizations; religious es-

establishments and their officiating clergy; Christian Science Practitioners; public and private schools.

(c) Press associations, newspapers, radio broadcasting stations.

(d) Public transportation, pipe line companies, all types of public utilities.

(e) Labor unions having bona fide collective bargaining agreements with business concerns identified in Schedule A1.

SCHEDULE A2—MILITARY PRODUCTION, RECONVERSION AND EMPLOYMENT

(a) The hiring of substantial numbers of people.

(b) The furnishing of material, equipment or facilities under prime or subcontracts to the armed forces of the United States and by suppliers to such prime or subcontractors; the converting of war plants to peacetime operations; and the re-establishing under the same ownership of businesses which were obliged to close during the war because of lack of materials or manpower or because of wartime regulations; persons (such as engineers, architects, contractors, chemists, lawyers and accountants) who perform special services for these activities or for public works projects.

(c) The production and wholesale distribution of fuel and lumber and other construction materials and construction equipment and mining equipment; mining operations and mining engineers.

(d) The maintaining or servicing of equipment essential to the following: the armed forces, production for the armed forces or conversion from such production, public works projects, public transportation, public utilities, pipe line companies, mining operations, and producers of fuel, lumber, and other construction materials and construction equipment and mining equipment.

(e) Food processing, food distribution (wholesale and retail) and food storage and production of substantial quantities of food.

(f) Labor unions having bona fide collective bargaining agreements with business concerns identified in Schedule A2.

SCHEDULE B—SERIOUS ILLNESS OR PHYSICAL DISABILITY

1. Residence main service where the attending physician or surgeon certifies in substantially the form set forth in the Schedule B Certification Form (WPBI-2101) that there exists a condition of serious illness or pregnancy involving serious complications, that he must be called repeatedly at unpredictable intervals for emergency treatment and that in view of all the circumstances telephone service is essential. Such service shall be terminated within 30 days of the termination of the conditions specified above.

2. Residence main service where a person lives alone and the attending physician certifies in substantially the form set forth in the Schedule B Certification Form (WPBI-2101) that such person is confined to residence quarters for a protracted period by reason of serious illness or physical disability and that in view of all the circumstances telephone service is essential; residence main service where a blind person lives alone. The phrase "lives alone" includes a person who is alone all day or during the day or night working hours, except for one or more children aged fifteen years or younger or another person either blind or similarly certified to be confined to residence quarters by reason of serious illness or physical disability. Such service shall be terminated within 30 days after the termination of the conditions specified above.

3. Residence main service for a seriously disabled veteran of the armed forces of the United States who applies for service within twenty-four months after being honorably separated from the armed forces. For the purpose of this paragraph a veteran will be considered seriously disabled if he is receiving

disability payments of fifty dollars a month or more from the Veterans Administration. The applicant for service must certify to these facts in substantially the form set forth in the Certification Form (WPBI-2545).

SCHEDULE C—VETERANS AND SERVICEMEN'S FAMILIES

1. Residence main service for the wife of a member of the armed forces of the United States or the merchant marine who is on active duty away from home, where she is pregnant and there is no one else in her household, or where her household consists only of herself and one or more children aged fifteen years or younger; and under the same circumstances for a widow whose husband died since January 1, 1940 while a member of the armed forces of the United States or the merchant marine. For the purpose of this paragraph the presence of one or more persons who are blind or confined to residence quarters by reason of serious illness or physical disability shall be disregarded. The applicant for service must certify to these facts in substantially the form set forth in the Schedule C Certification Form (WPBI-2102).

2. Residence main service for those who discontinued residence service upon entering the armed forces of the United States or the merchant marine and who apply for service within twenty-four months after being honorably separated or placed on terminal leave from the armed forces or the merchant marine. The applicant for service must certify to these facts in substantially the form set forth in the Schedule C Certification Form (WPBI-2102).

3. Residence main service for a veteran who is head of a family (that is, who maintains in one household one or more individuals other than himself who are connected with him by blood relationship, relationship by marriage, or by adoption) and who applies for service within twenty-four months after being honorably separated or placed on terminal leave from the armed forces of the United States or the merchant marine. The applicant for service must certify to these facts in substantially the form set forth in the Schedule C. Certification Form (WPBI-2102).

[F. R. Doc. 46-13721; Filed, Aug. 7, 1946; 11:30 a. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER AND PRODUCTS THEREOF

[Rubber Order R-1, Direction 13, as Amended Aug. 7, 1946]

PERMITTED USES FOR THIN AND THICK PALE CREPE NATURAL RUBBER

Direction 13 to Rubber Order R-1 is hereby amended to read as follows:

On and after the date of this direction, thin and thick pale crepe natural rubber may be used in the manufacture of the rubber products listed below. These appear as Permitted Products in Table B of Appendix I to Rubber R-1, and may be identified by the Code number designation. The amount of pale crepe natural rubber which may be used in the products listed in this direction must not exceed the quantities designated in Table B of Appendix I in the column entitled "Percent natural rubber", applicable to the particular product. Thin and thick pale crepe natural rubber may not be used in the manufacture of any rubber products other than those listed in this direction. To secure supplies of thin or thick pale crepe natural rubber, application for authority to consume should be made to the Civilian Production Administration on Form CPA-3662 as provided in § 4600.02 of Rubber Order R-1.

(a) *Thin pale crepe natural rubber.* Products in the manufacture of which thin pale crepe natural rubber may be used are as follows:

Appendix I, Table B—Permitted Products

- Code No.
- 18 F Breast shields nursing
Small feeding nipples
- 18 G Colostomy outfits
Dilators
Prostatic bags
Prosthetic devices
- 18 H Pessaries and prophylactics
- 18 J Tubes and tubing—blood plasma intravenous, and multiple lumen only.

(b) *Thick pale crepe natural rubber.* Products in the manufacture of which thick pale crepe natural rubber may be used are as follows:

- 12 F Refrigerator door gaskets
- 18 A Surgical tape and cohesive bandage
- 18 C Dental dam
Dental rubber
- 18 F Feeding bottle caps and covers
Large breast type feeding nipples
- 18 G Inhalation bags and face pieces
Stoppers—medical, surgical, dental, veterinary and mortuary type only
Vaccine caps

(c) Any person owning any inventory of pale crepe rubber of any type and who is not engaged in the manufacture of any of the products listed in this direction, in the manufacture of which rubber may be used, may exchange it for any other type of natural rubber upon application to the Reconstruction Finance Corporation, Office of Rubber Reserve, 811 Vermont Avenue, Washington, D. C.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379, as amended by E.O. 9475, 9 F.R. 10817; WPB Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64)

Issued this 7th day of August 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-13720; Filed, Aug. 7, 1946; 11:30 a. m.]

Chapter XI—Office of Price Administration

PART 1415—PROTECTIVE COATINGS

[MPR 245, Amdt. 1]

PROTECTIVE COATINGS

A statement of the considerations involved in the issuance of the amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 245 is amended by deleting paragraphs (a), (b), (c), (d), and (e) of § 1415.115, Appendix A.

This amendment shall become effective August 6, 1946.

Issued this 6th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13684; Filed, Aug. 6, 1946; 4:28 p. m.]

PART 1389—APPAREL
[RMPR 304, Amdt. 5]

SPECIFIED UTILITY SHIRTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 304 is amended in the following respects:

1. Examples 1, 2 and 3 in section 2 (b) (2) are amended to read as follows:

Example 1. Manufacturer Y, a Group A manufacturer, is obliged to sell at or below the Class I ceiling on part of his sales, but is permitted to make the rest of his sales at Class II prices. Y's Class I ceiling on style 499 (his 3.00 yard unshrunk plaid flannel) is \$13.04 per dozen, and his Class II ceiling is \$13.88½ per dozen. Y sells this number to retailer Z at \$13.50 per dozen.

Since \$13.50 is higher than Y's Class I ceiling for this flannel shirt (\$13.04), Z takes \$13.88½ (The Class II ceiling) as his supplier's ceiling price, and turns to Table II (which contains retail ceilings for cotton flannel shirts bought from Group A manufacturers). In Table II, Z finds his retail ceiling to be \$1.64.

Example 2. Manufacturer Y sells his style 499 to retailer X at the Class I ceiling of \$13.04 per dozen, and later sells X another lot of the same style at the Class II ceiling of \$13.88½.

X must take \$13.04 as his supplier's ceiling price for both lots. Since this is a cotton flannel shirt purchased from a Group A manufacturer, the retail ceiling is found in Table II. X finds a retail ceiling of \$1.46 for both lots of style number 499.

Example 3. Retailer B buys style number 499 from Y at Y's Class I ceiling of \$13.04 and later gets more of Y's style number 499 from a wholesaler at the wholesaler's ceiling of \$15.43.

In figuring his retail ceiling for style number 499, B takes \$13.04 as his supplier's ceiling, and finds in Table II that his retail ceiling for both lots of this style number is \$1.46 per garment.

2. Examples 1 and 2 in section 2 (b) (3) are amended to read as follows:

Example 1. C, a retail chain, buys shirts from manufacturer Y at \$13.04, Y's Class I ceiling. C sells them to D, another retail chain at \$13.29, (which is equal to C's cost plus freight actually paid by him).

In figuring his retail ceiling, D assumes his supplier's ceiling price to be \$13.04 (the ceiling of C's supplier) not \$13.29 (the price D actually paid). Consequently, D's retail ceiling, found in Table II is \$1.46 (not \$1.55).

Example 2. E, an independent retailer, buys shirts from manufacturer M at M's Class II ceiling of \$13.88½. E decides to liquidate, and sells them to an auctioneer at \$13.50 per dozen. The auctioneer resells them to F, another retailer for \$14.00 (this being the price paid by E, plus transportation charges incurred by the auctioneer).

In figuring his retail ceiling, F takes \$13.88½ as his supplier's ceiling, so that his retail ceiling, found in Table II, is \$1.64 (not \$1.65).

3. Examples 1 and 2 in section 3 (b) (1) are amended to read as follows:

Example 1. J, a large retailer, buys shirts from a manufacturer at the Class I ceiling of \$13.04, and pays 17¢ a dozen for freight. He now wants to resell them to K, a second retailer.

J's ceiling price for this sale is \$13.21, his cost plus freight.

Example 2. L, a wholesaler, buys shirts from a manufacturer at the Class I ceiling of \$13.04. L now liquidates and resells the shirts to auctioneer M for \$12.75 a dozen. Now M wants to resell the shirts to another wholesaler.

In figuring his price for this second special sale M takes as his cost \$13.04 (the price paid by L), and adds freight paid by him. If M pays 17¢ a dozen for freight, M's ceiling is \$13.21.

4. In the "Retail Ceiling Price List" in section 7 (b) (2), the figures "\$1.91" and

"\$1.94" are amended to read "\$1.93" and "\$1.96" respectively.

5. In the example of marking in section 7 (d) (1), the figure "\$1.85," is amended to read "\$1.93".

6. In the example of marking in section 7 (d) (2), the figures "\$1.45" and "\$1.48" are amended to read "\$1.46" and "\$1.49", respectively.

7. Tables I, II, and III in Appendix A are amended to read as follows:

MANUFACTURERS' CEILING PRICES

TABLE I—MEN'S SHIRTS

[Regular shirts—sizes 14½-17; in-and-outers—small, medium, and large]

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8
				Shirts made in group A factories		Shirts made in group B factories—transportation charges prepaid	
Fabric finish	Color or pattern	Weight in yards per lb. or oz. per yd.	Shrinkage—Shrunk or unshrunk	Class I ceiling	Class II ceiling		
				Flannel.....	Plaid.....	3.50 (4½ oz.).....	Unshrunk.....	$12.24	$12.08	$15.90
Do.....	do.....	3.00 (5¼ oz.).....	do.....	13.04	13.88½	16.93	
Do.....	do.....	3.00 (5¼ oz.).....	Shrunk.....	15.05½	16.11	19.03½	
Do.....	do.....	2.66 (6 oz.).....	do.....	16.13	17.11	20.45	
Do.....	do.....	2.28 (7 oz.).....	Unshrunk.....	15.53½	16.56½	19.92½	
Flannel.....	do.....	2.28 (7 oz.).....	Shrunk.....	17.88½	19.11	22.58½	
Do.....	do.....	1.85 (8½ oz.).....	do.....	18.97	20.22½	22.94	
Woven domet.....	Plain.....	4.20 (9¼ oz.).....	Unshrunk.....	10.15	10.80	13.54½	
Twill domet.....	do.....	3.00 (5¼ oz.).....	do.....	12.85½	13.71	16.50½	
Do.....	do.....	3.00 (5¼ oz.).....	Shrunk.....	14.66	15.65½	18.55½	
Do.....	do.....	2.40 (6½ oz.).....	Unshrunk.....	13.97	14.86½	17.75½	
Do.....	do.....	2.28 (7 oz.).....	do.....	14.70	15.67½	19.09½	
Do.....	do.....	2.28 (7 oz.).....	Shrunk.....	17.39½	18.09½	21.84	
Do.....	do.....	2.00 (8 oz.).....	Unshrunk.....	15.02	16.01½	19.33½	
Suede.....	Tan or gray.....	3.45 (4¾ oz.).....	do.....	12.35	13.29½	16.07	
Do.....	do.....	3.00 (5¼ oz.).....	do.....	13.87	14.91	17.80½	
Do.....	Navy.....	3.00 (5¼ oz.).....	do.....	14.47	15.61½	18.49	
Do.....	Printed.....	3.50 (4½ oz.).....	do.....	13.53	14.55½	17.39	
Do.....	do.....	3.45 (4¾ oz.).....	Shrunk.....	15.73½	17.01½	19.70	
Do.....	do.....	3.00 (5¼ oz.).....	Unshrunk.....	15.21½	16.49½	19.18	
Do.....	do.....	3.00 (5¼ oz.).....	Shrunk.....	16.56	17.84	20.52	
Do.....	do.....	2.00 (8 oz.).....	Unshrunk.....	19.76½	20.21	23.47	
D. N. Suede.....	All colors.....	2.33 (6¾ oz.) (10.7-56").....	do.....	18.06	19.47½	22.67	
Do.....	Tan or gray.....	2.00 (8 oz.).....	do.....	18.72	20.19	23.41	
Do.....	do.....	1.60 (10 oz.).....	do.....	21.05½	22.72	26.01	
Do.....	Navy.....	1.60 (10 oz.).....	do.....	22.64	24.44	27.77	
Moleskin.....	All colors.....	1.83 (8¾ oz.) (1.82-50").....	do.....	17.62	19.40	22.61	
Do.....	do.....	1.68 (9½ oz.).....	do.....	21.20½	22.91	26.21	

TABLE II—BOYS' REGULAR SHIRTS

[Sizes 6 to 14; size 4 optional]

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Fabric finish	Color or pattern	Weight in yds. per lb. or oz. per yd.	Shrinkage—Shrunk or unshrunk	Class I ceiling	Class II ceiling
Flannel.....	Plaid.....	4.50 (3½ oz.).....	Unshrunk.....	\$8.40½	\$9.02½
do.....	do.....	3.50 (4½ oz.).....	do.....	10.05½	10.68½
do.....	do.....	3.00 (5¼ oz.).....	do.....	10.63½	11.29½
do.....	do.....	3.00 (5¼ oz.).....	Shrunk.....	12.04	12.93½
do.....	do.....	2.28 (7 oz.).....	Unshrunk.....	12.20½	13.08
do.....	do.....	2.28 (7 oz.).....	Shrunk.....	13.94	14.93
Woven domet.....	Plain.....	4.20 (3¾ oz.).....	Unshrunk.....	8.58½	9.16½
Suede.....	Tan or gray.....	3.00 (5¼ oz.).....	do.....	11.35	12.14½

TABLE III—BOYS' IN-AND-OUTERS

Fabric finish	Color or pattern	Weight in yds. per lb. or oz. per yd.	Shrinkage	Made in work shirt factories—sizes 6 to 18, 4 optional, or small, medium and large	
				Class I ceiling	Class II ceiling
Flannel.....	Plaid.....	4.75 (3¼ oz.).....	Unshrunk.....	\$7.80	\$8.29½
do.....	do.....	4.50 (3½ oz.).....	do.....	7.97	8.47½
do.....	do.....	3.50 (4½ oz.).....	do.....	9.41	10.08
do.....	do.....	3.00 (5¼ oz.).....	do.....	9.97	10.62½
do.....	do.....	3.00 (5¼ oz.).....	Shrunk.....	11.06½	11.87½
do.....	do.....	2.28 (7 oz.).....	Unshrunk.....	11.21	12.03
do.....	do.....	2.28 (7 oz.).....	Shrunk.....	12.65	13.58½

NOTE: The ceiling prices for flannel and domet shirts specified in Tables I, II, and III above apply only to shirts made of fabrics delivered to the manufacturer on or after June 27, 1946. Ceiling prices for flannel and domet shirts made of fabrics delivered to the manufacturer prior to June 27, 1946 are those which were in effect under Tables I, II, and III of this Appendix A on June 21, 1946.

8. Tables I, II and III of Appendix B are amended to read as follows:

WHOLESALE CEILING PRICES—ALL REGIONS

TABLE I—MEN'S SHIRTS

[Regular shirts—sizes 14½-17; in-and-outers—small, medium and large]

Column 1 Fabric finish	Column 2 Color or pattern	Column 3 Weight in yds. per lb. or oz. per yd.	Column 4 Shrinkage	Column 5 Shirts made in group A factories		Column 6
				East and Central	Mountain and Pacific	
Flannel.....	Plaid.....	3.50 (4½ oz.)	Unshrunk.....	\$14.48½	\$14.73½	
	do.....	3.00 (5¼ oz.)	do.....	15.43	15.68	
	do.....	3.00 (5¼ oz.)	Shrunk.....	17.81½	18.06½	
	do.....	2.66 (6 oz.)	do.....	19.09	19.34	
	do.....	2.28 (7 oz.)	Unshrunk.....	18.38½	18.63½	
	do.....	2.28 (7 oz.)	Shrunk.....	21.16½	21.41½	
Woven domet.....	Plain.....	1.85 (8½ oz.)	do.....	22.45	22.70	
		4.20 (3¾ oz.)	Unshrunk.....	12.01	12.26	
		3.00 (5¼ oz.)	do.....	15.21½	15.46½	
		3.00 (5¼ oz.)	Shrunk.....	17.35	17.60	
		2.40 (6¾ oz.)	Unshrunk.....	16.53½	16.78½	
		2.28 (7 oz.)	Shrunk.....	17.39½	17.64½	
Suede.....	Tan or gray.....	2.28 (7 oz.)	Shrunk.....	20.58½	20.83½	
		2.00 (8 oz.)	Unshrunk.....	17.77½	18.02½	
		3.45 (4¾ oz.)	do.....	14.62	14.87	
		3.00 (5¼ oz.)	do.....	16.41	16.66	
		3.00 (5¼ oz.)	do.....	17.12	17.37	
		3.50 (4½ oz.)	do.....	16.01	16.26	
D. N. Suede.....	Navy.....	3.45 (4¾ oz.)	Shrunk.....	18.62	18.87	
		3.00 (5¼ oz.)	Unshrunk.....	18.01	18.26	
		3.00 (5¼ oz.)	Shrunk.....	19.60	19.85	
		2.00 (8 oz.)	Unshrunk.....	22.21	22.46	
		2.33 (6¾ oz.) (10.7-56")	do.....	21.37	21.62	
		2.00 (8 oz.)	do.....	22.15	22.40	
Moleskin.....	Tan or gray.....	1.60 (10 oz.)	do.....	24.92	25.17	
		1.60 (10 oz.)	do.....	26.79	27.04	
		1.83 (8¾ oz.) (1.32-50")	do.....	20.85	21.10	
		1.68 (9½ oz.)	do.....	25.09	25.34	
		1.60 (10 oz.)	do.....	26.79	27.04	
		1.83 (8¾ oz.) (1.32-50")	do.....	20.85	21.10	

TABLE II—BOYS' REGULAR SHIRTS

[Sizes 6-14; 4 optional]

Column 1 Fabric finish	Column 2 Color or pattern	Column 3 Weight in yds. per lb. or oz. per yd.	Column 4 Shrinkage	Column 5 Shirts made in group A factories		Column 6
				East and Central	Mountain and Pacific	
Flannel.....	Plaid.....	4.50 (3½ oz.)	Unshrunk.....	\$10.05½	\$10.30½	
		3.50 (4½ oz.)	do.....	11.90	12.15	
		3.00 (5¼ oz.)	do.....	12.58½	12.83½	
		3.00 (5¼ oz.)	Shrunk.....	14.25	14.50	
		2.28 (7 oz.)	Unshrunk.....	14.44½	14.69½	
		2.28 (7 oz.)	Shrunk.....	16.49½	16.74½	
Woven domet.....	Plain.....	4.20 (3¾ oz.)	Unshrunk.....	10.16	10.41	
		3.00 (5¼ oz.)	do.....	13.43	13.68	

TABLE III—BOYS IN-AND-OUTERS

Column 1 Fabric finish	Column 2 Color or pattern	Column 3 Weight in yds. per lb. or oz. per yd.	Column 4 Shrinkage	Column 5 Made in work shirt factories, sizes 6-18 (4 optional) or small, medium and large		Column 6
				East and Central	Mountain and Pacific	
Flannel.....	Plaid.....	4.75 (3¼ oz.)	Unshrunk.....	\$9.23	\$9.48	
		4.50 (3½ oz.)	do.....	9.43	9.68	
		3.50 (4½ oz.)	do.....	11.13½	11.38½	
		3.00 (5¼ oz.)	do.....	11.80	12.05	
		3.00 (5¼ oz.)	Shrunk.....	13.09½	13.34½	
		2.28 (7 oz.)	Unshrunk.....	13.26½	13.51½	
		2.28 (7 oz.)	Shrunk.....	14.97	15.22	
		2.28 (7 oz.)	do.....	14.97	15.22	

NOTE: The ceiling prices for flannel and domet shirts specified in Tables I, II, and III above apply only to shirts delivered to the wholesaler on or after Aug. 1, 1946. Ceiling prices for sales at wholesale of flannel and domet shirts delivered to the wholesaler prior to Aug. 1, 1946, are those which were in effect under Tables I, II, and III of this Appendix B on June 21, 1946.

9. In the Instructions to Appendix C, the second paragraph of item (2) is amended to read as follows:

For example, suppose you buy a 3.00 yard unshrunk flannel shirt from a manufacturer at \$13.04 (the Group A manufacturer's Class

I ceiling). The heading to Table II states that your ceiling is determined under that table. Follow down Column 1 in Table II until you find the bracket \$12.91-13.05+. Opposite these figures, in Column 2, you find the retail ceiling of \$1.46 (\$13.05+ includes any fractional cent over \$13.05).

10. Table II in Appendix C is amended to read as follows:

TABLE II—RETAIL CEILING PRICES FOR COTTON FLANNEL AND DOMET SHIRTS (EXCEPT WHEN PURCHASED FROM GROUP B FACTORIES)

Column 1 Supplier's net ceiling price (per dozen)	Column 2 retail ceiling price (per garment)
\$7.80- \$7.90+	\$0.88
7.91- 8.20+	.90
8.21- 8.45+	.95
8.46- 8.55+	.96
8.56- 9.00+	.97
9.01- 9.15+	1.06
9.16- 9.90+	1.09
9.91- 10.06+	1.14
10.07- 10.60+	1.19
10.61- 10.65+	1.23
10.66- 11.15+	1.27
11.16- 11.25+	1.33
11.26- 11.75+	1.34
11.76- 12.15+	1.42
12.16- 12.75+	1.44
12.76- 12.90+	1.45
12.91- 13.05+	1.46
13.06- 13.50+	1.55
13.51- 13.70+	1.62
13.71- 13.85+	1.63
13.86- 13.90+	1.64
13.91- 14.50+	1.65
14.51- 15.50+	1.71
15.51- 15.60+	1.80
15.61- 15.66+	1.86
15.67- 15.75+	1.87
15.76- 16.05+	1.91
16.06- 16.50+	1.93
16.51- 17.20+	1.98
17.21- 18.00+	2.03
18.01- 19.00+	2.20
19.01- 20.00+	2.25
20.01- 20.25+	2.39

This amendment shall become effective August 12, 1946.

Issued this 7th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13732; Filed, Aug. 7, 1946; 11:48 a. m.]

PART 1305—ADMINISTRATION

[Rev. SO 138, Amdt. 4]

EXEMPTION AND SUSPENSION FROM PRICE CONTROL OF CERTAIN COMMODITIES AND SERVICES IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Supplementary Order 138 is amended in the following respects:

1. Section 1.4 (a) is amended by deleting the parenthesis marks inclosing subparagraph numbers (12) to (48), inclusive, and inserting a period after each such number.

2. Section 1.4 (d) is amended by deleting the parenthesis marks inclosing subparagraph numbers (1) and (2) and inserting a period after each such number.

3. Section 1.4 (e) is amended by deleting the subparagraph designation (1) so as to leave "mainland shrimp (in any form)" as an undesignated item, and by adding the following new items;

Island fish and seafood. (This suspension shall terminate on August 18, 1946.)

Imported fish and seafood, fresh or frozen. This does not include any species of salmon (Pacific), tuna and tuna-like fishes (Pacific), sardines, alewives and sea herring (North Atlantic), pilchards or halibut. (This suspension shall terminate on August 18, 1946.)

Imported fish and seafood, smoked, dried, salted, pickled or otherwise processed into foods and all other processed foods containing 30% or more of fish or seafood by volume of ingredients (imported). This does not include (1) any product processed from any species of salmon (Pacific), tuna and tuna-like fishes (Pacific), pilchards or halibut, such as, but not limited to, mild-cured salmon, kippered salmon and salted pilchards; (2) any canned fish, except canned shrimp; (3) salted codfish, salted hake, salted pollock, salted haddock, salted ling, salted saithe, salted cusk or smoked boneless herring. "Canned" in this paragraph means packed in hermetically sealed containers. (This suspension shall terminate on August 18, 1946.)

This amendment shall become effective as of June 29, 1946.

Issued this 6th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13686; Filed, Aug. 6, 1946; 4:29 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[RMFR 148, Amdt. 36]

DRESSED HOGS AND WHOLESALE PORK CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 148 is amended by changing § 1364.22a (b) (1) (v) thereof to read as follows:

(v) Special quotas authorizing persons not having quotas under subdivisions (i) or (ii) to move such dressed hogs and/or wholesale pork cuts into such area in such carload lots in order to enable persons having quotas under subdivisions (iii) or (iv) to operate within the limits of such latter quotas may be authorized by the Administrator of the Office of Price Administration, Washington, D. C., only upon a showing that the persons having such latter quotas are unable to obtain such carload lots from persons having quotas under subdivisions (i) or (ii). In addition, the Administrator also may authorize and/or adjust quotas for sellers or for buyers in any instance in which he deems such action to be in the interest of the public: *Provided*, That such seller's or buyer's quotas may be issued or adjusted for such periods, amounts, and subject to such terms and conditions as the Administrator deems necessary and appropriate.

This amendment shall become effective August 6, 1946.

Issued this 6th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13682; Filed, Aug. 6, 1946; 4:28 p. m.]

PART 1346—BUILDING MATERIALS

[MPR 272, Amdt. 11]

CAST-IRON BOILERS AND CAST-IRON RADIATION

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith has been filed with the Division of the Federal Register.

Maximum Price Regulation 272 is amended in the following respect:

Section 1346.269 (b) is amended by adding, to follow the words "in section 27" wherever they appear, the following: "of Maximum Price Regulation 591."

This Amendment No. 11 shall become effective August 12, 1946.

Issued this 7th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13731; Filed, Aug. 7, 1946; 11:48 a. m.]

PART 1305—ADMINISTRATION

[SO 139, Amdt. 4]

ADJUSTED MAXIMUM PRICES FOR CERTAIN LOW-PRICED COMMODITIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplementary Order 139 is amended in the following respects:

1. The first undesignated paragraph of section 4 (c) is deleted and the following paragraphs are substituted therefor:

(c) *Statement of adjusted ceiling prices.* On and after January 21, 1946, no person may adjust his maximum price under section 3 above for any item of children's and infants' anklets or other hosiery or for men's handkerchiefs, which are covered by this order unless he sends to each purchaser to whom he ships such item the statement set forth in subparagraph (1) or (2) below, whichever is appropriate. This statement, properly completed, must appear separately on, or be annexed to, the invoice, billing or other statement of price accompanying every shipment made of these items.

On and after August 12, 1946, no person may, in a sale to the wholesaler, adjust his maximum price for any item of men's all-cotton protective clothing covered by this order unless he sends to such wholesaler the statement set forth in subparagraph (3).

2. Section 4 (c) (1) is reentitled as follows:

(1) *On sales of children's and infants' anklets, other hosiery and men's handkerchiefs to retailers and industrial and commercial users.*

3. Section 4 (c) (2) is reentitled as follows:

(2) *On sales of children's and infants' anklets, other hosiery and men's handkerchiefs to wholesalers.*

* 10 F.R. 14143; 11 F.R. 675, 1466.

4. A new subparagraph (3) is added to section 4 (c) to read as follows:

(3) *On sales of men's all-cotton protective clothing to wholesalers.* Where an item of men's all-cotton protective clothing covered by this order is sold to wholesalers, the following statement must be sent by manufacturer:

STATEMENT TO WHOLESALEERS OF PERMITTED INCREASE

Under Supplementary Order 139 the Office of Price Administration has permitted us to adjust our ceiling prices on the items set forth below in the manner set forth below. In Column A below you will find our old ceiling price, in Column B the permitted increase, and in Column C our new ceiling price.

Style No.	Column A Old ceiling price	Column B Permitted increase	Column C New ceiling price

Please note that, as a wholesaler, you are required to determine your maximum price for these items in accordance with the provisions of section 2.7 (w) of SR 14E. Under that section OPA has ruled that you may add to your properly established GMPR ceiling prices for any of the above items the permitted increase appearing in Column B above.

This amendment shall become effective August 12, 1946.

Issued this 7th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13743; Filed, Aug. 7, 1946; 11:50 a. m.]

PART 1372—SEASONAL COMMODITIES

[RMFR 315, Amdt. 1]

ARSENICAL INSECTICIDES

A statement of the considerations involved in this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 315 is amended in the following respects:

1. Section 3 (a) (1) is amended to read as follows:

(1) *Lead arsenate.*

Item and quantity	Maximum prices per pound to other manufacturers or distributors	Maximum prices per pound to dealers
<i>Standard lead arsenate powder</i>		
3-pound containers or larger:		
Carlots.....	\$0.12½	\$0.13½
Less than carlots.....	.13	.14
1-pound bags:		
Carlots.....	.17½	.21½
Less than carlots.....	.18	.22
1-pound cartons:		
Carlots.....	.19½	.23½
Less than carlots.....	.20	.24
½-pound cartons:		
Carlots.....	.22½	.26½
Less than carlots.....	.23	.27
<i>Standard lead arsenate paste</i>		
Carlots.....	.06½	.06¾
Less than carlots.....	.06¾	.07
<i>Basic lead arsenate powder</i>		
3-pound containers or larger:		
Carlots.....	.13	.14
Less than carlots.....	.13½	.14½

Item and quantity	Maximum prices per pound to other manufacturers or distributors	Maximum prices per pound to dealers
Basic lead arsenate powder		
1-pound cartons:		
Carlots.....	\$.20	\$.24
Less than carlots.....	.20½	.24½

2. Section 3 (a) (3) is amended to read as follows:

(3) *Paris green.*

Item and quantity	Maximum prices per pound to other manufacturers or distributors	Maximum prices per pound to dealers
250 to 270-pound containers:		
Carlots.....	\$.21	\$.26
Less than carlots.....	.22	.27
100-pound containers:		
Carlots.....	.23	.23
Less than carlots.....	.24	.29
14 to 25-pound containers:		
Carlots.....	.25	.30
Less than carlots.....	.26	.31
2 to 5-pound cartons or cans:		
Carlots.....	.27	.35
Less than carlots.....	.28	.36
1-pound cartons or cans:		
Carlots.....	.30	.38
Less than carlots.....	.31	.39
½-pound cartons or cans:		
Carlots.....	.32	.40
Less than carlots.....	.33	.41
¼-pound cartons or cans:		
Carlots.....	.34	.44
Less than carlots.....	.35	.45

3. Section 6 (a) is amended to read as follows:

(a) The notification by a manufacturer to a distributor shall read as follows, and the notification by a distributor to a dealer shall read as indicated therein:

Attached (or listed below) is a list of our ceiling prices for (names of products for which there are price changes) according to Amendment 1 to Revised Maximum Price Regulation 315. Distributors' ceilings on sales of these insecticides to dealers are to be established by adding to our ceiling prices to distributors your percentage markup in effect on March 31, 1946, on sales to dealers. Distributors' new ceilings apply only to arsenical insecticides delivered to them on or after June 17, 1946. If the distributor's ceiling is changed by the provision, he must send a notification to each of the dealers to whom he sells on or before the date of his first delivery to the dealer at the new ceiling price. OPA requires that the notification read as follows:

The OPA has permitted us to increase our ceiling prices on (names of commodities affected) as follows:

(The statement shall here list the amount of price increase for each package size of each commodity for which a change in ceiling price has resulted from the provisions of the amendment.)

Dealers are to arrive at their ceilings on merchandise delivered to them under our new ceiling prices by the addition of their same percentage markups as were in effect on March 31, 1946. OPA requires dealers to keep a copy of this notice for examination.

This amendment shall become effective August 12, 1946.

Issued this 7th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13733; Filed, Aug. 7, 1946; 11:51 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 433, Amdt. 5]

PULPWOOD PRODUCED IN THAT PORTION OF VIRGINIA WEST OF THE COUNTIES OF CRAIG, MONTGOMERY, FLOYD AND PATRICK AND IN THE STATE OF NORTH CAROLINA, EXCEPT THE COUNTIES OF ROCKINGHAM, STOKES AND CASWELL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 433 is amended in the following respects:

1. Subparagraph (10) of section 8 (a) is amended to read as follows:

(10) "Dealer" means any person who sells to consumers pulpwood not cut or prepared by such person, but purchased by such person in the condition in which it is to be delivered to the consumer, and who sold and delivered not less than 10,000 cords of pulpwood to consumers in the calendar year 1942, or who shall sell and deliver not less than 8,000 cords to consumers in any subsequent calendar year or during any period of 12 consecutive months subsequent to January 1, 1946;

2. In Appendix A (a), subparagraph (47) is amended to read as follows:

(4) *Delivered mill by truck or similar vehicle.* When pulpwood is delivered to a consumer by truck or similar vehicle, the maximum price shall be the f. o. b. car price stated above plus either a differential of \$0.75 per cord or the same dollars and cents differential which the particular mill paid over its highest f. o. b. car price in the months of January and February 1943, for the same type of delivery over the same or a similar distance, whichever differential is the greater.

This amendment shall become effective August 12, 1946.

Issued this 7th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13740; Filed, Aug. 7, 1946; 11:49 a. m.]

PART 1349 — ELECTRICAL GENERATION, TRANSMISSION, CONVERSION AND DISTRIBUTION APPARATUS

[MPR 82, Amdt. 14]

WIRE AND CABLE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith has been filed with the Division of the Federal Register.

18 F.R. 9837; 15703; 9 F.R. 2789, 13262; 11 F.R. 1816.

Maximum Price Regulation 82 is amended in the following respects:

The following paragraph (i) is added to section 16:

(i) *Aluminum steel-reinforced transmission line cable, weather-proof aluminum wire and insulated aluminum wire.*

(1) The maximum prices for sales by manufacturers of the following products shall be the maximum prices in effect on June 29, 1946, increased by the percentage set forth opposite the product, subject to the same discounts, allowances, deductions, and other considerations of sale in effect on that date:

Product:	Percentage
Aluminum steel reinforced transmission line cable.....	12.0
Weather-proof aluminum wire.....	17.5
Insulated aluminum wire and cable.....	18.0

2. The maximum prices for sales by resellers of the products covered by this paragraph (i) shall be the maximum prices in effect on June 29, 1946, increased by the same percentage by which their net invoiced costs have increased by reason of this paragraph (i), subject to the same discounts, allowances, deductions, and other conditions of sale in effect on that date.

This amendment shall become effective August 12, 1946.

Issued this 7th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13725; Filed, Aug. 7, 1946; 11:48 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 437, Amdt. 4]

PULPWOOD PRODUCED IN EASTERN VIRGINIA AND IN THE COUNTIES OF ROCKINGHAM, STOKES AND CASWELL IN NORTH CAROLINA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 437 is amended in the following respects:

1. Subparagraph (11) of section 8 (a) is amended to read as follows:

(11) "Dealer" means any person who sells to consumers pulpwood not cut or prepared by such person, but purchased by such person in the condition in which it is to be delivered to the consumer, and who sold and delivered not less than 10,000 cords of pulpwood to consumers in the calendar year 1942, or who shall sell and deliver not less than 8,000 cords to consumers in any subsequent calendar year or during any period of 12 consecutive months subsequent to January 1, 1946.

2. In Appendix A (a), subparagraph (2) is amended to read as follows:

(2) *Delivered mill by truck or similar vehicle.* When pulpwood is delivered to a

18 F.R. 9993, 15670; 9 F.R. 13716; 11 F.R. 1816.

consumer by truck or similar vehicle, the maximum price shall be the f. o. b. car price stated above plus either a differential of \$0.75 per cord or the same dollars and cents differential which the particular mill paid over the highest f. o. b. car price in the months of January and February 1943, for the same type of delivery over the same or a similar distance, whichever differential is the greater.

This amendment shall become effective August 12, 1946.

Issued this 7th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13741; Filed, Aug. 7, 1946;
11:49 a. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[RMPR 136, Amdt. 48]

MACHINES, PARTS AND INDUSTRIAL EQUIPMENT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 136 is amended in the following respect:

Section 19 (i) (3) (i) is amended by striking out the figure, "16.4", under the heading, "Percent", which figure appears opposite the words, "Fixed Capacitors", and substituting therefor the figure, "26.6".

This amendment shall become effective August 12, 1946.

Issued this 7th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13727; Filed, Aug. 7, 1946;
11:48 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 373, Amdt. 100 (§ 1418.151)]

CHEESE IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 373 is amended in the following respects:

1. In Table A in section 16 (k) (4) item (24) is amended to read as follows:

(24) *Cheese.* The maximum wholesale prices for the items listed below shall be the seller's landed cost thereof divided by .88:

Chantelle.
Jack or Teleme.

Blue Cheese.
American Swiss—Wheel or Loaf.

American Cheddars, unprocessed

Twins, Flats and Double or Triple Daisies, Singles, Longhorns, Young Americas, Picnics, Natural Loaf or Smaller Styles.

Processed Loaf: American Cheddar, Pimento, Brick and Swiss.

5 lb. loaf.
2 lb. loaf.
1 lb. package.
½ lb. package.

For all cheeses not listed by name above, the maximum wholesale prices shall be the seller's landed cost thereof divided by .86.

2. Table G in section 18 (h) is amended by deleting all the provisions relating to cheese and substituting a provision to read as follows:

Cheese. The maximum prices for all cheeses sold at retail shall be the seller's net cost thereof divided by .74, except that in the case of blue cheese the net cost may be divided by .71.

This amendment shall become effective as of May 20, 1946.

Issued this 7th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13734; Filed Aug. 7, 1946;
11:52 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 373, Amdt. 102 (§ 1418.151)]

FINE GRANULATED SUGAR IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 15 of Revised Maximum Price Regulation 373 is amended in the following respects:

1. Subdivisions (i) and (ii) of paragraph (b) (1) are amended to read as follows:

(i) For orders placed by the canner with the primary distributor before June 25 of any calendar year, the maximum prices shall be:

(a) \$5.85 per 100 pounds when packaged in a paper container;
(b) \$5.91 per 100 pounds when packaged in a cotton container;
(c) \$5.95 per 100 pounds when packaged in a jute container with cotton liner.

(ii) For orders placed by the canner with the primary distributor on or after June 25 of any calendar year, the maximum prices shall be:

(a) \$6.10 per 100 pounds when packaged in a paper container;
(b) \$6.16 per 100 pounds when packaged in a cotton container;
(c) \$6.20 per 100 pounds when packaged in a jute container with cotton liner.

2. Subdivisions (i), (ii) and (iii) of paragraph (b) (2) are amended to read as follows:

(i) \$6.10 per 100 pounds when packaged in a paper container;
(ii) \$6.16 per 100 pounds when packaged in a cotton container;
(iii) \$6.20 per 100 pounds when packaged in a jute container with cotton liner.

3. Subdivisions (i), (ii) and (iii) of paragraph (c) (1) are amended to read as follows:

(i) \$5.80 per 100 pounds when packaged in a paper container;
(ii) \$5.86 per 100 pounds when packaged in a cotton container;
(iii) \$5.90 per 100 pounds when packaged in a jute container with cotton liner.

4. Subdivisions (i), (ii) and (iii) of paragraph (c) (2) are amended to read as follows:

(i) \$5.85 per 100 pounds, f. o. b. refinery, when packaged in a paper container.
(ii) \$5.91 per 100 pounds, f. o. b. refinery, when packaged in a cotton container.
(iii) \$5.95 per 100 pounds, f. o. b. refinery, when packaged in a jute container with cotton liner

5. Paragraph (d) is deleted in its entirety.

This amendment shall become effective as of June 24, 1946.

Issued this 7th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13736; Filed Aug. 7, 1946;
11:51 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 373, Amdt. 103 (§ 1418.151)]

BUTTER IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

The second paragraph of Table G of section 18 (h) of Revised Maximum Price Regulation 373 is amended by revising the prices listed for the item Butter, salted, to read as follows:

Butter, salted:	Per pound
U. S. grade AA or U. S. 93 score.....	\$0.76
U. S. grade A or U. S. 92 score.....	.76
U. S. grade B or U. S. 90 score.....	.75
U. S. grade C or U. S. 89 score.....	.75

This amendment shall become effective as of June 28, 1946.

Issued this 7th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13737; Filed, Aug. 7, 1946;
11:52 a. m.]

PART 1436—PLASTIC AND SYNTHETIC RESINS

[MPR 406, Amdt. 12]

SYNTHETIC RESINS AND PLASTIC MATERIALS AND SUBSTITUTE RUBBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 406 is amended by adding section 13a to read as follows:

SEC. 13a. *Maximum prices for plastic thermosetting laminates and vulcanized fiber.* The maximum prices for sales by a manufacturer of plastic thermosetting laminates shall be the manufacturer's maximum prices established under section 10 of this regulation before August 12, 1946 or under sections 5, 6, 7, or 8 of this regulation, increased by 12 percent. The maximum prices for sales of vulcanized fiber shall be the manufac-

turer's maximum prices established under section 10 of this regulation before August 12, 1946 or under sections 5, 6, 7, or 8 of this regulation, increased by 8 percent.

This amendment shall become effective August 12, 1946.

Issued this 7th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13739; Filed, Aug. 7, 1946;
11:49 a. m.]

PART 1499—COMMODITIES AND SERVICES
[RMPR 165, Amdt. 8 to Rev. Supp. Service
Reg. 50]

GENERAL ORDERS COVERING CERTAIN SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

A new subparagraph (10) is added to § 1499.648 (c) to read as follows:

(10) The Regional Administrator for Region V may issue area orders establishing maximum prices for automobile washing, greasing, polishing, tire changing, and battery services, in Region V.

This amendment shall become effective August 12, 1946.

Issued this 7th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13728; Filed, Aug. 7, 1946;
11:48 a. m.]

PART 1499—COMMODITIES AND SERVICES
[MPR 188, Amdt. 82]

MANUFACTURERS' MAXIMUM PRICES FOR CONSUMER GOODS OTHER THAN APPAREL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith; and it has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 188 is amended in the following respects:

1. The item "Gatch bedsprings made of all new materials" is deleted from the list in § 1499.166 (b) (1).

2. The item "Flat and coil bedsprings etc." in the list in § 1499.166 (b) (1) is amended to read: "Flat and coil bedsprings made as an integral part of a non-metal bed, made with all new materials".

3. The item "Cotton wadding and batting, etc." in the list in § 1499.168 (b) (1) is amended to read: "Cotton wadding and batting made from new and used materials, except dry goods cotton wadding and batting".

4. The item "Small electrical appliances . . . etc." in § 1499.168 (b) (5) is amended to read: "Small electrical appliances as defined in Order No. 6 under § 1499.159e of Maximum Price Regulation No. 188 (except—pedestal, portable, and wall fans with blades over 20 inches in diameter, and ceiling fans and window fan sets)."

5. The item "Clocks and 'clock type' watches, clock movements, and watch and clock cases" in § 1499.168 (b) (13) is amended to read: "Clocks and watches, clock movements and clock and watch cases but not including clocks and watches containing seven or more jewels".

6. The item "Motor scooters" in § 1499.168 (b) (14) is amended to read: "Motor scooters (but not motor bicycles)".

7. The item "First Aid Kits" is deleted from the list in § 1499.168 (b) (16).

8. The item "Umbrellas" is deleted from the list in § 1499.168 (b) (20).

This amendment shall become effective on the 7th day of August 1946.

Issued this 7th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13729; Filed, Aug. 7, 1946;
11:50 a. m.]

PART 1499—COMMODITIES AND SERVICES
[MPR 188, Amdt. 83]

MANUFACTURERS' MAXIMUM PRICES FOR CONSUMER GOODS OTHER THAN APPAREL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 188 is amended in the following respects:

1. Section 1499.152 is amended by adding a new paragraph (c) as follows:

(c) In the case of articles contained in Appendix A of this regulation, which are not also included in Appendix C, no buyer shall be deemed to have violated this regulation because he bought or received any such article at a price higher than the manufacturer's maximum price permitted by this regulation.

2. Section 1499.157 (a) is amended to read as follows:

(a) *Pricing formula.* To establish a maximum price the manufacturer shall:

(1) Determine the "unit direct cost" for the article being priced.

(2) Select from his line of "comparable articles" for which maximum prices have already been established, two comparable articles: the one which has a unit direct cost immediately higher and the one which has a unit direct cost immediately lower than the unit direct cost of the article being priced. If a comparable article has the same unit direct cost as the article being priced, it shall be selected in addition to the comparable articles immediately above and below. If all comparable articles are either above or below, the one closest in unit direct cost shall be selected.

(3) Determine both the average percentage and the average dollar mark-up over unit direct cost for the comparable articles selected.

In calculating the mark-up over unit direct cost for the comparable articles selected, the manufacturer shall use the maximum price for those articles exclusive of all adjustment charges or permitted increases. The maximum prices

used shall be those applicable to the class of purchaser to whom he sold the largest quantities of those articles. The same class of purchaser shall be used for all the comparable articles. If the class of purchaser to whom he sold the largest quantities is not the same for all of the comparable articles, the manufacturer shall determine which of the comparable articles has the largest sales volume and use the maximum prices applicable to the class of purchaser to whom he sells that article in the largest volume.

Where the maximum price of a comparable article was established under section 5 of Supplementary Order No. 118 such maximum price reflects the adjustments permitted the manufacturer under that order. If that article is to be used as a comparable for pricing a new article under the Third Pricing Method, its unadjusted maximum price must be determined. Its unadjusted maximum price shall be determined as follows:

To the price determined in accordance with section 5 of Supplementary Order No. 118, add or subtract (as the case may be) the amount that was respectively subtracted or added in accordance with Step 2 of section 5 of Supplementary Order No. 118. (If you subtracted the difference in unit direct costs in Step 2 of section 5 of Supplementary Order No. 118, you would add that amount in this computation. If you added the difference in unit direct costs in Step 2 of section 5 of Supplementary Order No. 118, you would subtract that amount in this computation.) Divide the result by the percentage of increase determined under Supplementary Order No. 118 for the comparable articles used in that calculation plus 100%. Add or subtract the amount which was respectively subtracted or added in accordance with Step 2 of section 5 of Supplementary Order No. 118. (If you subtracted the difference in unit direct costs in Step 2 of section 5 of Supplementary Order No. 118 you would subtract that amount in this computation. If you added the difference in unit direct costs in Step 2 of section 5 of Supplementary Order No. 118, you would add that amount in this computation.)

Example of computation of the unadjusted maximum price of comparable article which is priced under the provisions of section 5 of Supplementary Order No. 118.

Step 1. Price determined in accordance with section 5 of Supplementary Order No. 118: \$11.50

Step 2. Subtract the amount (\$.50) by which costs of the new article exceeded the costs of the comparable article computed in accordance with section 5 of Supplementary Order No. 118 (\$11.50): \$11.50 - \$.50 = \$11.00

Step 3. Assuming the increase factor under which Supplementary Order No. 118 equals 10%, divide \$11.00 by 100% plus 10% or 110%: \$11.00 ÷ 110% = \$10.00

Step 4. Add back the amount deducted in Step 2 (\$.50), to the result obtained in Step 3 (\$10.00): \$10.00 + \$.50 = \$10.50

\$10.50 is the unadjusted maximum price of the comparable article used in the Third Method computation.

(4) Apply to the unit direct cost of the article being priced either the average percentage or the average dollar mark-up, whichever will yield the lower price. The resulting price shall be the maximum price for sales of the article being

priced to such largest volume class of purchaser. That price may be adjusted for either classes of purchaser according to § 1499.159.

EXAMPLE OF COMPUTATION OF MAXIMUM PRICE

[Unit direct cost of the article being priced: \$9]

Unit direct costs of comparable articles selected according to (2)	Maximum selling price for each such article	Dollar mark-up for each such article	Average dollar mark-up for such articles	Average percentage mark-up for such articles
\$10.00-----	\$14.00-----	\$4.00-----	\$23.00 (sum of maximum prices) — \$17.00 (sum of unit direct costs) \$6.00 divided by \$2.00 equals \$3.00.	\$23.00 (sum of maximum prices) — \$17.00 (sum of unit direct costs) \$6.00 divided by \$17.00 equals 35.3%.
\$7.00-----	\$9.00-----	\$2.00-----		

Unit direct cost plus average percentage mark-up—\$9 plus \$3.18=\$12.18.

Unit direct cost plus average dollar mark-up—\$9 plus \$3=\$12.

Maximum selling price of article being priced (the lower of above two sums) \$12.

3. Section 1499.157 (e) (3) is amended by changing the last paragraph thereof to read as follows:

The Price Administrator, or his duly authorized representative may by order under this section establish, revise or disapprove prices determined in accordance with this section. The Price Administrator, or his duly authorized representative may, by order under this section establish maximum prices for sales by persons other than the manufacturer of an article for which a manufacturer's maximum price has been determined under this section.

This amendment shall become effective on the 12th day of August 1946.

Issued this 7th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13730; Filed, August 7, 1946;
11:50 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[Territorial Consumer Goods Reg. 1, Amdt. 1 to Supp. 5]

RADIO RECEIVERS AND PHONOGRAPHS

A statement of the considerations involved in the issuance of this supplement, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 5 (a) (3) is amended to read as follows:

(3) Where a maximum price at wholesale has been established under this supplement for a shipment of radios and where "landing costs" plus the invoice cost of the radio on a subsequent shipment do not vary more than 2% up or down, a new price need not be established. Where "landing costs" plus the invoice cost of the radio vary more than 2% down, new prices must be established.

This amendment shall become effective as of June 24, 1946.

Issued this 7th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13744; Filed, Aug. 7, 1946;
11:52 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

PART 6—SECURITY OF PORTS AND THE CONTROL OF VESSELS IN THE NAVIGABLE WATERS OF THE UNITED STATES

SUBPART C—ANCHORAGE AND RESTRICTED AREAS

Correction

In Federal Register Document 46-12610 appearing at page 8119 of the issue for Saturday, July 27, 1946, the reference to "Commandant" in § 6.5-140 (b) (9) should read "Commander".

TITLE 38—PENSIONS, BONUSES AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 1—GENERAL PROVISIONS

CROSS REFERENCE: Sections 1.300, 1.301, and 1.302 are revoked and superseded by Part 20, *infra*.

PART 2—ADJUDICATION: VETERANS' CLAIMS SERVICE REQUIREMENTS

In § 2.1009 *Revision of Rating Board decision*. No change in (a), (b), (c), or (d).

(e) When the reduction of an award for a service-connected disability is considered warranted by a change in physical condition, the rating agency will prepare an appropriate rating extending the present evaluation sixty days from the date of rating, followed by the reduced evaluation. In all such cases award action and approval will be processed at the time of rating but the date of submission and approval entered on the award form will be the date following expiration of the sixty-day period following the date of rating. The reduction or discontinuance of the award shall become effective, in accordance with § 35.021 (c) on the last day of the month in which the approval of the award is effective. In view of the time limitation the veteran will be promptly notified in writing at the time that such award action and approval are processed that the reduction or discontinuance will be effective as provided

above, without further notice, if additional evidence is not submitted within the sixty-day period. If the veteran submits additional evidence within the sixty-day period, the rating and all award or approval action processed in accordance with the foregoing shall be reconsidered and confirmed, modified or canceled as required. The rating sheet will bear the following notation: "R. & P. R-1009 (E), as amended."

(R.S. 471, sec. 5, 43 Stat. 608, secs. 1, 2, 46 Stat. 1016, sec. 7; 48 Stat. 9; 38 U.S.C. 2, 11, 11a, 426, 707; 57 Stat. 554-560, 38 U.S.C. 727)

[SEAL]

OMAR N. BRADLEY,
General, U. S. Army,
Administrator.

AUGUST 5, 1946.

[F. R. Doc. 46-13680; Filed, Aug. 6, 1946;
4:22 p. m.]

PART 20—GUARDIANSHIP AND LEGAL ADMINISTRATION

MISCELLANEOUS AMENDMENTS

Sections 1.300, 1.301 and 1.302 are hereby revoked, the material therein revised and transferred to Part 20 as §§ 20.5336, 20.5337 and 20.5338:

§ 20.5336 *Recognition of organizations, associations, and other agencies in the presentation and adjudication of claims for benefits*. The American Red Cross, American Legion, Disabled American Veterans, Grand Army of the Republic, United Spanish War Veterans, Veterans of Foreign Wars, and such other organizations as the Administrator of Veterans Affairs shall approve, may be recognized in the presentation of claims under the laws administered by the Veterans' Administration when the proper officers thereof make application for recognition on the form prescribed and furnished by the Veterans' Administration and as a part of such application, agree and certify that neither the organization nor its representatives will charge claimants any fee or compensation whatsoever for their services: In general, no additional organizations will be recognized after January 1, 1947 except (1) State or governmental services, or (2) organizations granted a charter or recognition by act of Congress.

(a) In requesting recognition, the following information will be supplied:

(1) Statement outlining the purpose of the organization and need thereof and the manner in which the veteran or his dependent would be benefited by such recognition;

(2) Names, titles, and addresses of officers;

(3) Number of posts or chapters and States in which located and total paid-up membership;

(4) Names, titles, and addresses of full-time paid employees who are qualified to act as accredited representatives;

(5) Copy of last financial statement of the organization;

(6) Copy of the constitution or charter and by-laws of the organization.

§ 20.5337 *Lists of representatives to be filed*. Recognized organizations shall file with the Administration on the prescribed form furnished by the Veterans'

Administration the names of any officers whom it desires recognized as accredited representatives thereof and the Veterans' Administration office or offices at which recognition is to be extended in the presentation of claims. In proposing a candidate for recognition as a representative, the organization, through its appropriate officer, shall certify to the following:

(1) That the applicant is a citizen of the United States, of good character and reputation, is qualified by training or experience to assist in the presentation of claims; and that he is a member or employee of the organization.

(2) That he is not employed in any civil or military department or agency of the United States and not a retired member of the Regular Army, Navy, Marine Corps, Coast Guard, or Public Health Service.

(3) Whether the applicant is a veteran, and if so, that he was honorably discharged from the active service.

(a) The application (Form P-21, Revised) may be filed with the central office or directly with the branch or regional office where the applicant is to serve.

(b) An application received in the central office will be sent to the branch or regional office designated. The deputy administrator or regional manager, as the case may be, will secure sufficient facts, by field investigation, if necessary, to justify a determination whether the applicant is qualified. If the deputy administrator or the manager determines that the applicant is qualified, he will issue the notice (FL 2-3 replacing Form 3577) sending the original to the applicant, and a copy to central office for notation and forwarding to the organization. If the approval is by the manager of a regional office, the copy will be forwarded, through the deputy administrator to the central office. A record of accredited representatives will be maintained at each office. If the deputy administrator's determination be adverse or the case is one of doubtful aspect, the entire matter will be referred to the central office—attention of the solicitor.

(c) Recognition will be canceled at the request of the organization, and the deputy administrator or manager may cancel or suspend any recognition for cause, reporting on the facts through channels, to the central office—attention of the solicitor. Where recognition is canceled in accordance with the above, notice thereof (FL 2-5 replacing FL 3-11 and Form 3579) will be supplied in the same manner, as above stated, with respect to notice of recognition.

(d) Nominations of accredited representatives of national service organizations and of the American Red Cross will be accepted only if approved by the certifying officer, national headquarters, of such organization.

(e) Letters of recognition issued by the central office to national and field officers of recognized organizations will constitute authorization for their recognition in claims matters in any branch or regional office within their respective assignments; and similarly letters of recognition issued by a deputy administrator will constitute authorization for the

accredited representative to present claims in any regional office in that area.

§ 20.5338 *Power of attorney in individual claims.* (a) Before an organization may be recognized in an individual claim, there must be filed a power of attorney duly executed by the claimant specifically conferring upon the organization the authority to represent the claimant in the presentation of his claim and to receive any information in connection therewith on the form prescribed and furnished by the Veterans' Administration, which power of attorney shall be presented to the Veterans' Administration office concerned to be filed in the claimant's folder. The power of attorney must be signed by the claimant, or if the claimant be under guardianship, by the guardian. An organization which has filed a power of attorney in the case of a veteran may, in the event of the death of the veteran, be recognized for a reasonable period thereafter as to claims in the course of prosecution at the time of such death, unless a new power of attorney is filed.

(b) Upon receipt and approval of the power of attorney, the organization named therein shall be recognized as the sole agency for the presentation of the claim covered thereby, and no other organization, agent or attorney shall be recognized in the presentation of that claim or any phase thereof. The power of attorney given by the claimant may be revoked by him at any time and a subsequent power of attorney substituted, designating another organization, agent or attorney; a subsequently executed power of attorney shall constitute a revocation of any existing power of attorney. Likewise, a power of attorney may be revoked by the organization named therein.

(c) In certifying a case to the board of veterans appeals wherein a power of attorney has been executed by the claimant in favor of an attorney or representative of a recognized organization, the certifying officer will include a statement showing that such attorney or attorney-in-fact is on the accredited list.

(d) *Recognition of attorneys and agents.* (1) Claim agents will continue to be recognized and certified only by the office of the solicitor.

(2) Recognition of attorneys is hereby decentralized to the deputy administrators, branch offices, and the managers of regional offices, the functions to be a part of the duties of the chief attorney, branch office or the chief attorney, regional office, respectively. Any member in good standing of the bar of a State, territory or possession of the United States, or of the bar of the District of Columbia will upon application, on form prescribed (3186), be certified as entitled to recognition provided he has never been convicted (including plea of guilty or nolo contendere) of a serious penal offense, including any violation of any penal provisions respecting fees.

(3) In general the procedures of paragraphs (a), (b), and (c) of this section will apply, insofar as pertinent, to recognition of attorneys.

(4) Any cause considered sufficient to reject the application of an attorney, or

to cancel recognition previously granted, will be reported in full, through channels, to the central office, attention the solicitor, for final determination; except that recognition shall be automatically canceled if an attorney is convicted of charging illegal fees contrary to the provisions of the Federal statutes (secs. 101-103, sec. 551, T. 38 U.S.C. or similar provision). There shall also be applied the provisions of section 6 (a), Public Law 404, 79th Congress. See also §§ 21.5630 to 21.5635, inclusive, of this chapter.

(R.S. 471, secs. 1, 5, 43 Stat. 607, 608, secs. 1, 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U.S.C. 2, 11, 11a, 421, 426, 707; sec. 200, 49 Stat. 2031; 38 U.S.C., Sup., 101)

[SEAL]

OMAR N. BRADLEY,
General, U. S. Army,
Administrator.

AUGUST 5, 1946.

[F. R. Doc. 46-13679; Filed, Aug. 6, 1946; 4:22 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 550, Amdt. 1]

PART 95—CAR SERVICE

EMBARGO OF LAKE CARGO COAL; APPOINTMENT OF AGENT

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 6th day of August A. D. 1946.

Upon further consideration of Service Order No. 550 (11 F.R. 7897), and good cause appearing therefor: *It is ordered*, That:

Service Order No. 550 be, and it is hereby amended by adding the following paragraphs (g), (h), (i), (j) and (k) thereto.

(g) Shipments of bituminous coals consigned the ports of Sandusky and Toledo, Ohio on Lake Erie for dumping to vessels may be diverted en route from one port to another, (either Sandusky or Toledo) or to different piers within the Port of Toledo, Ohio, when in the judgment of permit agent appointed herein (subject to the provisions of paragraph (h) hereof) such action is necessary to avoid excess accumulations at either Sandusky or Toledo, Ohio, Lake Erie docks which delay the release of cars.

(h) The permit agent shall advise the Director, Bureau of Service, before diverting cars of coal and any diversion order may be modified or vacated at the discretion of the Director, Bureau of Service.

(i) *Rates to be applied.* When coal is diverted or rerouted pursuant to this order, it is deemed to be due to carriers' disability; rates applicable to traffic so forwarded shall be those which would have applied to the shipments if such shipments had moved as originally routed to the original port or ports.

(j) *Division of rates.* In executing the orders and directions of the Commission provided for in this order the common carriers involved shall proceed without reference to contracts, agreements, or arrangements now existing between them with reference to the divisions of the rates of transportation applicable to said traffic; such divisions shall be, during the time this order remains in force, voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(k) *Rules, regulations and practices suspended.* The operation of all rules, regulations and practices insofar as they conflict with the provisions of this order is hereby suspended. (40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this amendment shall become effective at 12:01 a. m., August 15, 1946; that copies of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 46-13724; Filed, Aug. 7, 1946;
11:32 a. m.]

[Posting Order 308, Amdt. 4]

PART 148—POSTING TARIFFS AT STATIONS
PUBLIC FILES OF TARIFFS

In the matter of modification of the provisions of section 6 of the act with regard to posting freight or passenger tariffs at stations.

Present: Clyde B. Aitchison, Commissioner, to whom the above-entitled matter has been assigned for action thereon.

The modification of the posting requirements made by Posting Order No. 308, (7 F.R. 3412, 9054; 8 F.R. 884, 6741), as amended, being under further consideration, and good cause appearing therefor;

It is ordered, That the location of public files of tariffs as required by the eighth paragraph (§ 148.8) of the Commission's order of October 12, 1915, as amended by Posting Order No. 308 of April 30, 1942, as amended, be, and it is hereby further amended to provide that the Louisiana Midland Railway Company need not maintain a complete public file of tariffs at a point on its line provided a complete public file of the tariff publications which it issues or is a party to is maintained in the office of the Louisiana & Arkansas Railway Company at Shreveport, La.

And it is further ordered, That this order shall continue in force until further order of the Commission.

Dated at Washington, D. C., this 5th day of August 1946.

By the Commission.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 46-13722; Filed, Aug. 7, 1946;
11:32 a. m.]

Chapter II—Office of Defense
Transportation

[General Permit ODT 18A, Rev. 4]

PART 520—CONSERVATION OF RAIL EQUIP-
MENT; EXCEPTIONS, PERMITS, AND SPE-
CIAL DIRECTIONS

SHIPMENTS OF APPLES

In accordance with the provisions of § 500.73 of General Order ODT 18A, Revised, (11 F.R. 8229), it is hereby authorized, That:

§ 520.496 *Shipments of apples.* (a) Notwithstanding the restrictions contained in § 500.72 of General Order ODT 18A, Revised, (11 F.R. 8229), any person may offer for transportation and any rail carrier may accept for transportation at point of origin, forward from point of origin, or load and forward from point of origin, any carload freight consisting of apples:

(1) When the origin of any such freight is any point or place east of a line consisting of the eastern boundary of the State of Minnesota and the Mississippi River south to New Orleans, Louisiana, and such freight is packed in boxes, and the quantity loaded in each car is not less than 30,000 pounds; or

(2) When the point of origin of any such freight is any point or place east of a line consisting of the eastern boundary of the State of Minnesota and the Mississippi River south to New Orleans, Louisiana, and such freight is packed in bushel baskets, and each car is loaded to an elevation of not less than four complete tiers of such baskets, each tier extending the full length of the car, and when loaded the entire floor space of the car is occupied; or

(3) When the point of origin is any place or point in the States of California, Oregon or Washington, irrespective of whether such freight is packed in boxes or bushel baskets, the quantity loaded in each car is not less than 35,000 pounds: *Provided,* That if any such freight consists of Gravenstein apples the quantity loaded in each car is not less than 30,000 pounds.

(b) Special Permit No. P-355 and Special Permit No. P-392, pertaining to the shipment of apples, and issued, pursuant to General Order ODT 18A, by J. P. Kiernan, Acting Assistant Director, Railway Transport Department, Office of Defense Transportation, on June 3 and July 31, 1946, respectively, are hereby cancelled as of midnight, August 9, 1946.

This General Permit ODT 18A, Revised-4, shall become effective August 10,

1946, and shall expire September 15, 1946.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; General Order ODT 18A, Revised, 11 F.R. 8229)

Issued at Washington, D. C., this 6th day of August 1946.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 46-13668; Filed, Aug. 6, 1946;
4:10 p. m.]

[General Permit ODT 18A, Rev. 5]

PART 520—CONSERVATION OF RAIL EQUIP-
MENT; EXCEPTIONS, PERMITS, AND SPE-
CIAL DIRECTIONS

SHIPMENTS OF IRISH POTATOES AND OF SEED
POTATOES

In accordance with the provisions of § 500.73 of General Order ODT 18A, Revised (11 F.R. 8229), it is hereby authorized, That:

§ 520.497 *Shipments of new fresh harvested Irish potatoes.* Notwithstanding the restrictions contained in § 500.72 of General Order ODT 18A, Revised (11 F.R. 8229), any person may offer for transportation, and any rail carrier may accept for transportation at point of origin, forward from point of origin, or load and forward from point of origin, any carload freight consisting of new fresh harvested Irish potatoes:

(a) When the origin of any such freight is any point or place in the States of Arizona, California, Colorado, Idaho, Minnesota, Nebraska, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, or Washington, and the quantity loaded in each car is not less than 40,000 pounds; or

(b) When the origin of any such freight is any point or place in the States of Kansas or Missouri, and the quantity loaded in each car is not less than 30,000 pounds; or

(c) When the origin of any such freight is any point or place in the States of Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, North Carolina, New Hampshire, New Jersey, New York, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Vermont, or Virginia, and the quantity loaded in each car is not less than 36,000 pounds when such freight is iced, or when ice is available for placing in such car: *Provided,* That, if ice is not available at the shipping point for placing in such car the quantity of such freight loaded in each car shall be not less than 30,000 pounds.

§ 520.498 *Shipments of certified seed potatoes.* Notwithstanding the restrictions contained in § 500.72 of General Order ODT 18A, Revised (11 F.R. 8229), any person may offer for transportation, and any rail carrier may accept for transportation at point of origin, forward from point of origin, or load and forward from point of origin, any carload freight consisting of certified seed potatoes properly tagged and certified by the authorized State certifying authority, or other

duly constituted authority, when the origin of any such freight is any point or place in the States of Minnesota, Nebraska, North Dakota and South Dakota: *Provided*, That, the quantity of such certified seed potatoes loaded in each car is not less than 36,000 pounds.

§ 520.499 *Expiration dates.* (a) The provisions of this General Permit ODT 18A, Revised-5, relating to freight consisting of new fresh harvested Irish potatoes originating at any point or place in the States of Alabama, Arkansas, Arizona, California, Florida, Georgia, Kansas, Kentucky, Louisiana, Mississippi, Missouri, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, or Virginia, shall expire on August 31, 1946;

(b) The provisions of this General Permit ODT 18A, Revised-5, relating to freight consisting of new fresh harvested Irish potatoes originating at any point or place in the States of Colorado, Idaho, Nevada, Oregon, Utah, or Washington, shall expire on September 15, 1946;

(c) The provisions of this General Permit ODT 18A, Revised-5, relating to freight consisting of new fresh harvested Irish potatoes originating at any point or place in the States of Connecticut, Delaware, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Pennsylvania, South Dakota, or Vermont, shall expire on September 30, 1946;

(d) The provisions of this General Permit ODT 18A, Revised-5, relating to certified seed potatoes shall expire on September 30, 1946.

§ 520.500 *Cancellations.* The provisions of Special Permits numbered P-356, P-357, P-375, P-381, P-387, P-388, P-389, and P-393 pertaining to shipments of potatoes and issued pursuant to the provisions of General Order ODT 18A, by J. P. Kiernan, Acting Assistant Director, Railway Transport Department, Office of Defense Transportation, on June 6, 1946, July 3, 1946, July 10, 1946, July 22, 1946, July 24, 1946, and July 31, 1946, respectively, are hereby cancelled as of midnight, August 9, 1946.

This General Permit ODT 18A, Revised-5, shall become effective August 10, 1946.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; General Order ODT 18A, Revised, 11 F.R. 8229)

Issued at Washington, D. C., this 6th day of August 1946.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 46-13669; Filed, Aug. 6, 1946; 4:10 p. m.]

[General Permit ODT 18A, Rev. 6]

PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS, PERMITS, AND SPECIAL DIRECTIONS

SHIPMENTS OF GRAPES

In accordance with the provisions of § 500.73 of General Order ODT 18A, Revised, No. 154—5

vised (11 F.R. 8229), it is hereby authorized, that:

§ 520.501 *Shipments of grapes.* (a) Notwithstanding the restrictions contained in § 500.72 of General Order ODT 18A, Revised (11 F.R. 8229), any person may offer for transportation and any rail carrier may accept for transportation at point of origin, forward from point of origin, or load and forward from point of origin, any carload freight consisting of table grapes:

(1) When such freight consists of Thompson Seedless grapes or Malaga grapes and the origin point of such freight is in the States of Arizona or California, and the quantity loaded in each car is not less than 27,500 pounds; or

(2) When such freight consists of any variety of table grapes other than Thompson Seedless or Malaga and the origin point of any such freight is in the States of Arizona or California, and the quantity loaded in each car is not less than 32,000 pounds.

(b) Special Permit No. P-391 pertaining to the shipment of table grapes, and issued pursuant to General Order ODT 18A, by J. P. Kiernan, Acting Assistant Director, Railway Transport Department, Office of Defense Transportation, on July 29, 1946, is hereby cancelled as of midnight August 9, 1946.

This General Permit ODT 18A, Revised-6, shall become effective August 10, 1946, and shall expire August 31, 1946.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; Gen. Order ODT 18A, Revised, 11 F.R. 8229)

Issued at Washington, D. C., this 6th day of August, 1946.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 46-13670; Filed, Aug. 6, 1946; 4:10 p. m.]

[General Permit ODT 18A, Rev. 7]

PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS, PERMITS, AND SPECIAL DIRECTIONS

SHIPMENTS OF NEW FRESH HARVESTED ONIONS

In accordance with the provisions of § 500.73 of General Order ODT 18A, Revised (11 F. R. 8229), it is hereby authorized, that:

§ 520.502 *Shipments of new fresh harvested onions.* (a) Notwithstanding the restrictions contained in § 500.72 of General Order ODT 18A, Revised (11 F.R. 8229), any person may offer for transportation and any rail carrier may accept for transportation at point of origin, forward from point of origin, or load and forward from point of origin, any carload freight consisting of new fresh harvested onions:

(1) When the origin point of any such freight is in the States of Arizona, Arkansas, California, Connecticut, Delaware, Georgia, Idaho, Illinois, Indiana, Iowa, Louisiana, Maine, Maryland, Mas-

sachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New Mexico, New York, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, Vermont, Washington or Wisconsin, and the quantity of such shipment in each car is not less than 30,000 pounds.

(b) This General Permit ODT 18A, Revised-7, shall expire on August 31, 1946, as to shipments of new fresh harvested onions originating in the State of Washington, and shall expire September 30, 1946, as to shipments of such onions originating in the States of Arizona, Arkansas, California, Connecticut, Delaware, Georgia, Illinois, Indiana, Iowa, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, New Mexico, Ohio, Oklahoma, Pennsylvania, Rhode Island, Vermont, and Wisconsin, and shall expire on October 31, 1946, as to shipments of such onions originating in the States of Idaho and Oregon.

(c) Special Permits numbered P-358, P-367, P-373, P-380, P-382, P-385, and P-386 pertaining to the shipment of onions and issued pursuant to General Order ODT 18A, by J. P. Kiernan, Acting Assistant Director, Railway Transport Department, Office of Defense Transportation, on June 14, June 27, July 2, July 5, July 12, and July 19, 1946, respectively, are hereby cancelled as of midnight, August 9, 1946.

This General Permit ODT 18A, Revised-7, shall become effective August 10, 1946.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; General Order ODT 18A, Revised, 11 F.R. 8229)

Issued at Washington, D. C., this 6th day of August 1946.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 46-13671; Filed, Aug. 6, 1946; 4:10 p. m.]

[General Permit ODT 18A, Rev. 8]

PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS, PERMITS, AND SPECIAL DIRECTIONS

SHIPMENTS OF NEW FRESH HARVESTED CARROTS

In accordance with the provisions of § 500.73 of General Order ODT 18A, Revised (11 F.R. 8229), it is hereby authorized, That:

§ 520.503 *Shipments of new fresh harvested carrots.* (a) Notwithstanding the restrictions contained in § 500.72 of General Order ODT 18A, Revised (11 F.R. 8229), any person may offer for transportation and any rail carrier may accept for transportation at point of origin, forward from point of origin, or load and forward from point of origin, any carload freight consisting of new fresh harvested carrots:

(1) When the origin point of any such freight is in the States of Arizona, California, Idaho, New Mexico, or Oregon, and each car is loaded with not less than 346 L. A. crates if the car is

equipped with collapsible ice bunkers and such bunkers are not collapsed, or each car is loaded with 415 L. A. crates if the car is equipped with collapsible ice bunkers and such bunkers are collapsed, or each car is loaded with not less than 346 L. A. crates if the car is equipped with stationary ice bunkers; or

(2) When the origin point of any such freight is in the States of Idaho or Oregon and such freight is packed in lettuce crates, and each car is loaded with not less than 320 such crates.

(b) Special Permits numbered P-369, P-371, P-372, P-378, P-379, P-383, and P-384 pertaining to the shipment of carrots issued pursuant to General Order ODT 18A, by J. P. Kiernan, Acting Assistant Director, Railway Transport Department, Office of Defense Transportation, on June 25, July 5, and July 12, 1946, respectively, are hereby cancelled as of midnight August 9, 1946.

This General Permit ODT 18A, Revised-8, shall become effective August 10, 1946, and shall expire October 31, 1946.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; Gen. Order ODT 18A, Revised, 11 F.R. 8229)

Issued at Washington, D. C., this 6th day of August 1946.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 46-13672; Filed, Aug. 6, 1946; 4:10 p. m.]

[General Permit ODT 18A, Rev. 9]

PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS, PERMITS, AND SPECIAL DIRECTIONS

SHIPMENTS OF LETTUCE

In accordance with the provisions of § 500.73 of General Order ODT 18A, Revised (11 F.R. 8229), it is hereby authorized, That:

§ 520.504 *Shipments of lettuce.* (a) Notwithstanding the restrictions contained in § 500.72 of General Order ODT 18A, Revised (11 F.R. 8229), any person may offer for transportation and any rail carrier may accept for transportation at point of origin, forward from point of origin, or load and forward from point of origin, any carload freight consisting of lettuce:

(1) When the origin point of any such freight is in the States of Arizona or California, and each car is loaded with not less than 312 L. A. crates if the car is a refrigerator car equipped with stationary ice bunkers; or

(2) When the origin point of any such freight is in the States of Arizona or California, and each car is loaded with not less than 360 L. A. crates if the car is a refrigerator car equipped with collapsible ice bunkers with the bunkers collapsed at time of loading; or

(3) When the origin point of any such freight is in the States of Arizona or California, and each car is loaded with not less than 312 L. A. crates if the car is a refrigerator car equipped with collapsible ice bunkers and the bunkers are not collapsed.

(b) Special Permits numbered P-368 and P-370 pertaining to the shipment of lettuce, and issued, pursuant to General Order ODT 18A, by J. P. Kiernan, Acting Assistant Director, Railway Transport Department, Office of Defense Transportation, on June 25, 1946, are hereby cancelled as of midnight, August 9, 1946.

This General Permit ODT 18A, Revised-9, shall become effective August 10, 1946, and shall expire on October 31, 1946.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; General Order ODT 18A, Revised, 11 F.R. 8229)

Issued at Washington, D. C., this 6th day of August 1946.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 46-13673; Filed, Aug. 6, 1946; 4:11 p. m.]

[General Permit ODT 18A, Rev. 10]

PART 520—CONSERVATION OF RAIL EQUIPMENT, EXCEPTIONS, PERMITS, AND SPECIAL DIRECTIONS

SHIPMENTS OF RIPE OR SOFT BANANAS

In accordance with the provisions of § 500.73 of General Order ODT 18A, Revised (11 F.R. 8229), it is hereby authorized, That:

§ 520.505 *Shipments of ripe or soft bananas.* (a) Notwithstanding the restrictions contained in § 500.72 of General Order ODT 18A, Revised (11 F.R. 8229), any person may offer for transportation and any rail carrier may accept for transportation at point of origin, forward from point of origin, or load and forward from point of origin, any carload freight consisting of ripe or soft bananas:

(1) When the origin point of the rail transportation of any such freight is Baltimore, Maryland, Jacksonville, Florida, Miami, Florida, Tampa, Florida, West Palm Beach, Florida, Mobile, Alabama, New Orleans, Louisiana, Wilmington, California, or Charleston, South Carolina, and because of delay in arrival at any such point of the cargo vessel transporting such bananas, or because of other circumstances beyond the control of the individual shipper, the bananas are too ripe or too soft to permit loading in cars to the minimum prescribed in Special Direction ODT 18A-2A, and such freight is loaded to an extent not exceeding the refrigerating, heating, or ventilating capacity of the car.

(b) Special Permits numbered P-361, P-362, P-363, P-364, P-365 and P-366 pertaining to shipments of ripe or soft bananas and issued pursuant to General Order ODT 18A, by J. P. Kiernan, Acting Assistant Director, Railway Transport Department, Office of Defense Transportation, on June 25, 1946, are hereby cancelled as of midnight August 9, 1946.

This General Permit ODT 18A, Revised-10, shall become effective August 10, 1946, and shall expire October 31, 1946.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; Gen. Order ODT 18A, Revised, 11 F.R. 8229)

Issued at Washington, D. C., this 6th day of August 1946.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 46-13674; Filed, Aug. 6, 1946; 4:12 p. m.]

[General Permit ODT 18A, Rev. 11]

PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS, PERMITS, AND SPECIAL DIRECTIONS

SHIPMENTS OF FRESH FRUITS AND VEGETABLES

In accordance with the provisions of § 500.73 of General Order ODT 18A, Revised (11 F.R. 8229), it is hereby authorized, That:

§ 520.506 *Shipments of fresh fruits and vegetables.* (a) Notwithstanding the restrictions contained in § 500.72 of General Order ODT 18A, Revised (11 F.R. 8229), any person may offer for transportation and any rail carrier may accept for transportation at point of origin, forward from point of origin, or load and forward from point of origin, any carload freight consisting of fresh fruits and vegetables:

(1) When a car is partially loaded with such freight at a place in Salinas, California, and is switched to another place therein for completion of loading in compliance with the loading requirements of General Order ODT 18A, Revised.

(b) Special Permits numbered P-376 and P-377 pertaining to the shipment of fresh fruits and vegetables, and issued, pursuant to General Order ODT 18A, by J. P. Kiernan, Acting Assistant Director, Railway Transport Department, Office of Defense Transportation, on July 3, 1946, are hereby cancelled as of midnight, August 9, 1946.

This General Permit ODT 18A, Revised-11, shall become effective August 10, 1946, and shall expire August 31, 1946.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; General Order ODT 18A, Revised, 11 F.R. 8229)

Issued at Washington, D. C., this 6th day of August, 1946.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 46-13675; Filed, Aug. 6, 1946; 4:12 p. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Farm Security Administration.

INDIANA AND IOWA

FARM OWNERSHIP LOAN LIMITATIONS

In accordance with the item entitled, "Farm Tenancy," contained in the Department of Agriculture Appropriation Act, 1947 (Public Law 422, 79th Con-

gress, approved June 22, 1946), no loans under Title I of the Bankhead-Jones Farm Tenant Act (50 Stat. 522, 7 U.S.C. 1000-1006), excepting those to eligible veterans, may be made for the acquisition or enlargement of farms which have a value, as acquired, enlarged, or improved, in excess of the average value of efficient family-size farm-management units, as determined by the Secretary of Agriculture, in the county, parish, or locality where the farm is located. The limitations designated herein shall be applied in accordance with the above-mentioned authorities to Farm Ownership loans in the counties of Indiana and Iowa named below. With respect to each county, the limitation does not exceed the average value of efficient family-size farm-management units located in such county.

INDIANA

County	Limitation	County	Limitation
Adams	\$12,000	Lawrence	\$10,000
Allen	12,000	Madison	12,000
Bartholomew	12,000	Marion	12,000
Benton	12,000	Marshall	12,000
Blackford	12,000	Martin	8,000
Boone	12,000	Miami	12,000
Brown	8,000	Monroe	10,000
Carroll	12,000	Montgomery	12,000
Cass	12,000	Morgan	12,000
Clark	9,500	Newton	12,000
Clay	10,000	Noble	11,500
Clinton	12,000	Ohio	8,000
Crawford	7,000	Orange	9,000
Davess	12,000	Owen	9,000
Dearborn	8,000	Parke	12,000
Decatur	12,000	Perry	9,500
De Kalb	12,000	Pike	10,200
Delaware	12,000	Porter	12,000
Dubois	9,000	Posey	12,000
Elkhart	12,000	Pulaski	12,000
Fayette	12,000	Putnam	10,000
Floyd	9,000	Randolph	12,000
Fountain	12,000	Ripley	8,500
Franklin	9,000	Rush	12,000
Fulton	12,000	Saint Joseph	12,000
Gibson	12,000	Scott	9,000
Grant	12,000	Shelby	12,000
Greene	10,000	Spencer	10,000
Hamilton	12,000	Starke	12,000
Hancock	12,000	Steuben	10,500
Harrison	8,500	Sullivan	10,000
Hendricks	12,000	Switzerland	8,000
Henry	12,000	Tiptecanoe	12,000
Howard	12,000	Tipton	12,000
Huntington	12,000	Union	12,000
Jackson	12,000	Vanderburgh	12,000
Jasper	12,000	Vermillion	12,000
Jay	10,500	Vigo	10,000
Jefferson	8,500	Wabash	12,000
Jennings	8,000	Warren	12,000
Johnson	12,000	Warrick	9,000
Knox	12,000	Washington	9,000
Kosciusko	11,500	Wayne	12,000
La Grange	11,000	Wells	11,000
Lake	12,000	White	12,000
La Porte	12,000	Whitley	11,000

IOWA

Adair	\$12,000	Cerro Gordo	\$12,000
Adams	12,000	Cherokee	12,000
Allamakee	12,000	Chicaksaw	12,000
Appanoose	9,500	Clarke	11,000
Audubon	12,000	Clay	12,000
Benton	12,000	Clayton	12,000
Black Hawk	12,000	Clinton	12,000
Boone	12,000	Crawford	12,000
Bremer	12,000	Dallas	12,000
Buchanan	12,000	Davis	9,500
Buena Vista	12,000	Decatur	10,000
Butler	12,000	Delaware	12,000
Calhoun	12,000	Des Moines	12,000
Carroll	12,000	Dickinson	12,000
Cass	12,000	Dubuque	12,000
Cedar	12,000	Emmet	12,000

IOWA—continued

County	Limitation	County	Limitation
Fayette	\$12,000	Monona	\$12,000
Floyd	12,000	Monroe	9,500
Franklin	12,000	Montgomery	12,000
Fremont	12,000	Muscataine	12,000
Greene	12,000	O'Brien	12,000
Grundy	12,000	Osceola	12,000
Guthrie	12,000	Page	12,000
Hamilton	12,000	Palo Alto	12,000
Hancock	12,000	Plymouth	12,000
Hardin	12,000	Pocahontas	12,000
Harrison	12,000	Polk	12,000
Henry	12,000	Pottawattamie	12,000
Howard	10,000	Poweshiek	12,000
Humboldt	12,000	Ringgold	11,500
Ida	12,000	Sac	12,000
Iowa	12,000	Scott	12,000
Jackson	12,000	Shelby	12,000
Jasper	12,000	Sioux	12,000
Jefferson	12,000	Story	12,000
Johnson	12,000	Tama	12,000
Jones	12,000	Taylor	12,000
Keokuk	12,000	Union	12,000
Kossuth	12,000	Van Buren	9,500
Lee	12,000	Wapello	11,000
Linn	12,000	Warren	12,000
Louisa	12,000	Washington	12,000
Lucas	10,000	Wayne	11,000
Lyon	12,000	Webster	12,000
Madison	12,000	Winnebago	12,000
Mahaska	12,000	Winneshiek	12,000
Marion	12,000	Woodbury	12,000
Marshall	12,000	Worth	12,000
Mills	12,000	Wright	12,000
Mitchell	12,000		

Issued this 6th day of August 1946.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-13709; Filed, Aug. 7, 1946; 11:04 a. m.]

MICHIGAN

FARM OWNERSHIP LOAN LIMITATIONS

In accordance with the item entitled, "Farm Tenancy," contained in the Department of Agriculture Appropriation Act, 1947 (Public Law 422, 79th Congress, approved June 22, 1946), no loans under Title I of the Bankhead-Jones Farm Tenant Act (50 Stat. 522, 7 U.S.C. 1000-1006), excepting those to eligible veterans, may be made for the acquisition or enlargement of farms which have a value, as acquired, enlarged, or improved, in excess of the average value of efficient family-size farm-management units, as determined by the Secretary of Agriculture, in the county, parish, or locality where the farm is located. The limitations designated herein shall be applied in accordance with the above-mentioned authorities to Farm Ownership loans in the counties of Michigan named below. With respect to each county, the limitation does not exceed the average value of efficient family-size farm-management units located in such county.

MICHIGAN

County	Limitation	County	Limitation
Alcona	\$10,000	Calhoun	\$11,000
Alger	7,500	Cass	12,000
Allegan	12,000	Charlevoix	10,000
Alpena	9,500	Cheboygan	8,000
Antrim	9,000	Chippewa	8,000
Arenac	9,000	Clare	10,000
Baraga	6,000	Clinton	12,000
Barry	12,000	Crawford	8,000
Bay	12,000	Delta	8,000
Benzie	9,000	Dickinson	7,000
Berrien	12,000	Eaton	12,000
Branch	12,000	Emmet	10,000

MICHIGAN—continued

County	Limitation	County	Limitation
Genesee	\$12,000	Menominee	\$8,000
Gladwin	10,000	Midland	12,000
Gogebic	6,500	Missaukee	10,000
Grand Travers	12,000	Monroe	12,000
Gratiot	12,000	Montcalm	12,000
Hillsdale	12,000	Montmorency	9,250
Houghton	8,000	Muskegon	11,000
Huron	12,000	Newaygo	12,000
Ingham	12,000	Oakland	12,000
Ionia	12,000	Oceana	12,000
Iosco	9,500	Ogenaw	10,000
Iron	6,500	Ontonagon	6,000
Isabella	12,000	Osceola	10,500
Jackson	11,000	Oscoda	9,000
Kalamazoo	12,000	Ottawa	12,000
Kalkaska	9,800	Presque Isle	10,500
Kent	12,000	Roscommon	9,500
Keweenaw	6,000	Saginaw	12,000
Lake	9,500	Saint Clair	12,000
Lapeer	12,000	Saint Joseph	12,000
Leelanau	12,000	Sanilac	12,000
Lenawee	12,000	Schoolcraft	7,500
Livingston	12,000	Shiawassee	12,000
Luce	8,000	Tuscola	12,000
Mackinac	8,000	Van Buren	12,000
Macomb	12,000	Washtenaw	12,000
Manistee	10,000	Wayne	12,000
Marquette	7,500	Wexford	10,000
Mason	11,200		
Mecosta	11,250		

Issued this 6th day of August 1946.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-13710; Filed, Aug. 7, 1946; 11:04 a. m.]

ALABAMA, FLORIDA, GEORGIA, SOUTH CAROLINA

DETERMINATION OF AVERAGE VALUE OF EFFICIENT FAMILY-SIZE FARM MANAGEMENT UNITS

Correction

In Federal Register Document 46-13468, appearing at page 8453 of the issue for Saturday, August 3, 1946, the average values of efficient family-size farm-management units in Autauga County, Alabama, should read "\$5,500" and a center headnote "Florida" should be inserted above Alachua County.

FEDERAL POWER COMMISSION.

[Docket No G-760]

LONE STAR GAS COMPANY

NOTICE OF APPLICATION

AUGUST 5, 1946.

Notice is hereby given that on July 25, 1946, an application was filed with the Federal Power Commission by Lone Star Gas Company (hereinafter referred to as "Applicant"), a Texas corporation with its principal place of business in Dallas, Texas, and authorized to do business in the States of Texas and Oklahoma for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize the Applicant to operate a segment of its existing natural gas pipe line facilities located in Garvin County, Oklahoma, as part of its interstate pipe line system, as hereinafter more particularly described.

Applicant seeks authorization to operate the following existing facilities as part of its interstate pipe line facilities:

A 4-inch natural gas transmission pipe line approximately 1.76 miles in length, known as the Grimes Plant line, extending in a southerly direction from the Grimes Gasoline Plant located in Garvin County, Oklahoma, to a point where it joins a 6-inch natural gas transmission pipe line, known as line GD-6, extending approximately 8.27 miles in a southerly direction to a point where it interconnects with the 8-inch Robberson-Wynnewood natural gas transmission pipe line, known as line GD-8, and thereafter extending approximately 16.2 miles in a southwesterly direction to a point located on Applicant's 12-inch natural gas interstate transmission pipe line, known as line GD-12, near Robberson, Garvin County, Oklahoma.

The pipe line described in the above paragraph is already installed and has been in operation as part of Applicant's intrastate pipe line facilities for approximately 18 years, with the exception of that portion of said pipe line known as the Grimes Plant line, which has been in operation for approximately two years.

Applicant proposes to transport residue gas obtained from the Grimes Gasoline Plant which processes casinghead gas obtained from oil wells located in the Pauls Valley Field, Garvin County, Oklahoma, through the pipe line facilities hereinbefore described into Applicant's 12-inch interstate natural gas transmission pipe line; thereafter such gas will be transported in a southerly direction through Applicant's pipe line facilities into the State of Texas, to be distributed to its existing markets. No construction is necessary or contemplated by Applicant to effectuate the aforementioned operational change of the pipe line facilities described hereinbefore.

Applicant recites that it purchased 768,061 Mcf of residue gas from the Grimes Gasoline Plant in 1945, but that due to the intrastate use of the pipe line facilities described hereinbefore, the entire volume of residue gas from said plant could not be taken by Applicant, and, since there were no other local markets available for such gas, it was necessary to blow the excess gas into the air. By the proposed operational change of the pipe line facilities described hereinbefore, Applicant recites that it will be able to take substantially the entire volume of such residue gas, estimated to be between 2,500 Mcf and 3,500 Mcf daily, thereby avoiding its wastage.

Applicant recites that it does not propose to make any direct sales from the proposed facilities other than such sales as may arise from farm tap service and such other direct sales that may arise in the future. Applicant states that it does not contemplate making any change in the present rates for gas sold from existing facilities as a result of the proposed change in operation.

Applicant recites that there will be entailed no capital cost in the change of operations of the segment of the pipe line system described herein.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of Part 67 of the provisional rules of practice and regulations under the Natural Gas Act, and, if so, to advise the

Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with the reasons for such request.

Any person desiring to be heard or to make any protest with reference to the application of Lone Star Gas Company should file with the Federal Power Commission, Washington 25, D. C., not later than fifteen days from the date of this publication, a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL]

LEON M. FUQUAY,
Secretary.[F. R. Doc. 46-13752; Filed, Aug. 7, 1946;
11:54 a. m.]

[Docket No. G-761]

LONE STAR GAS CO.

NOTICE OF APPLICATION

AUGUST 5, 1946.

Notice is hereby given that on July 25, 1946, an application was filed with the Federal Power Commission by Lone Star Gas Company (hereinafter referred to as "Applicant"), a Texas corporation with its principal offices in Dallas, Texas, and authorized to do business in the States of Texas and Oklahoma, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize the Applicant to construct and operate a certain natural gas pipeline as an integral part of its existing interstate natural gas transmission system, as hereinafter more particularly described.

Applicant seeks authorization to construct and operate the following facilities:

(a) A 10-inch natural gas loop line approximately 20.5 miles in length, extending in a southerly direction from a point on its 10-inch natural gas transmission pipeline known as line E5-A, near Klersey, Bryan County, Oklahoma, to a point on its 10-inch natural gas transmission pipeline known as line E-10, east of Denison, Grayson County, Texas;

(b) A regulator station with all appurtenant facilities, located at the junction of the proposed pipeline described in paragraph (a) with Applicant's line E-10, east of Denison, Grayson County, Texas.

Applicant proposes to cross the Red River by laying the pipeline described in paragraph (a) across an old state highway bridge known as Colbert Bridge, but has not yet secured the necessary permission from the State of Oklahoma to lay its pipeline on said bridge. In the event Applicant cannot secure such permission, then it seeks authorization to construct and operate the regulator station, with all appurtenant facilities, as hereinbefore described in paragraph (b), and the following described alternative loop line:

(1) A 10-inch natural gas loop line approximately 21.5 miles in length extending in a southerly direction from the same point on its 10-inch natural gas transmission pipeline, line E5-A, near Klersey, Bryan County, Oklahoma, as described in paragraph (a), to a point on Applicant's 10-inch natural gas

transmission pipeline, line E-10, farther east of Denison, Grayson County, Texas, than that point described in paragraph (a);

According to the application, the pipeline described in paragraph (a), or the alternative pipeline described in paragraph (1), will be a loop line to the present interstate natural gas transmission pipeline which originates at the Warren Petroleum Corporation's Gasoline Plant located in the Cumberland Oil Field, Marshall and Bryan Counties, Oklahoma, to serve Applicant's presently existing markets.

It is recited that the Warren Petroleum Corporation plant processes casinghead gas obtained from oil wells located in the Cumberland Oil Field and has been selling residue gas to Applicant. It is further recited that the Warren Petroleum Corporation contemplates the installation of additional facilities at said gasoline plant, which will make available daily an estimated total of 14,000 Mcf of such residue gas, that Applicant's present facilities are unable to handle this volume of gas, that the proposed facilities described herein will permit Applicant to take such volume of gas, thereby preventing the waste of such residue gas and increasing Applicant's supply of gas.

Applicant estimates the total overall cost of construction of the facilities described in paragraph (a) will be \$270,163.63, including \$4,297.70 for the regulator station described in paragraph (b). Applicant estimates that the total overall cost of construction of the facilities described in paragraph (1) will be \$282,845.01 including \$4,297.70 for the regulator station described in paragraph (b). Applicant makes no statement as to the proposed method of financing.

Applicant recites that it does not propose to make any direct sales from the proposed facilities described herein except farm tap service sales and such other direct sales that may arise in the future and that it does not contemplate making any change in the present rates of gas sold from existing facilities as a result of the construction of the facilities described herein.

Any interested state commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of Part 67 of the provisional rules of practice and regulations under the Natural Gas Act, and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing together with the reasons for such request.

Any person desiring to be heard or to make any protest with reference to the application of Lone Star Gas Company should file with the Federal Power Commission, Washington 25, D. C., not later than fifteen days from the date of this publication, a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL]

LEON M. FUQUAY,
Secretary.[F. R. Doc. 46-13753; Filed, Aug. 7, 1946;
11:55 a. m.]

[Docket Nos. G-200 and G-207]

PANHANDLE EASTERN PIPE LINE CO. ET AL.

ORDER FIXING DATE OF HEARING

AUGUST 6, 1946.

City of Detroit, Michigan, and County of Wayne, Michigan v. Panhandle Eastern Pipe Line Company and Michigan Gas Transmission Corporation, Docket No. G-200; in the Matter of Panhandle Eastern Pipe Line Company, Michigan Gas Transmission Corporation, and Illinois Natural Gas Company, Docket No. G-207.

It appearing to the Commission that:

(a) By order of September 14, 1945, the Commission directed that a public hearing be held to determine whether proposed rate schedules tendered for filing by Panhandle Eastern Pipe Line Company (Panhandle) in purported compliance with the Commission's interim rate order of September 23, 1942, (1) should be allowed to take effect in whole or in part, (2) whether all or any part of the proposed rate schedules should be rejected, and (3) whether, in lieu of such proposed rate schedules, the Commission should prescribe rate schedules to fulfill the requirements of its interim order of September 23, 1942.

(b) The hearing order of September 14, 1945, also provided:

Such hearing shall be limited to matters relating to proper rates which will comply with the Commission's interim order of September 23, 1942. The Commission reserves all other matters for later consideration.

(c) Following the public hearing referred to in (a) above, the Commission on November 2, 1945, entered its order allowing the rate schedules in question to take effect, but in such order it was also provided that:

The record herein shall remain open for such further proceedings as the Commission may deem necessary or desirable to effectuate the purposes of the Natural Gas Act and conclude the inquiry and investigation interrupted by litigation after the entry of its interim order of September 23, 1942, and jurisdiction in this matter is hereby retained by the Commission for the entry of such other and further orders as may be necessary or appropriate in the premises.

(d) The public hearing held pursuant to the Commission's order of September 14, 1945, was not concerned with matters relating to (1) terms and conditions of service embodied in the rate schedules under consideration, or (2) rules and regulations to govern curtailments and interruption of gas service, which were excluded from consideration by the limitation in the hearing order of September 14, 1946.

The Commission finds that: It is appropriate and desirable in the public interest that a public hearing be held concerning appropriate terms and conditions of service, including rules and regulations to govern curtailment and interruption of gas service to be embodied in presently effective rate schedules filed by Panhandle with the Federal Power Commission.

Wherefore, it is ordered that:

(A) A public hearing be held commencing on September 16, 1946, at 10 o'clock a. m. (e. s. t.) in the Hearing

Room of the Federal Power Commission, 1800 Pennsylvania Avenue N.W., Washington, D. C., concerning all matters relating to (1) the reasonableness and adequacy of terms and conditions of service embodied in presently effective rate schedules filed by Panhandle with the Federal Power Commission, and (2) proposed changes or additions to existing practices relating to such service which may be necessary or desirable in order that terms and conditions of service, including rules and regulations relating to curtailment and interruption of gas service, may be clearly stated in existing rate schedules and conform fully with the requirements of the Natural Gas Act.

(B) Panhandle shall, not later than September 6, 1946, serve upon its customers, as well as upon state regulatory commissions in the states through which it operates, and file with the Federal Power Commission five copies of all changes, which it deems desirable, in the terms and conditions of service embodied in its presently effective rate schedules on file with the Federal Power Commission. At the same time Panhandle shall file and serve, in the same manner as provided above, proposed rules and regulations to govern curtailment and interruption of gas service.

(C) Changes in existing terms and conditions of service deemed desirable and recommended, as well as proposed rules and regulations relating to curtailment or interruption of gas service, recommended by state commissions, customers of Panhandle, or other interested parties, shall be filed with the Commission and served upon Panhandle not later than September 6, 1946.

(D) All parties may submit written responses to the proposals and recommendations of any other parties prior to or at the opening session of the hearing on September 16, 1946.

(E) Interested State commissions may participate in these proceedings as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 46-13754; Filed, Aug. 7, 1946;
12:06 p. m.]

[Docket No. G-353]

MICHIGAN CONSOLIDATED GAS CO.

ORDER POSTPONING HEARING

AUGUST 6, 1946.

It appearing to the Commission that:

(a) On October 31, 1945, the Commission entered an order in this matter finding Michigan Consolidated Gas Company (Applicant) to be a "natural-gas company" within the meaning of the Natural Gas Act and issuing a certificate of public convenience and necessity to Applicant under the "grandfather" provision of section 7 (c) of the act, as amended;

(b) On November 30, 1945, Applicant filed an application for a rehearing of said order of October 31, 1945;

(c) On December 28, 1945, the Commission entered an order granting the

application for rehearing, such rehearing to be held at a time and place to be thereafter fixed by the Commission;

(d) On May 28, 1946, the Commission entered an order that a public hearing on the issues raised by Applicant's petition for rehearing be held commencing on August 22, 1946, at 10:00 a. m. (E. S. T.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue N.W., Washington, D. C.;

(e) Good cause exists for postponing the date of hearing as hereinafter provided;

The Commission orders that:

(A) The public hearing in the above-entitled matter respecting the issues raised by the petition for rehearing filed herein by Michigan Consolidated Gas Company be and it is hereby postponed to September 9, 1946, commencing at 10:00 a. m. (e. s. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue N.W., Washington, D. C.

(B) Interested State commissions may participate in said hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 46-13755; Filed, Aug. 7, 1946;
12:06 p. m.]

[Docket No. G-733]

CARNEGIE NATURAL GAS CO.

ORDER FIXING DATE OF HEARING

AUGUST 6, 1946.

Upon consideration of the application, and supplement thereto filed on May 28, 1946, and July 9, 1946, respectively, by Carnegie Natural Gas Company (Applicant), pursuant to section 7 (b) of the Natural Gas Act, for permission and approval to abandon its Hastings Compressor Station located in Grant District, Wetzel County, West Virginia, and consisting of the following described facilities:

(1) One 960-horsepower Nordberg steam-driven gas compressor unit;

(2) Three (3) Erie City 200-horsepower boilers; and

(3) Appurtenant equipment consisting of a gas scrubber, air compressor, water pumps and tanks, and miscellaneous station piping and structures.

The Commission orders that:

(A) A public hearing be held commencing on August 13, 1946, at 10 a. m. (e. s. t.), in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue N.W., Washington, D. C., respecting the matters involved and the issues presented in this proceeding; *Provided, however,* That if no protest or petition to intervene has been filed or allowed prior to the date herein fixed for hearing, or if a protest or a petition to intervene, in the judgment of the Commission raises no issue of substance, the Commission may dispose of the application without contested hearing, by order upon the application and evidence filed or

available to the Commission and such additional evidence as the Commission may require to be filed for its consideration.

(B) Interested State commissions may participate in this hearing as provided in §67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 46-13756; Filed Aug. 7, 1946;
12:06 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-1323]

CONSOLIDATED ELECTRIC AND GAS CO. ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 5th day of August, 1946.

Consolidated Electric and Gas Company ("Consolidated"), a registered holding company, has filed a declaration pursuant to the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder relating to the following transactions:

Pursuant to a bank loan, dated as of November 15, 1945, Consolidated borrowed sums of money in the aggregate amount of \$14,500,000 from Central Hanover Bank & Trust Company, and certain other banks. Consolidated issued therefor its three-year notes, due November 19, 1948, and bearing interest at the rate of 2¾% per annum, pledging securities of certain of its subsidiary companies as collateral. The proceeds from this loan, together with other funds available to Consolidated, were used to redeem and retire all of its then outstanding Collateral Trust Bonds.

Consolidated is now proposing to reduce the interest rate applicable to said notes from 2¾% per annum to 2¼% per annum, effective as of July 1, 1946. The lending banks have agreed, in consideration of a prepayment as of July 1, 1946, of \$585,000, and subject to the necessary authorization of the Securities and Exchange Commission under the act, to accept this reduction in interest.

The unpaid principal amount of said notes, after providing for the proposed prepayment and the regular payment of \$165,000 due June 30, 1946, aggregates \$12,885,000. The proposed reduction in interest on this principal amount of bonds aggregates \$60,675 per annum.

Notice of said filing having been duly given in the form and manner prescribed by Rule U-23, promulgated pursuant to the act, and the Commission not having received a request for a hearing with respect thereto and not having ordered a hearing thereon; and

The Commission finding that the proposed transactions are not in contravention of the act or any rules or regulations promulgated thereunder, that the proposed transactions meet the requirements of the applicable provisions of the

act and of the rules or regulations thereunder, and that it is appropriate in the public interest and in the interests of investors and consumers that said declaration be permitted to become effective;

It is hereby ordered, Pursuant to 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 declaration be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-13703; Filed, Aug. 7, 1946;
10:27 a. m.]

[File No. 70-1261]

AMERICAN GAS AND ELECTRIC CO. AND THE SCRANTON ELECTRIC CO.

SUPPLEMENTAL ORDER PERMITTING AMENDMENT TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 5th day of August A. D. 1946.

American Gas and Electric Company ("American"), a registered holding company, and its electric utility subsidiary, The Scranton Electric Company ("Scranton"), having filed a joint application-declaration and amendments thereto pursuant to sections 6 (b) and 12 (d) of the Public Utility Holding Company Act of 1935 and Rules U-44 and U-50 thereunder regarding the disposition by American of its interests in Scranton and the refinancing by Scranton of its preferred stock, and certain related transactions; and

Said joint application-declaration having set forth that the service contract entered into between Scranton and American Gas and Electric Service Corporation ("Service Corporation"), a wholly-owned subsidiary of American, on August 1, 1939, would in all respects be terminated not later than three months subsequent to the disposition by American of its interests in Scranton, except that Service Corporation would continue to render to Scranton services directly related to the construction of an addition to Scranton's Suburban Generating Station until the completion of commercial operation of such addition, the time for such completion and operation being estimated at August 1, 1947; and

The Commission having, by orders dated April 18, 1946 and May 1, 1946, granted said joint application, as amended, and having permitted said joint declaration, as amended, to become effective, subject to the terms and conditions contained in Rule U-24; and

American and Scranton having, on May 13, 1946, notified the Commission that the transactions set forth in said joint application-declaration had been carried out in accordance with and for the purposes represented, including the disposition by American of its interests in Scranton; and

American and Scranton having, on July 25, 1946, filed an amendment to said

joint application-declaration requesting that Scranton be permitted to continue to receive purchasing and engineering services from Service Corporation for a period ending December 31, 1946 on the grounds that Scranton at present does not have an engineering and purchasing organization and that it will take time to obtain and train personnel capable of performing the services now being rendered by Service Corporation; it being further stated in said amendment that such services, if permitted, will be rendered at cost (as determined by methods previously provided for in the contract between Scranton and Service Corporation dated August 1, 1939); and

The Commission having examined the amendment and having considered the representations made by American and by Scranton and finding that, under the facts as represented, it is appropriate in the public interest and in the interest of investors and consumers to permit Service Corporation to continue to render to Scranton engineering and purchasing services for the limited period specified:

It is ordered, That the amendment filed by American and Scranton with this Commission on July 25, 1946, relative to service arrangements between Scranton and Service Corporation be, and the same hereby is, permitted to become effective forthwith, subject, however, to the terms and conditions contained in Rule U-24.

It is further ordered, That in all other respects said orders of April 18, 1946 and May 1, 1946 remain in full force and effect.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-13704; Filed, Aug. 7, 1946;
10:27 a. m.]

[File Nos. 70-740, 70-741, 70-743, 70-746]

UTILITIES EMPLOYEES SECURITIES CO. ET AL. SUPPLEMENTAL ORDER REGARDING APPOINTMENT OF SUCCESSFUL TRUSTEE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 6th day of August 1946.

In the matters of Utilities Employees Securities Company, File No. 70-740; Stanley Clarke, Trustee of Associated Gas and Electric Company, Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, General Gas & Electric Corporation, Associated Utilities Corporation, File No. 70-741; New England Gas and Electric Association, File No. 70-743; and Noel T. Dowling, James V. Gilloon, Jr., Joseph A. Shields, Trustees under Pension Trust Agreement dated December 14, 1937, as amended, File No. 70-746.

The Commission having, by order dated August 12, 1943, approved and permitted to become effective applications and declarations filed by Utilities Employees Securities Company et al. ("UESCO") proposing a voluntary plan for the liquidation of UESCO pursuant to section 11 (e) of the Public Utility Holding Company Act and designated as the UESCO Settlement Agreement; and

Approval of said plan having been made subject to terms and conditions, including a condition that in the event Noel T. Dowling becomes unavailable as Welfare Trustee and a successor must be appointed, the name of any proposed successor and a statement of his qualifications shall be submitted to the Commission, any proposed appointment to take effect ten days thereafter unless the Commission shall order a hearing thereon prior to the close of business on the tenth day following such submission; and

An amendment to said applications and declarations having been filed in which it is stated that Noel T. Dowling is unavailable to serve further as Welfare Trustee and that the Chemical Bank & Trust Company is proposed as successor Trustee, together with pertinent data respecting the scope of the services to be rendered and the compensation to be paid for such services by said bank, and it having been requested that the said ten-day period after the submission of the name of the successor Trustee be shortened so as to permit the appointment to become effective forthwith; and

The Commission having considered the matter and deeming the proposed appointment appropriate and also deeming it appropriate to shorten said waiting period so as to permit the appointment to become effective forthwith:

It is ordered, That said amendment in which it is proposed to appoint the Chemical Bank & Trust Company as Welfare Trustee, pursuant to the UESCO Settlement Agreement approved August 12, 1943, as successor Trustee to Noel T. Dowling be, and hereby is, approved and permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-13705; Filed, Aug. 7, 1946;
10:27 a. m.]

[File Nos. 70-1205 and 70-1198]

PENNSYLVANIA ELECTRIC CO. ET AL.

MEMORANDUM FINDINGS, OPINION AND ORDER
PERMITTING APPLICATIONS AND DECLARATIONS
TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 5th day of August 1946.

In the matters of Pennsylvania Electric Company and Associated Electric Company, File No. 70-1205; John H. Ware, 3d, File No. 70-1198.

Applications and declarations have been filed by John H. Ware, 3d. (Ware) and Associated Electric Company (Aelec), a registered holding company, and its subsidiary, Pennsylvania Electric Company (Penelec), pursuant to sections 9 (a) (2), 10 and 12 (d) of the Public Utility Holding Company Act and Rule U-44 promulgated thereunder, in respect to the proposed sale by Penelec of its manufactured gas facilities to Ware or his assigns, for a base price of \$60,150 in cash subject to adjustments. Ware has assigned his rights under the agreement of sale to three companies being organ-

ized by him for the purpose of acquiring and holding such property, namely, Lock Haven Gas Company (Lock Haven), Clearfield Gas & Fuel Company (Clearfield), Renovo Gas & Fuel Company (Renovo).

Ware proposes to acquire the entire capitalization consisting of common stock and notes of the three companies. The companies will use the cash received from Ware to pay Penelec for the properties to be acquired.

The Pennsylvania Public Utility Commission has approved the sale by Penelec and the acquisition by Lock Haven, Clearfield, and Renovo of the gas utility assets and has also approved the issue and sale by such companies of their common stock to Ware.

Ware, a resident of Oxford, Pennsylvania, is engaged in operating gas utility properties, owning 100% of the capital stock of five gas utility companies and one holding company which, in turn, own 100% of the capital stock of three gas utility companies, all of such companies being located in Pennsylvania. In addition, Ware owns 50% of the capital stock of a gas utility company located in New Jersey. All of said companies are located within a radius of 90 miles from Oxford, Pennsylvania. The three companies to be acquired by Ware are located within a radius of 150 miles of Oxford.

The gross utility plant to be sold by Penelec amounts to \$509,095, per books, as at August 31, 1945, against which a depreciation reserve in the amount of \$145,854 is applicable. The book loss to be realized by Penelec as a result of the sale is to be charged to earned surplus.

The utility plant to be acquired by the three companies will be reflected on their books at original cost in the same aggregate amount as the property was carried on the books of Penelec. At the same time, Account 100.5—Utility Plant Acquisition Adjustments, is to be credited with the difference required to reflect total utility plant at acquisition cost to the three companies.

Although Penelec has operated its manufactured gas properties at a loss for the past five years, Ware expects the three companies to have net income for the first year aggregating \$7,100 due to economies in operation which Ware proposes to institute. Such economies would be achieved in the fields of accounting, management, purchasing, sales promotion and engineering by reason of the coordinated operation of all the gas utility companies under his control through his offices in Oxford, Pennsylvania.

We have considered the proposed transactions in the light of the standards of sections 10 and 12 (d) of the act and we find that such standards are satisfied.

It is therefore ordered, Pursuant to the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid applications and declarations be, and hereby are, granted and permitted to become effective, forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-13706; Filed, Aug. 7, 1946;
10:27 a. m.]

[File No. 70-1343]

COLUMBIA GAS & ELECTRIC CORPORATION
NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 6th day of August 1946.

Notice is hereby given that an application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Columbia Gas & Electric Corporation ("Columbia"), a registered holding company and a subsidiary of The United Corporation, also a registered holding company. All interested persons are referred to said application-declaration, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Columbia proposes to issue and sell, pursuant to the competitive bidding requirements of Rule-50, new debentures in an amount which, together with the sale of its holdings of the common stock of its subsidiary, The Cincinnati Gas & Electric Company ("Cincinnati"), will aggregate approximately \$143,500,000. Such amount is estimated by Columbia to be necessary for, and is proposed to be applied to, the redemption of all its outstanding Bank Loan Notes and preferred and preference stocks and the financing of the construction requirements of certain subsidiary companies during 1946-1948. The sale of the common stock of Cincinnati is the subject of a separate application-declaration now pending before this Commission (File No. 70-1341). The principal amount of the debentures to be issued is to be filed by amendment when the amount to be received from the sale of the Cincinnati common stock has been determined.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held with respect to such matters and that the application shall not be granted nor the declaration permitted to become effective except pursuant to further order of this Commission;

It is ordered, That a hearing upon said matter be held on the 22d day of August, 1946, at 10:00 a. m., e. d. s. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room where such hearing will be held.

It is further ordered, That any person who has not heretofore entered his appearance herein desiring to be heard or otherwise wishing to participate in these proceedings shall notify the Commission in the manner provided by its rules of practice, Rule XVII, on or before August 20, 1946.

It is further ordered, That Allen McCullen, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said declaration, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed new debentures are reasonably adapted to the earning power and the security structure of Columbia and are necessary and appropriate to the economical and efficient operation of the business or businesses in which Columbia is presently engaged;

(2) Whether the fees, commissions, or other remunerations to be paid in connection with the issue, sale or distribution of said securities are reasonable;

(3) Whether the terms and conditions of the issue of said securities are detrimental to the public interest or the interests of investors or consumers;

(4) Generally, whether the proposed transactions comply with the applicable provisions of the act and the rules, regulations and orders promulgated thereunder;

(5) Whether in the event the application and declaration shall be granted and permitted to become effective, it is necessary to impose any terms or conditions to assure compliance with the standards of the act.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-13707; Filed, Aug. 7, 1946; 10:28 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 1704]

MIDDLE PENNSYLVANIA COAL CO. ET AL.
ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; It is ordered:

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping

point. However, producer is subject to the provisions of § 1340.212 and all other provisions of Maximum Price Regulation No. 120.

MIDDLE PENNSYLVANIA COAL CO., MADERA, PA., CORONA MINE, A SEAM, MINE INDEX NO. 5791, CLEARFIELD COUNTY, PA., SUBDISTRICT 13, RAIL SHIPPING POINT, MADERA, PA., STRIP MINE.

	Size group Nos.				
	1	2	3	4	5
Price classification.....	H	H	H	H	H
Rail shipment.....	330	330	310	285	285
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	350	330	330	315	305

MINERAL POINT COAL CO., 336 HAWKINS AVE., NORTH BRADDOCK, PA., MINERAL POINT NO. 1 MINE, E SEAM, MINE INDEX NO. 5789, SOMERSET COUNTY, PA., SUBDISTRICT 36, RAIL SHIPPING POINT, SOMERSET, PA., STRIP MINE.

	E	E	E	E	E
	Price classification.....	E	E	E	E	E
Rail shipment.....	355	335	335	315	315
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	365	340	340	330	320

EDWARD S. MORAN AND SONS CO., 722 WASHINGTON ST., CUMBERLAND, MD., ROYAL MINE, BIG VEIN SEAM, MINE INDEX NO. 5795, ALLEGANY COUNTY, MD., SUBDISTRICT 43, RAIL SHIPPING POINT, WESTERNPORT, MD., DEEP MINE

	D	D	D	D	D
	Price classification.....	D	D	D	D	D
For all methods of transportation and for all uses.....	502	482	482	467	467

OHIOFYLE COAL CO., INDIAN HEAD, PA., SCARLETT MINE, D SEAM, MINE INDEX NO. 5309, FAYETTE COUNTY, PA., SUBDISTRICT 35, RAIL SHIPPING POINT, OHIOFYLE, PA., STRIP MINE

	F	F	F	F	F
	Price classification.....	F	F	F	F
Rail shipment.....	325	335	335	305	305
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	360	335	335	325	315

P. & N. COAL CO., BOX 332, PUNXSUTAWNEY, PA., P. & N. NO. 12 MINE, D SEAM, MINE INDEX NO. 5310, JEFFERSON COUNTY, PA., SUBDISTRICT 6, RAIL SHIPPING POINT, HORATIO, PA., STRIP MINE

	F	F	F	F	F
	Price classification.....	F	F	F	F	F
Rail shipment.....	335	335	335	305	305
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	360	335	335	325	315

P. & N. COAL CO., BOX 332, PUNXSUTAWNEY, PA., P. & N. NO. 13 MINE, D SEAM, MINE INDEX NO. 5763, JEFFERSON COUNTY, PA., SUBDISTRICT 5, RAIL SHIPPING POINT, DORA, PA., STRIP MINE

	E	E	E	E	E
	Price classification.....	E	E	E	E	E
Rail shipment.....	355	335	335	315	315
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	365	340	340	330	320

PENBROOK CONTRACTING CO., c/o WM. E. CRUM, PARTNER, CLEARFIELD, PA., PENBROOK NO. 1 MINE, D SEAM, MINE INDEX NO. 5767, CLEARFIELD COUNTY PA., SUBDISTRICT 18, RAIL SHIPPING POINT, MAHAFFEY, PA., STRIP MINE

	F	F	F	F	F
	Price classification.....	F	F	F	F	F
Rail shipment.....	335	335	335	305	305
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	360	335	335	325	315

B. PERINI & SONS, INC., P. O. BOX 151, SOMERSET, PA., FLORENCE NO. 3-D MINE, D SEAM, MINE INDEX NO. 5812, SOMERSET COUNTY, PA., SUBDISTRICT 37, RAIL SHIPPING POINT, GAHAGAN, PA., STRIP MINE

	B	B	B	B	C
	Price classification.....	B	B	B	B	C
Rail shipment ¹	380	370	350	340	330
Railroad locomotive fuel ¹	320	320	305	295	295
Truck shipment ¹	380	365	355	345	330

¹ Subject to the provisions of Order No. 1548 under MPR 120, as amended.

This order shall become effective August 7, 1946.

Issued this 6th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13651; Filed, Aug. 6, 1946; 11:53 a. m.]

[MPR 120, Order 1707]

AMERICAN HARD COAL CO.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; It is ordered:

(a) The Victory Mine of American Hard Coal Company, 3463 Walnut Street, Denver 5, Colorado, is hereby assigned Mine Index No. 1012 and its coals are classified in Subdistrict No. 5 Maximum Price Group, for all shipments.

(b) Coals produced by American Hard Coal Company from an unidentified bituminous seam in section 6, Township 5N, and Range 91W at its Victory Mine, a strip mine, Mine Index No. 1012, located in Moffat County, Colorado, in Subdistrict No. 5 of District No. 17, may be purchased and sold for the indicated uses and movements at per net ton prices in cents per net ton not exceeding the following:

	Size group Nos.					
	1	2	3	4	5	6
Rail shipment.....	5.49	5.34	5.34	5.44	5.19	4.89
Truck shipment.....	5.89	5.89	5.89	5.89	5.54	5.54

	Size group Nos.					
	7	8	9	10	11, 12	13
Rail shipment.....	4.79	4.49	4.49	4.24	3.99	2.99
Truck shipment.....	5.54	4.69	4.69	4.69	4.14	3.24

	Size group Nos.				
	14	15	16	17, 18	19
Rail shipment.....	2.89	2.94	4.39	4.24	.....
Truck shipment.....	3.24	3.24	2.94	4.69	.....

LOCOMOTIVE FUEL USE ONLY

Maximum prices.....	Size group Nos.			
	10	13	17, 18	19
	4.24	3.04	4.59	4.24

(c) The maximum prices specially set forth herein for coals for locomotive fuel use are for the specified size groups only; and all other prices for coals for rail shipment are for all uses, including all railroad fuel uses.

(d) The prices established herein are f. o. b. the mine or preparation plant for truck shipments, and f. o. b. the rail shipping point for rail shipments and for railroad fuel for all uses.

(e) All prayers of applicant not granted herein are hereby denied.

(f) This order may be revoked or amended at any time.

(g) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

This order shall become effective August 7, 1946.

Issued this 6th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13654; Filed, Aug. 6, 1946; 11:56 a. m.]

[MPR 120, Order 1705]

ANCHOR FUEL CO. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as

ANCHOR FUEL CO., LE JUNIOR, KY., BENITO NO. 3 MINE, HARLAN SEAM, MINE INDEX NO. 7791, HARLAN COUNTY, KY., SUBDISTRICT 2, RAIL SHIPPING POINT, BENITO, KY., F. O. G. 80, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 5

	Size group Nos.										15, 16, 17	18	19	20, 21
	1	2	3	4	5	6	7	8	9	10				
Price classification	O	O	O	O	K	K	J	F	D	D	C	E	E	E
Rail shipment and railroad fuel	406	401	386	386	406	396	376	376	376	431	361	356	351	351
Truck shipment	441	421	396	396	381	356	321	316						

TIERNEY MINING CO., 815 PERRY BLDG., BLUEFIELD, W. VA., PEG BRANCH MINE, POND CREEK SEAM, MINE INDEX NO. 7789, PIKE COUNTY, KY., SUBDISTRICT 8, RAIL SHIPPING POINT, BELFRY, KY., F. O. G. 130, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 5

	Size group Nos.										C	E	E	E
	O	O	O	O	L	L	K	G	E	G				
Price classification	O	O	O	O	L	L	K	G	E	G	C	E	E	E
Rail shipment and railroad fuel	406	401	386	386	381	381	371	371	371	406	361	356	351	351
Truck shipment	441	421	396	396	381	356	321	316						

HELTON COAL CO., RICHLANDS, VA., HELTON COAL CO. MINE, CARY SEAM, MINE INDEX NO. 7792, RUSSELL COUNTY, VA., SUBDISTRICT 9, RAIL SHIPPING POINT, SWORDS CREEK, VA., F. O. G. 20, DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 6

	Size group Nos.									
	1	2	3	4	5	6	7	8	9	10
Price classification	C	C	D	D	D	C	C	H	H	H
Rail shipment	451	461	436	396	381	431	376	356	351	346
Truck shipment	496	496	491	441	471	406	346	341		

Railroad locomotive fuel for mine index No. 7792:		
Any single-screened lump or double-screened coals	.....	421
Run of mine	.....	406
Screenings larger than 1 1/4" x 0 but not exceeding 2 1/2" x 0.	.....	391
Screenings 1 1/4" x 0 and smaller	.....	366

This order shall become effective August 7, 1946.

Issued this 6th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13652; Filed, Aug. 6, 1946; 11:53 a. m.]

[MPR 120, Order 1708]

COAL PRODUCED IN DISTRICT 1

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued herewith and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120; *It is ordered:*

No. 154—6

set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

(a) Coals produced at any deep mine in the Big Vein or Tyson Seams in Sub-district Numbers 43 and 44 in District No. 1 may be sold at the following maximum prices, which are f. o. b. the mine or preparation plant for truck shipments, f. o. b. the rail or river shipping point for rail or river shipments, and f. o. b. the rail shipping point for railroad fuel for all uses:

Size group Nos. 1				
1	2	3	4	5
5.12	4.92	4.92	4.77	4.77

Smithing Coal (any size)—5.67.

(b) Any producer whose prices are increased by this order shall include a statement on all invoices in connection with the sales of coal priced under this order that the price charged includes an adjustment granted by order No. 1708 under Maximum Price Regulation No. 120 of the Office of Price Administration.

(c) This order No. 1708 may be revoked or amended by the Price Administrator at any time.

This order No. 1708 shall become effective August 7, 1946.

Issued this 6th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13655; Filed, Aug. 6, 1946; 11:55 a. m.]

[RMPR 86, Amdt. 1 to Rev. Order 35]

WESTINGHOUSE ELECTRIC CORP.

APPROVAL OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to sections 14 and 21 of Revised Maximum Price Regulation No. 86; *It is ordered:*

That Revised Order No. 35 under Maximum Price Regulation No. 86 is amended in the following respect:

Paragraph (a) (1) is amended to read as follows:

(1) For sales by distributors to dealers in the ceiling prices are those set forth below:

Quantities:	Ceiling price (each)
1 or 2 units	\$123.98
3 to 5 units	121.13
6 or more units	118.23

These ceiling prices include the charge for the five year warranty and are f. o. b. seller's warehouse. In all other respects they are subject to each seller's customary terms, discounts, allowances and other price differentials in effect on sales of similar articles.

This amendment shall become effective on the 7th day of August 1946.

Issued this 6th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13650; Filed, Aug. 6, 1946; 11:55 a. m.]

[MPR 120, Order 1706]

FORD MIDLAND COAL CO. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent

but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and State. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.212 and all other provisions of Maximum Price Regulation No. 120.

FORD MIDLAND COAL CO., 722 WASHINGTON ST., CUMBERLAND, MD., MOSCOW BIG VEIN MINE, BIG VEIN SEAM, MINE INDEX NO. 5797, ALLEGANY COUNTY, MD., SUBDISTRICT 43, RAIL SHIPPING POINT, MOSCOW AND MIDLAND, MD., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification.....	D	D	D	D	D
For all methods of transportation and for all uses.....	405	385	355	370	370

FORSYTH COAL CO., 207 WEST MARKET ST., CLEARFIELD, PA., FORSYTH NO. 1 MINE, D SEAM, MINE INDEX NO. 5784, CLEARFIELD COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT, BELLS LANDING, PA., DEEP AND STRIP MINE

	E	F	F	F	F
Price classification.....	335	335	335	305	305
Rail shipment.....	320	320	305	295	295
Railroad locomotive fuel.....	360	335	335	325	315
Truck shipment.....					

The foregoing maximum prices are applicable to strip-mined coal. To determine the maximum prices on deep-mined coal, add 92¢ per net ton to each of these maximum prices.

FREEBROOK CORP., C/O MILTON CARR FERGUSON, 1614 EYE ST., NW, WASHINGTON, D. C., PITTSBOW NO. 26 MINE, B SEAM, MINE INDEX NO. 5769, ARMSTRONG COUNTY, PA., SUBDISTRICT 10, RAIL SHIPPING POINT, MONICAN, PA., STRIP MINE

	H	H	H	J	J
Price classification.....	330	330	310	285	285
Rail shipment.....	320	320	305	295	295
Railroad locomotive fuel.....	330	330	330	310	300
Truck shipment.....					

FREEBROOK CORP., C/O MILTON CARR FERGUSON, 1614 EYE ST., NW, WASHINGTON, D. C., PITTSBOW NO. 15 MINE, E SEAM, MINE INDEX NO. 5770, ARMSTRONG COUNTY, PA., SUBDISTRICT 11, RAIL SHIPPING POINT, McWILLIAMS, PA., STRIP MINE

	G	G	G	G	H
Price classification.....	330	330	315	305	285
Rail shipment.....	320	320	305	295	295
Railroad locomotive fuel.....	355	330	330	320	305
Truck shipment.....					

FREEMAN & ALTLAND, 212 W. 5TH AVE., CLEARFIELD, PA., NO. 1 MINE, D SEAM, MINE INDEX NO. 5809, CLEARFIELD COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT, CLEARFIELD, PA., STRIP MINE

	F	F	F	F	F
Price classification.....	335	335	335	305	305
Rail shipment.....	320	320	305	295	295
Railroad locomotive fuel.....	360	335	335	325	315
Truck shipment.....					

H. & K. COAL CO., PHILIPSBURG, PA., MAPLETON NO. 6 MINE, D SEAM, MINE INDEX NO. 5785, CLEARFIELD COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT, BELLS LANDING, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification.....	F	F	F	F	F
Rail shipment.....	335	335	335	305	305
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	360	335	335	325	315

H. & K. COAL CO., PHILIPSBURG, PA., MAPLETON NO. 8 MINE, MINE INDEX NO. 5786, CLEARFIELD COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT, BELLS LANDING, PA., STRIP MINE

	F	F	F	F	F
Price classification.....	335	335	335	305	305
Rail shipment.....	320	320	305	295	295
Railroad locomotive fuel.....	360	335	335	325	315
Truck shipment.....					

HESS COAL CO., DIXONVILLE, PA., McMILLEN MINE, D SEAM, MINE INDEX NO. 5764, INDIANA COUNTY, PA., SUBDISTRICT 15, RAIL SHIPPING POINT, DIXONVILLE, PA., DEEP MINE

	F	F	F	F	F
Price classification.....	427	427	427	397	397
Rail shipment.....	412	412	397	387	387
Railroad locomotive fuel.....	452	427	427	417	407
Truck shipment.....					

This order shall become effective August 6, 1946.

Issued this 6th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13653; Filed, Aug. 6, 1946; 11:54 a. m.]

[MPR 120, Order 1709]

JAMES E. BARRICK ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; It is ordered:

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. How-

ever, producer is subject to the provisions of § 1340.212 and all other provisions of Maximum Price Regulation No. 120.

JAMES E. BARRICK, KITZMILLER, MD., JAMES E. BARRICK MINE, E SEAM, MINE INDEX NO. 5762, GARRETT COUNTY, MD., SUBDISTRICT 44, RAIL SHIPPING POINT, BLAINE, W. VA., DEEP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification.....	H	H	H	K	K
Rail shipment.....	422	422	402	377	377
Railroad locomotive fuel.....	412	412	397	387	387
Truck shipment.....	442	422	422	397	387

PAUL D. BLOSE, R. D. No. 4, PUNXSUTAWNEY, PA., PAUL D. BLOSE NO. 1 MINE, B SEAM, MINE INDEX NO. 5792, JEFFERSON COUNTY, PA., SUBDISTRICT 6, RAIL SHIPPING POINT, PUNXSUTAWNEY, PA., DEEP MINE

	F	F	F	F	F
Price classification.....	427	427	427	397	397
Rail shipment.....	412	412	397	387	387
Railroad locomotive fuel.....	452	427	427	417	407
Truck shipment.....					

PAUL D. BLOSE, R. D. No. 4, PUNXSUTAWNEY, PA., PAUL D. BLOSE NO. 2 MINE, D SEAM, MINE INDEX NO. 5793, JEFFERSON COUNTY, PA., SUBDISTRICT 6, RAIL SHIPPING POINT, PUNXSUTAWNEY, PA., DEEP MINE

	E	E	E	E	E
Price classification.....	447	427	427	407	407
Rail shipment.....	412	412	397	387	387
Railroad locomotive fuel.....	457	432	432	422	412
Truck shipment.....					

BROSWOOD COAL MINING CO., BARNESBORO, PA., BELLWOOD NO. 3 MINE, D SEAM, MINE INDEX NO. 5778, CAMBRIA-INDIANA COUNTY, PA., SUBDISTRICT 16, RAIL SHIPPING POINT, EMEIGH, PA., STRIP MINE

	E	E	E	E	E
Price classification.....	355	335	335	315	315
Rail shipment.....	320	320	305	295	295
Railroad locomotive fuel.....	365	340	340	330	320
Truck shipment.....					

¹ Subject to the provisions of revised order No. 1428 under MPR 120.

BROWN COAL CO., LLOYDELL, PA., BROWN COAL CO. MINE, B SEAM, MINE INDEX NO. 5790, CAMBRIA COUNTY, PA., SUBDISTRICT 34, RAIL SHIPPING POINT, LLOYDELL, PA., DEEP MINE

	A	A	A	A	C
Price classification.....	477	462	452	437	422
Rail shipment.....	412	412	397	387	387
Railroad locomotive fuel.....	477	452	452	442	422
Truck shipment.....					

JOSEPH K. CALLAHAN, 722 GRANT ST., REYNOLDSVILLE, PA., CALLAHAN NO. 3 MINE, D SEAM, MINE INDEX NO. 5782, JEFFERSON COUNTY, PA., SUBDISTRICT 6, RAIL SHIPPING POINT, REYNOLDSVILLE, PA., DEEP MINE

	E	E	E	E	E
Price classification.....	447	427	427	407	407
Rail shipment.....	412	412	397	387	387
Railroad locomotive fuel.....	457	432	432	422	412
Truck shipment.....					

CAPAZO BROS., 202 ROCKLAND AVE., PUNXSUTAWNEY, PA., MOUNT AIRIE No. 5 MINE, D SEAM, MINE INDEX NO. 5757, CLEARFIELD COUNTY, PA., SUBDISTRICT 12, RAIL SHIPPING POINT, MOUNT AIRIE No. 5 SIDING, PA., STRIP MINE

	H	H	H	H	H
Price classification.....	330	330	310	285	285
Rail shipment.....	320	320	305	295	295
Railroad locomotive fuel.....	350	330	330	315	305
Truck shipment.....					

CHEVY CENTRAL COAL CO., 722 WASHINGTON ST., CUMBERLAND, MD., CHEVY MINE, BIG VEIN SEAM, MINE INDEX NO. 5795, ALLEGANY COUNTY, MD., SUBDISTRICT 43, RAIL SHIPPING POINT, LONACONING, MD., STRIP MINE

	D	D	D	D	D
Price classification.....	405	385	385	370	370
For all methods of transportation and all uses.....					

This order shall become effective August 7, 1946.

Issued this 6th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13656; Filed, Aug. 6, 1946;
11:55 a. m.]

[MPR 120, Order 1711]

JIM CALDWELL ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as set forth herein. All are in District No. 14. The mine index numbers and the price

JIM CALDWELL, P. O. Box 12, POTEAU, OKLA., CALDWELL No. 4 MINE, WITTEVILLE SEAM, MINE INDEX No. 1063, LEFLORE COUNTY, OKLA., PRODUCTION GROUP No. 8-B FOR ALL METHODS OF SHIPMENT, DEEP MINE, RAIL SHIPPING POINT: POTEAU OKLA.

	Size group Nos.														
	1, 3A	2, 3	4	5	6, 7, 8	9, 10, 11	12, 13	14, 15, 16	17	18	19	20	21	22	23
All methods of transportation for all uses.....	725	710			715	645	495	420	485	535	585	535	495	415	

FULTZ BROTHERS, R. D. No. 1, OZARK, ARK., FULTZ BROTHERS MINE, UPPER SEAM, MINE INDEX No. 1060, JOHNSON COUNTY, ARK., PRODUCTION GROUP No. 2-B FOR ALL METHODS OF SHIPMENT, DEEP MINE

All methods of transportation, for all uses.....	720	705			720	660	605	410	485	560	635	535	495	415	
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E. N. SUNDERLAND COAL CO., POTEAU, OKLA., No. 2 MINE, CAVANAL SEAM, MINE INDEX No. 1051, LEFLORE COUNTY, OKLA., PRODUCTION GROUP No. 8 FOR ALL METHODS OF SHIPMENT, STRIP MINE, RAIL SHIPPING POINT: POTEAU, OKLA.

All methods of transportation, for all uses.....	620	605			610	540	390	275	380	430	480	430	390	310	
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THAYER COAL CO., ROUTE No. 1, HACKETT, ARK., THAYER No. 3 MINE, UPPER HARTSHORNE SEAM, MINE INDEX No. 1062, SERANTIAN COUNTY, ARK., PRODUCTION GROUP No. 5 FOR ALL METHODS OF SHIPMENT, STRIP MINE, RAIL SHIPPING POINT: EXCELSIOR AND HACKETT, ARK.

All methods of transportation, for all uses.....	600	585			600	565	500	275	350	450	500	430	390	310	670
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This order shall become effective August 7, 1946.

Issued this 6th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 43-13658; Filed, Aug. 6, 1946;
11:54 a. m.]

[MPR 120, Order 1710]

BIRCH MOUNTAIN COAL CO. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as set forth herein. All are in District No. 3.

classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.225 and all other provisions of Maximum Price Regulation No. 120.

§ 1340.214 and all other provisions of Maximum Price Regulation No. 120.

BIRCH MOUNTAIN COAL CO., BOX 178, GASSAWAY, W. VA., BIRCH MOUNTAIN MINE, No. 5 SEAM, MINE INDEX No. 2237, BRAXTON COUNTY, W. VA., RAIL SHIPPING POINT: SUTTON OR GASSAWAY, W. VA., DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 2

	Size group Nos.				
	1	2	3	4	5
Price classification.....	D	D	D	D	D
Rail shipment and railroad fuel.....	348	343	328	328	323
Truck shipment.....	413	403	363	348	338

WILLIS COAL CO., ERBACON, W. VA., WILLIS No. 1 MINE, COALBURG SEAM, MINE INDEX No. 2238, WEBSTER COUNTY, W. VA., RAIL SHIPPING POINT: ERBACON, W. VA., DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 1

Price classification.....	A	A	A	A	A
Rail shipment and railroad fuel.....	448	408	383	373	373
Truck shipment.....	418	413	383	378	358

WILLIS COAL CO., ERBACON, W. VA., WILLIS No. 2 MINE, COALBURG SEAM, MINE INDEX No. 2239, WEBSTER COUNTY, W. VA., RAIL SHIPPING POINT: ERBACON, W. VA., MAXIMUM TRUCK PRICE GROUP No. 1

Price classification.....	A	A	A	A	A
Rail shipment and railroad fuel.....	448	408	383	373	373
Truck shipment.....	418	413	383	378	358

NORMAN AND WHITE CO., JUNIOR, W. VA., HACKERS CREEK MINE, REDSTONE SEAM, MINE INDEX No. 2240, UPSHUR COUNTY, W. VA., DEEP MINE, MAXIMUM TRUCK PRICE GROUP No. 3

Truck shipment.....	373	373	343	338	328
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This order shall become effective August 7, 1946.

Issued this 6th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13657; Filed, Aug. 6, 1946;
11:54 a. m.]

[MPR 120, Order 1712]

HELM COAL CO. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and State. The maximum prices stated to be for truck

The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of

shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.212 and all other provisions of Maximum Price Regulation No. 120.

HELM COAL CO., YORK, PA., KEARNEY NO. 1 MINE, KELLY SEAM, MINE INDEX, 5771, BEDFORD COUNTY, PA., SUBDISTRICT 39, RAIL SHIPPING POINT, KEARNEY, PA., STRIP MINE.

	Size group Nos.				
	1	2	3	4	5
Price classification.....	F	F	F	F	F
For all methods of transportation and for all uses.....	425	425	390	365	350

HELM COAL CO., YORK, PA., KEARNEY NO. 2 MINE, BARNET SEAM, MINE INDEX NO. 5772, BEDFORD COUNTY, PA., SUBDISTRICT 39, RAIL SHIPPING POINT, KEARNEY, PA., STRIP MINE

	B	B	B	B	C
	Price classification.....	B	B	B	B	C
For all methods of transportation and for all uses.....	425	425	390	365	350

HELM COAL CO., YORK, PA., HARRIET NO. 1 MINE, KELLY SEAM, MINE INDEX NO. 5773, BEDFORD COUNTY, PA., SUBDISTRICT 39, RAIL SHIPPING POINT, LANGDONDALE, PA., STRIP MINE.

	F	F	F	F	F
	Price classification.....	F	F	F	F
For all methods of transportation and for all uses.....	425	425	390	365	350

HELM COAL CO., YORK, PA., HARRIET NO. 2 MINE, BARNET SEAM, MINE INDEX NO. 5774, BEDFORD COUNTY, PA., SUBDISTRICT 39, RAIL SHIPPING POINT, LANGDONDALE, PA., STRIP MINE

	B	B	B	B	C
	Price classification.....	B	B	B	B	C
For all methods of transportation and for all uses.....	425	425	390	365	350

HILL TOP BIG VEIN COAL CO., 722 WASHINGTON ST., CUMBERLAND, MD., EDDIE MINE, BIG VEIN SEAM, MINE INDEX NO. 5798, ALLEGANY COUNTY, MD., SUBDISTRICT 43, RAIL SHIPPING POINT, BARTON, MD., DEEP MINE

	D	D	D	D	D
	Price classification.....	D	D	D	D	D
For all methods of transportation and for all uses.....	502	482	482	467	467

HILL TOP BIG VEIN COAL CO., 722 WASHINGTON ST., CUMBERLAND, MD., MADOC MINE, BIG VEIN SEAM, MINE INDEX NO. 5799, ALLEGANY COUNTY, MD., SUBDISTRICT 43, RAIL SHIPPING POINT, BARTON, MD., DEEP MINE

	D	D	D	D	D
	Price classification.....	D	D	D	D	D
For all methods of transportation and for all uses.....	502	482	482	467	467

HILL TOP BIG VEIN COAL CO., 722 WASHINGTON ST., CUMBERLAND, MD., HILL TOP STRIP MINE, BIG VEIN SEAM, MINE INDEX NO. 5800, ALLEGANY COUNTY, MD., SUBDISTRICT 43, RAIL SHIPPING POINT, BARTON, MD., STRIP MINE

	D	D	D	D	D
	Price classification.....	D	D	D	D	D
For all methods of transportation and for all uses.....	405	385	385	370	370

HIYASOTA FUEL AND STRIPPING CO., 604 SWANK BLDG., JOHNSTOWN, PA., HIYASOTA NO. 4 MINE, C' SEAM, MINE INDEX NO. 5779, SOMERSET COUNTY, PA., SUBDISTRICT 32, RAIL SHIPPING POINT, JOHNSTOWN, PA., STRIP MINE

	E	E	E	E	E
	Price classification.....	E	E	E	E
Rail shipment.....	355	335	335	315	315
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	365	340	340	330	320

This order shall become effective August 7, 1946.

Issued this 6th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13659; Filed, Aug. 6, 1946; 11:55 a. m.]

[MPR 592, Order 100]

UNITED STATES GYPSUM CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 100 under section 16 of Maximum Price Regulation No. 592. Specified construction materials and refractories. United States Gypsum Company. Docket No. 6122-592.16-271.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 16 of Maximum Price Regulation No. 592, It is ordered:

(a) The present maximum f. o. b. plant or delivered prices for sales to its different classes of purchasers of the following products by the United States Gypsum Company, Chicago, Illinois, manufactured at its Laramie, Wyoming, plant may be increased by amounts not in excess of the following:

	Per ton
Dried gypsite.....	\$0.90
Gypsite cement plaster.....	.60
Gypsite wood fibre plaster.....	1.45

(b) Any person purchasing any of the products described in paragraph (a) above from the United States Gypsum Company for the purpose of resale in the same form may increase his present maximum prices established under the General Maximum Price Regulation by the percentage increase in cost to him resulting from the increase permitted the manufacturer in paragraph (a), above. However, notwithstanding the provisions of this paragraph (b), in any area where specific maximum prices are fixed by an area pricing order, such specific maximum prices shall apply in that area.

(c) The maximum prices established herein shall be subject to cash, quantity and other discount, transportation allowances, services, and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

(d) The United States Gypsum Company shall furnish to each buyer purchasing any of the products described in (a), above, produced at its Laramie, Wyoming, plant, for resale in the same form on or before the date it makes delivery at the adjusted price a written statement as follows: filling in the appropriate product and adjustment therefor in the blank spaces:

The OPA has granted an adjustment of \$_____ per _____ in the maximum prices for _____. You are permitted to add the percentage amount of your increased cost resulting from the increase permitted the United States Gypsum Company to your existing maximum prices for this product purchased from them, except in any area where specific maximum prices are fixed by an area pricing order, such specific maximum prices shall apply in that area.

(e) All provisions of Maximum Price Regulation No. 592 not inconsistent with

this order shall apply to sales covered by this order.

(f) All requests of the application not granted herein are denied.

(g) This order may be amended or revoked by the Office of Price Administration at any time.

This order shall become effective August 7, 1946.

Issued this 6th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. E. Doc. 46-13662; Filed, Aug. 6, 1946; 11:53 a. m.]

[MPR 591, Order 774]

FRASER FURNACE CO. INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 774 under section 16 of Maximum Price Regulation No. 591. Docket No. 6123-591.16-287. Fraser Furnace Company, Incorporated, Stockton, California.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 16 of Maximum Price Regulation No. 591; it is ordered:

(a) Adjustment of maximum prices for the Fraser Furnace Company, Inc., Stockton, California. (1) This order permits the Fraser Furnace Company, Inc., of Stockton, California to increase by 5.3 percent its properly established maximum net prices in effect on August 6, 1946, to each class of purchaser for its line of gas warm air furnaces.

(2) The maximum net prices set forth in (a) (1) above are subject to discounts, allowances including transportation allowances and the rendition of services which are at least as favorable as those which the Fraser Furnace Company, Inc., extended or rendered or would have extended or rendered to each class of purchaser during March 1942 on comparable sales of gas warm air furnaces.

(b) Maximum prices for resellers. (1) All resellers of the commodities covered by this order (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their properly established maximum prices in effect on August 6, 1946, the actual percentage increase in cost resulting from the adjustment granted the manufacturer by this order.

(c) Notification to all purchasers. The Fraser Furnace Company, Inc., shall send the following notice to every purchaser of the commodities covered by the order at or before the first invoice after the effective date of this order.

Order No. 774 under section 16 of Maximum Price Regulation No. 591 provides for a 5.3 percent increase in maximum net prices in effect on August 6, 1946, for sales by the Fraser Furnace Company, Inc., for its line of gas warm air furnaces.

Resellers (but not manufacturers who purchase these items for use in the manufacture of other products) may add to their existing maximum prices the actual percentage increase in cost resulting from the adjustment granted by Order No. 774.

(d) All prayers of the application of the Fraser Furnace Company, Inc., of

Stockton, California, not herein granted are denied.

(e) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective August 7, 1946.

Issued this 6th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13661; Filed, Aug. 6, 1946; 11:57 a. m.]

[Rev. SO 119, Order 315]

BRIGGS MFG. CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 315 under Revised Supplementary Order No. 119. Docket No. 6123-119-172. Briggs Manufacturing Company, Detroit, Michigan.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to Revised Supplementary Order No. 119, it is ordered:

(a) *Maximum prices for The Briggs Manufacturing Company of Detroit, Michigan.* (1) The above manufacturer shall determine his maximum prices for his line of formed metal plumbing fixtures by increasing by 18.5 percent his prices on these items in effect on October 1, 1941 to each class of purchaser.

(2) Since the provisions of this order are not intended to reduce properly established maximum prices, the manufacturer may continue to use as his maximum prices to each class of purchaser his properly established prices in effect under Maximum Price Regulation No. 591 in the event that such prices exceed the prices in effect to each class of purchaser on October 1, 1941 plus the increase provided for in (1) above.

(3) The maximum prices set forth above shall be subject to discounts and allowances including transportation allowances and price differentials which are at least as favorable as those the manufacturer extended or rendered or would have extended or rendered to each class of purchaser on commodities in the same general category during March 1942.

(b) *Resellers' maximum prices.* All resellers of the commodities covered by this order (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their presently established maximum prices the percentage increase in cost resulting from the increase granted the manufacturer by this order.

(c) *Notification to all purchasers.* The manufacturer shall send the following notice to every purchaser of the commodities covered by this order at or before the time of the first invoice after the adjustment granted by this order is put into effect:

Order No. 315 under Revised Supplementary Order No. 119 authorizes 18.5 percent increase in October 1, 1941, net prices for sales of formed metal plumbing fixtures manufactured by this company:

(Resellers' but not manufacturers who purchase such items for use in the manu-

facture of other products) may add to their existing maximum prices the percentage increase in cost resulting from the increase granted by Order No. 315.

(d) All prayers for relief not granted herein are denied.

(e) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective August 7, 1946.

Issued this 6th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13663; Filed, Aug. 6, 1946; 11:57 a. m.]

[RMPP 131, Order 34]

So-Lo WORKS, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 6 (e) of Revised Maximum Price Regulation 131 and section 6.4 of the Second Revised Supplementary Regulation 14 to the General Maximum Price Regulation, it is ordered:

(a) *Applicability.* This order applies to all sales of the Introductory Size So-Lo Rubber Repair Kit containing 1/2-ounce tube of cement and a can of plastic rubber and manufactured by the So-Lo Works, Inc., Loveland, Ohio.

(b) *Maximum prices.* The maximum prices for sales of the kit described in paragraph (a), shall be:

Sales to Syndicate

9¢ per unit (\$1.08 per dozen)

Sales at Retail (to User)

15¢ per unit

(c) *Notification of maximum prices.* With or prior to the first delivery of a commodity described in paragraph (a) to any reseller, the seller shall give such reseller a written notice of the maximum retail prices applicable thereto as established by paragraph (b) of this order.

(d) All provisions of RMPP 131 not inconsistent with this order shall apply to wholesale sales of the commodity priced by this order. All provisions of the GMPR not inconsistent with this order shall apply to retail sales of the commodity priced by this order.

(e) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective August 7, 1946.

Issued this 6th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13660; Filed, Aug. 6, 1946; 11:57 a. m.]

[MPR 592, Order 97]

PACIFIC LUMBER CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 97 under section 16 of Maximum Price Regulation 592, Special

Construction Materials and Refractories. Pacific Lumber Company. Docket No. 6122.592.16-186.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 16 of Maximum Price Regulation 592, it is ordered:

(a) The maximum prices for sales by the Pacific Lumber Co., San Francisco, Calif., of Palco wool insulation manufactured by it may, subject to the conditions listed in (b), (c) and (d) below, be increased by a dollars-and-cents amount shown in the following table:

ADJUSTMENTS IN DOLLARS PER TON

INSULATION YIELD FROM PURCHASED ROUGH BARK AS A PERCENTAGE OF TOTAL INSULATION YIELD FROM ALL BARK PROCESSED

Rough bark cost per ton	Percent							
	10	15	20	25	30	35	40	45
\$7.00	0.51	1.35	2.19	3.04	3.88	4.72	5.57	6.41
\$7.50	.54	1.45	2.35	3.25	4.16	5.06	5.96	6.87
\$8.00	.58	1.54	2.51	3.47	4.43	5.40	6.36	7.33
\$8.50	.61	1.64	2.66	3.69	4.71	5.73	6.76	7.78
\$9.00	.65	1.74	2.82	3.90	4.99	6.07	7.16	8.24
\$9.50	.69	1.83	2.98	4.12	5.26	6.41	7.55	8.70
\$10.00	.72	1.93	3.13	4.34	5.54	6.75	7.95	9.16
\$10.50	.76	2.02	3.29	4.55	5.82	7.08	8.35	9.61
\$11.00	.80	2.12	3.45	4.77	6.10	7.42	8.75	10.07
\$11.50	.83	2.22	3.60	4.99	6.37	7.76	9.14	10.53
\$12.00	.87	2.31	3.76	5.21	6.65	8.10	9.54	10.99

Rough bark cost per ton	Percent						
	50	55	60	65	70	75	80
\$7.00	7.25	8.10	8.94	9.78	10.63	11.47	12.32
\$7.50	7.77	8.67	9.58	10.48	11.38	12.29	13.19
\$8.00	8.29	9.25	10.22	11.18	12.15	13.11	14.07
\$8.50	8.80	9.83	10.85	11.88	12.90	13.93	14.95
\$9.00	9.32	10.41	11.50	12.58	13.66	14.75	15.83
\$9.50	9.84	10.99	12.13	13.28	14.42	15.56	16.71
\$10.00	10.36	11.57	12.77	13.98	15.18	16.39	17.59
\$10.50	10.88	12.14	13.41	14.67	15.94	17.20	18.45
\$11.00	11.40	12.72	14.05	15.38	16.70	18.03	19.35
\$11.50	11.92	13.30	14.69	16.07	17.46	18.84	20.23
\$12.00	12.44	13.88	15.33	16.77	18.22	19.67	21.11

(b) The per-ton adjustment shall not exceed the amount indicated in the table at the juncture point of the appropriate "insulation yield from purchased rough bark as a percentage of total insulation yield from all bark processed" with the appropriate "rough bark cost per ton." The adjustment so indicated may be rounded off to the nearest 5¢ and must be recalculated at the close of each 60-day period after the first adjustment.

(c) "Rough bark cost per ton" as used in the table shall represent the weighted average costs for the preceding 60 days' purchases of this commodity, except for the first calculation which may be made on a 30-day basis. As used in this paragraph, "weighted average costs" means the dollar cost of rough bark purchases divided by the number of tons of rough bark purchased. The appropriate "rough bark cost per ton" used in calculating the adjustment shall be the figure listed in the table which is the nearest to the weighted average.

(d) The "insulation yield from purchased rough bark as a percentage of total insulation yield from all bark processed" shall be computed by multiplying the number of tons of rough bark purchased in the preceding appropriate 30- or 60-day period by 41.5 percent and determining the percentage which such tonnage represents compared to the total

insulation tonnage produced in the preceding period. The appropriate percentage of total insulation yield represented by purchased rough bark shall be the figure listed in the table which is closest to that indicated under the formula. No adjustments may, however, be computed under the formula where the "insulation yield from purchased rough bark as a percentage of total insulation yield from all bark processed" is less than 10 percent.

(e) The Pacific Lumber Company shall maintain a record of purchases and production which are used as a basis for calculating its price increases in accordance with paragraphs (a), (b), (c) and (d) above.

(f) Any reseller purchasing any of the products covered by this order from the Pacific Lumber Company for resale in the same form may increase his established maximum prices by an amount not exceeding the percentage increase in cost to him resulting from the increase permitted the manufacturer by this order.

(g) Any reseller purchasing any of the products covered by this order from the Pacific Lumber Company for resale in the same form must decrease his established maximum prices by an amount at least equal to the percentage decrease in cost to him resulting from any decrease in the manufacturer's maximum price computed under this order.

(h) The maximum prices granted herein shall be subject to cash, quantity and other discounts, transportation allowances, services and all other terms and conditions of sale at least as favorable as the seller extended or rendered to purchasers of the same class during March 1942.

(i) The Pacific Lumber Company shall furnish to each buyer purchasing any of the products covered by this order for resale in the same form on or before the date it makes the first delivery at any adjusted price computed under this order a written statement as follows:

The maximum prices of \$..... per ton of Palco Wool Insulation has been computed pursuant to OPA Order No. 97 under section 16 of MPR 592. You are permitted to add the percentage increase in cost resulting from this adjusted price to your existing maximum price for Palco Wool Insulation. If the above maximum price represents a decrease in your cost, you must subtract the percentage decrease in cost from your existing maximum prices for resales of this commodity.

(j) All provisions of Maximum Price Regulation 592 not inconsistent with this order shall apply to sales covered by this order.

(k) All requests of the application not granted herein are denied.

(l) This order may be amended or revoked by the Office of Price Administration at any time.

This order shall become effective August 6, 1946.

Issued this 5th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13594; Filed, Aug. 5, 1946; 11:52 a. m.]

[MPR 188, Amdt. 6 to Order 1509]

**UPHOLSTERED SOFA BEDS, STUDIO COUCHES
AND OTHER UPHOLSTERED DUAL PURPOSE
SLEEPING EQUIPMENT**

**MANUFACTURERS' AND JOBBERS' MAXIMUM
PRICES**

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register; and pursuant to § 1499.159b of Maximum Price Regulation No. 188, *It is ordered*, That Order No. 1509 under Section 1499.159b of Maximum Price Regulation No. 188 be, and it hereby is, amended in the following respect:

Paragraph (w) is added to read as follows:

(w) *Adjustment of maximum prices.* Each manufacturer may increase his properly established maximum price to retailers for sales of an article of upholstered dual purpose sleeping equipment by \$2.40.

This amendment shall become effective on August 6, 1946.

Issued this 6th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13683; Filed, Aug. 6, 1946; 4:28 p. m.]

[Gen. Order 68, Amdt. 5]

**BUILDING AND CONSTRUCTION MATERIALS
DELEGATION OF AUTHORITY TO ESTABLISH
MAXIMUM PRICES**

An opinion accompanying this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Paragraph (a) is amended by adding a sentence to read as follows: "If the area for which it is deemed appropriate to fix maximum prices lies within the jurisdiction of more than one regional or district office of the Office of Price Administration, the regional office for the region, or the district office for the district, in which the majority of the sellers to be covered by the order is located shall have authority to issue an order establishing or adjusting maximum prices for all sellers in the marketing area."

This amendment shall become effective August 6, 1946.

Issued this 6th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13681; Filed, Aug. 6, 1946; 4:28 p. m.]

[MPR 580, Amdt. 3 to Order 8]

AMERICAN GIRL SHOE CO.

ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation No. 580, Amendment 3 to order 8. Establishing ceiling prices at retail for certain articles; Docket No. 6063-580-13-715.

For the reasons set forth in the opinion issued simultaneously herewith, Order 8 issued under section 13 of Maxi-

mum Price Regulation 580 on application of American Girl Shoe Company, 210 Lincoln Street, Boston 11, Massachusetts, is amended in the following respects:

1. Paragraph (a) is amended to increase the retail ceiling prices established by the order for women's shoes. The new prices are as follows:

Women's shoes	
Wholesaler's unadjusted selling price	Retail ceiling price
\$3.60	\$6.15
3.79	6.50

2. Paragraph (c) is amended by adding thereto the following undesignated paragraph:

Upon issuance of any amendment to this order which either adds an article to those already listed in paragraph (a) or changes the retail ceiling price of a listed article, the manufacturer or wholesaler, as to such article, must comply with the preticketing requirements of this paragraph within 30 days after the issuance of the amendment. After 60 days from the issuance date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation 580. However, the pricing provisions of this order or of any subsequent amendment thereto shall apply as of the effective date of the order or applicable amendment.

This amendment shall become effective August 6, 1946.

Issued this 6th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13685; Filed, Aug. 6, 1946; 4:28 p. m.]

[MPR 188, Amdt. 1 to Order 11]

**METAL COMMERCIAL FURNITURE
ADJUSTMENT OF MAXIMUM PRICES**

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.159e of Maximum Price Regulation No. 188, *It is ordered*:

Order No. 11 under § 1499.159e of Maximum Price Regulation No. 188 is amended in the following respects:

1. Section 2 is amended to read as follows:

SEC. 2. Articles covered by this order. This order covers all articles of metal commercial furniture, fixtures, equipment and accessories covered by Maximum Price Regulation No. 188, except those whose maximum prices were established under the "cost method" of Order No. 4332 or Revised Order No. 4332 under Maximum Price Regulation No. 188. "Metal commercial furniture" as used in this order means all furniture, fixtures, equipment and accessories set forth in Appendix C of Maximum Price Regulation No. 188, except those listed

below, when primarily designed and generally used for non-household purposes, and when made with metal which, exclusive of joining hardware, accounts for at least 50% of the total cost of materials used.

This order does not cover articles of scientific and professional equipment such as dentist's and physician's examination chairs and tables, and hospital operating-room equipment, cooking utensils and business and store machines.

2. Section 4 is amended to read as follows:

SEC. 4. *Adjusted maximum price of resellers.* A reseller finds his "adjusted" maximum prices as follows:

(a) If a reseller delivered or offered for delivery during March 1942 an article which meets the definition of "most comparable commodity" contained in § 1499.3 (a) of the General Maximum Price Regulation, except that it need not be currently offered for sale, he shall find his adjusted maximum price according to the method and procedure set forth in that section by the following steps:

Step 1. He determines the markup which he had on that comparable article.

Step 2. He finds the price which results from applying that markup to his supplier's unadjusted maximum price as it appears on his purchase invoice for the article being priced.

Step 3. His "adjusted maximum price" is the total of the amount found in Step 2 and the dollar-and-cent difference between his supplier's unadjusted maximum price and his actual invoice cost.

The determination of a maximum resale price in this way need not be reported to the Office of Price Administration. However, each seller must keep complete records showing all the information called for on OPA Form No. 620-759, with regard to how he determines his maximum resale price. These records shall be kept available for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(b) If a reseller cannot determine his adjusted maximum price by either of the methods set forth above, he shall apply to the Office of Price Administration for the establishment of his adjusted maximum price under § 1499.3 (a) of the General Maximum Price Regulation, in accordance with the provisions of that section. The application shall, in addition to the information specifically required by that section, also give the following information:

(1) His supplier's unadjusted maximum price as it appears on his purchase invoice.

(2) His actual invoice cost.

An adjusted maximum price established in this way will be in line with reseller's adjusted maximum price established generally under this order.

(c) A reseller may make sales and deliveries at prices at or below his adjusted maximum prices computed in this way.

3. Paragraph (c) of section 6 is redesignated as paragraph (d) and a new paragraph (c) is added to read as follows:

(c) In lieu of furnishing an invoice as required in paragraph (a) above, any person making a sale of an article covered by this order to a purchaser for resale, may furnish such purchasers for resale a price list which separately states both his unadjusted maximum prices and his adjusted maximum prices as authorized by this order.

4. Section 8 is amended to read as follows:

SEC. 8. Except as provided below, every seller of an article covered by this order must maintain all of his terms, discounts, allowances and price differentials in effect during March 1942, or which have been subsequently properly established under Office of Price Administration regulations or orders.

Sellers who granted quantity discounts based on quantities ordered rather than delivered, need only grant such quantity discounts on the basis of quantities delivered when the quantities delivered are less than the quantities ordered, so long as quantities delivered are as great as the seller's supply permits and the volume and number of sales pursuant to such orders are not diminished to avoid the granting of quantity discounts.

This amendment may be revoked or amended by the Price Administrator at any time.

This amendment shall become effective on the 12th day of August 1946.

NOTE: The reporting and record-keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942, as amended.

Issued this 7th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13745; Filed, Aug. 7, 1946; 11:50 a. m.]

[RMPR 528, Order 133]

FIRESTONE TIRE AND RUBBER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 16 (d) of Revised Maximum Price Regulation 528, *it is ordered:*

(a) The maximum retail price for a 10 x 2.75 synthetic rubber Industrial Semi-Solid Cushion tire, fabric base, manufactured by The Firestone Tire and Rubber Company of Akron, Ohio, shall be \$4.00 each.

(b) All provisions of RMPR 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective August 8, 1946.

Issued this 7th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13742; Filed, Aug. 7, 1946; 11:51 a. m.]

[RMPR 94, Amdt. 2 to Rev. Order 3]

WESTERN PINE AND ASSOCIATED SPECIES OF LUMBER

APPROVAL OF MAXIMUM PRICES FOR PONDEROSA PINE CUT STOCK

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, under Revised Maximum Price Regulation 94, and in accordance with paragraph (c) of Revised Order 3 thereunder, issued June 21, 1946, paragraph (a) of said Revised Order 3 is amended by adding the following named manufacturers:

Keystone Frame & Manufacturing Company-----	Spokane, Wash.
Blue Mountain Mills-----	Ontario, Oreg.
Pendleton Lumber Company-----	Pendleton, Oreg.
Pine Products Corporation-----	Prineville, Oreg.
Curtis Companies Incorporated-----	Clinton, Iowa.
Curtis Companies Incorporated-----	Wausau, Wis.
Pack River Lumber Company-----	Dover, Idaho.
Oregon Trall Box Company-----	Bend, Oreg.
E. E. Kenfield Sons, Incorporated-----	Bemidji, Minn.
Roach & Musser Company-----	Moscatine, Iowa.
Alexander-Yawkey Lumber Company-----	Prineville, Oreg.
Carr, Adams & Collier Company-----	Dubuque, Iowa.

This amendment shall become effective August 12, 1946.

Issued this 7th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-13726; Filed, Aug. 7, 1946; 11:51 a. m.]

Regional and District Office Orders.

[Scranton Adopting Order 4 Under Basic Order 3 Under RMPR 251]

INSTALLED INSULATION IN SCRANTON, PA., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Regional Administrator of Region 2 by the Emergency Price Control Act of 1942 as amended by section 9 of Revised Maximum Price Regulation 251 as amended and by Revised Procedural Regulation No. 1, which authority has been duly delegated by such Regional Administrator to the District Director, Scranton District Office, it is hereby ordered that:

SECTION 1. *What this order covers.* This adopting order under Basic Order No. 3 under section 9 to Revised Maximum Price Regulation No. 251 as amended, covers all sales of installed insulation and related and incidental construction work in existing structures in the area hereinafter described. All provisions of the Basic Order No. 3 under section 9 of Revised Maximum Price Regulation No. 251 as amended are adopted in this order and are just as much a part of this order

¹ 9 F.R. 6634, 12966; 10 F.R. 12118, 14153; 11 F.R. 3749.

as if specifically set forth herein. If said Basic Order No. 3 is amended in any respect, the provisions of said order as amended, shall likewise without further action become part of this order. All persons subject to this adopting order are also subject to Basic Order No. 3 under section 9 of Revised Maximum Price Regulation No. 251 as amended, and should be familiar with the provisions of said basic order.

SEC. 2. Territory covered by this order. The geographical area covered by this order consists of the counties of Bradford, Cameron, Carbon, Centre, Clinton, Columbia, Elk, Lackawanna, Luzerne, Lycoming, McKean, Monroe, Montour, Northumberland, Pike, Potter, Schuylkill, Snyder, Sullivan, Susquehanna, Tioga, Union, Wayne and Wyoming, all in the State of Pennsylvania.

SEC. 3. General provisions—(1) Related and incidental work. The term "related and incidental" work, for the purposes of this order, shall mean any installation of building materials, or any work necessary for the actual installation of insulation and provided by the seller for which prices are not fixed by this order. Charges for such work shall be determined under RMPR-251, and shall be stated separately on all contracts or invoices.

(2) **Fire retarding.** Where fire retarding material and specified density are required by local building codes, or by any other local ordinance, the cost of doing this work shall be determined under RMER-251.

(3) **Special insulation.** All types of insulation not expressly listed in the categories contained in this order, shall, for the purposes of this order, be treated as special insulation. Charges for such special insulation shall be determined under Revised Maximum Price Regulation 251, and such charges shall be separately stated on all contracts or invoices.

(4) **Bonded, tar, gravel and metal roofs.** Where it is necessary to preserve the guarantee of a bonded roof, the price of the opening and restoration of the roof to its original condition, in accordance with the guarantee, shall be determined under RMPR-251.

Where it is necessary to open a roof, the exterior of which is composed of tar, gravel, or metal the price of the opening and restoration of the roof to its original condition shall be determined under RMPR-251.

(5) **Access to areas to be insulated.** The maximum prices fixed by this order include scaffolding and other means for access commonly used by the industry for the installation of insulation.

Where unusual conditions are encountered which require special scaffolding or other special means of access to areas to be insulated, the price of this special work shall be determined under RMPR-251.

(6) **Retaining material.** The price of furnishing and installing retaining materials other than the three standard types specified in this order shall be determined under RMPR 251.

(7) **Finished flooring.** The term finished flooring shall mean flooring strip or parquet up to three and one-quarter inches (3¼") wide, and other architec-

turally designed or antique flooring that has been sanded, filled, finished, waxed and pressure rubbed, or shellacked to form a finished product.

Where it is necessary to make openings in such floor for the insulation of areas under said floor, the price of the openings and restoration of the floor to its original condition shall be determined under RMPR-251.

(8) **Finished ceilings.** Where it is necessary to make openings in a ceiling, or overhang, finished with materials other than the three standard retaining materials specified in this order, for the insulation of areas above such ceiling, the price of the openings and restoration of the ceiling to its original condition shall be determined under RMPR-251.

(9) **Deliveries.** The maximum prices provided by this order shall apply to all installations of insulation made within a radius of ten miles of the seller's nearest place of business.

For installations of insulation at more distant points, one-half of one percent (½ of 1%) may be added to the total contract price for each mile in excess of 10 miles from the seller's nearest place of business.

SEC. 4. Maximum prices. The maximum prices for all sales of installed insulations in existing structures in the area covered by this order are set forth in Schedule A hereto annexed and made a part of this order.¹ The prices filed in this order apply to all sales in the area covered by this order regardless of the location of the seller's place of business.

SEC. 5. Relationship of the order to other regulations and orders. As previously stated, all provisions of Basic Order No. 3 are adopted by this order. The maximum prices fixed by this order supersede sections 6, 7, and 8 of Revised Maximum Price Regulation No. 251 as amended with respect to all sales of installed insulation in existing structures in the area covered by this order, unless otherwise provided by this order. All other provisions of Revised Maximum Price Regulation No. 251 as amended are applicable to transactions covered by this order unless otherwise specifically provided in this order.

SEC. 6. Notification. Every person making sales of insulation covered by this order shall furnish to the purchaser at or before the starting of the work, a copy of the agreement pursuant to which the work is to be done. This agreement shall set forth the name and address of the buyer and of the seller, the location of the work, and an adequate description of the areas to be insulated, the materials to be used, and the services to be performed, and the amount to be paid. If any work other than insulation, for which ceiling prices are fixed by this order is to be performed, the price of such work shall be separately stated.

SEC. 7. Revocation or amendment. This order may be revised, amended, revoked, or modified at any time by the Office of Price Administration.

This order shall become effective July 31, 1946.

¹ Filed as part of the original document.

Issued this 29th day of July 1946.

JOHN A. HART,
District Director.

[F. R. Doc. 46-13665; Filed, Aug. 6, 1946;
11:53 a. m.]

[Region II Order G-5 Under MPR 592]

MILFORD CONCRETE PRODUCTS CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in the accompanying opinion, and under the authority vested in the Regional Administrator of the Office of Price Administration by the Emergency Price Control Act of 1942 as amended, and by section 16 of Maximum Price Regulation No. 592, it is hereby ordered that:

(a) Maximum prices of Milford Concrete Products Company, Milford, Delaware for concrete blocks of the types and sizes listed below, are adjusted as stated below:

Types and sizes of blocks	Adjusted maximum prices ¹
Wet poured plain:	
8 x 8 x 16"-----	\$0.20
8 x 8 x 12"-----	.15
8 x 8 x 8"-----	.10
8 x 8 x 4"-----	.05
Wet poured face blocks:	
8 x 8 x 16"-----	.21
8 x 8 x 12"-----	.16
8 x 8 x 8"-----	.11
8 x 8 x 4"-----	.06

Corners, joists, windows or specials in any face shall remain at 1¢ more than straight blocks.

¹ These prices are delivered prices within 10 miles of the seller's yard. Additional charges for delivery beyond 10 miles are as follows:

10-15 miles-----	\$0.01
15-20 miles-----	.02
20-30 miles-----	.03

The above prices, delivery charges, and terms of sale apply to all sales of concrete blocks, except that on sales to purchasers for resale, a discount of 1¢ per block shall be allowed.

(b) Persons who buy from Milford Concrete Products Company for resale, the concrete blocks above mentioned, may increase their maximum prices for these products as determined under the applicable regulation by 25%. At or before the first sale after the date hereof to any reseller, Milford Concrete Products Company, shall notify such reseller in writing of the provisions of this paragraph.

(c) Customary discounts, allowances, and other price differentials shall be maintained on all sales affected by this order.

(d) This order may be revoked, amended, or corrected at any time by the Regional Administrator or the Price Administrator.

(e) A copy of this order has been filed with the Division of the Federal Register where it is open to inspection by the public.

(f) All prayers of the application of Milford Concrete Products Co., not granted herein are denied.

(g) Milford Concrete Products Company, may, within 60 days after the date of this order, file with this office a re-

quest for review by the Administrator of the partial denial of this application.

(h) On or before October 30, 1946, Milford Concrete Products Company shall file with this office a Profit and Loss Statement showing the results of its total operations broken down to product costs for the period beginning January 1, 1946, and ending September 30, 1946.

This order shall become effective immediately.

Issued this 2d day of August 1946.

JAMES L. MEADER,
Regional Administrator.

[F. R. Doc. 46-13664; Filed, Aug. 6, 1946; 11:57 a. m.]

[Fargo-Moorhead Order G-2 Under Gen. Order 68, Amtd. 1]

HARD BUILDING MATERIALS IN MINOT, N. DAK., AREA

Correction

In Federal Register Document 46-11744, appearing on page 7513 of the issue for Saturday, July 6, 1946, the effective date should read "June 24, 1946".

[Fargo-Moorhead Order G-1 Under Gen. Order 68, Amtd. 1]

HARD BUILDING MATERIALS IN FARGO-MOORHEAD AREA

Correction

In Federal Register Document 46-11745, appearing on page 7513 of the issue for Saturday, July 6, 1946, the first item in the table under Appendix A should read "Plaster, hard wall, 100-lb. bag-----\$1.20".

[Albuquerque 2d Rev. Order G-1 Under Gen. Order 50]

BEER AND ALE IN ALBUQUERQUE, N. MEX., DISTRICT

In accordance with the provisions of General Order No. 50 and Region VII Delegation Order No. 15, it is hereby ordered:

SECTION 1. Prohibitions. No person shall sell or serve any beer or ale item listed in section 4 hereof at a price higher than the maximum price established by this order for such beer or ale item. This order does not establish maximum prices for package sales of beer or ale items sold for consumption away from the seller's place of business. Maximum prices for such sales are controlled by RMPR 259 and other price regulations, and must not exceed the prices established thereby.

SEC. 2. Lower prices may be charged. This order establishes maximum prices only. Prices lower than those established herein may, of course, be charged.

SEC. 3. Exceptions. (a) Maximum prices for beer and ale items not listed in section 4 hereof which are controlled by other price regulations must not exceed the prices established thereby.

(b) The maximum prices established by this order shall not apply to sales

made on railroad trains. Maximum prices for such sales remain subject to other applicable price regulations.

SEC. 4. Maximum prices established by this order. (a) The maximum prices for sales of beer and ale items listed below by sellers located in Colfax, San Miguel, Santa Fe, Bernalillo, Valencia, McKinley, Dona Ana and Chaves Counties, New Mexico, are as follows:

Brand	Size	Price	Size	Price
BOTTLED BEER				
	Ounces	Cents	Ounces	Cents
Blatz.....	12	22	32	52
Budweiser.....	12	22	32	52
Canadian Ace.....	12	22	32	52
Country Club.....	12	22		
Duquesne.....	12	24		
East Side.....	12	22		
Ems.....	12	22		
Four Crown Special.....	12	22		
Gold Medal Tivoli.....	12	22		
Hamm's.....	12	22		
Koenig Brau.....	12	22	32	52
Lemps.....	12	22		
Marshfield.....	12	22	32	52
Pabst.....	12	22	32	52
Schlitz.....	12	22	32	52
Van Merritt.....	12	25		
Van Wyck.....	12	25		
Acme.....	12	18	32	42
Atlas.....	12	18		
Bohemian.....	12	18		
Coors.....	12	18	32	42
Falstaff.....	12	17	32	42
Grand Prize.....	12	17		
Harry Mitchell.....	12	17		
Lang.....			32	42
Manhattan.....	12	17		
Rosebud.....	12	17		
Royal Bru.....	12	17		
Southern Select.....	12	17		
Topaz.....	12	18		
Tivoli.....	12	17		
Walters.....	12	17	32	42
Carta Blanca.....	7	21		
Do.....	12	35		
Corona.....	11	35		
Cruz Blanca.....	11	35		
Dorans.....	12	35		
Monterey.....	12	35		
Tecate.....	11	25		
Victoria.....	12	35		
BOTTLED ALE				
Ballantine.....	12	25		
Bohemia.....	11	35		
Dorans.....	12	35		
Walters.....	12	22		
DRAUGHT BEER				
Michelob.....	7	10		
All other brands.....	8	10		

All other sizes must be priced at the rate of 1 1/4 cents per ounce. The foam head of each glass must be limited to one-half inch.

(b) The maximum prices for sales of the beer and ale items listed below by sellers located in Union, Taos, Rio Arriba, San Juan, Sandoval, Mora, Harding, Quay, Guadalupe, Torrance, Socorro, Catron, Lincoln, De Baca, Curry, Roosevelt, Lea, Otero, Sierra, Luna, Hidalgo, Grant and Eddy Counties, New Mexico, are as follows:

Brand	Size	Price	Size	Price
BOTTLED BEER				
	Ounces	Cents	Ounces	Cents
Blatz.....	12	24	32	57
Budweiser.....	12	24	32	57
Canadian Ace.....	12	24	32	57
Country Club.....	12	24		
Duquesne.....	12	25		
East Side.....	12	24		
Ems.....	12	24		
Four Crown Special.....	12	24		
Gold Medal Tivoli.....	12	24		
Hamm's.....	12	24		
Koenig Brau.....	12	24		
Lemps.....	12	24		
Marshfield.....	12	24	32	57
Pabst.....	12	24	32	57

Brand	Size	Price	Size	Price
BOTTLED BEER—CON.				
	Ounces	Cents	Ounces	Cents
Schlitz.....	12	24	32	57
Van Merritt.....	12	27		
Van Wyck.....	12	27		
Acme.....	12	20	32	47
Atlas.....	12	20		
Bohemian.....	12	20		
Coors.....	12	20	32	47
Falstaff.....	12	19	32	47
Grand Prize.....	12	19		
Harry Mitchell.....	12	19		
Lang.....			32	47
Manhattan.....	12	19		
Rosebud.....	12	19		
Royal Bru.....	12	19		
Southern Select.....	12	19		
Topaz.....	12	20		
Tivoli.....	12	19		
Walters.....	12	19	32	47
Carta Blanca.....	7	21		
Do.....	12	35		
Corona.....	12	35		
Cruz Blanca.....	11	35		
Dorans.....	12	35		
Monterey.....	12	35		
Tecate.....	11	25		
Victoria.....	12	35		
BOTTLED ALE				
Ballantine.....	12	25		
Bohemia.....	11	35		
Dorans.....	12	35		
Walters.....	12	22		
DRAUGHT BEER				
Michelob.....	7	10		
All other Brands.....	8	10		

All other sizes must be priced at the rate of 1 1/4¢ per ounce. The foam head must be limited to one-half inch.

(c) A night club employing a band of 3 or more musicians may, between the hours of 8 p. m. and closing time, charge 5 cents per bottle more than the appropriate maximum price listed above for the area in which such night club is located. This additional charge may be made only during such time as said band is on duty. No addition may be made to the prices listed above for draught beer. Persons selling beer or ale items at state or county fairs, may, for sales of beer or ale made on the fairgrounds, charge 5 cents per bottle more than the prices listed above for the area in which such fair is held.

(d) The prices listed above include all taxes, local, state, and federal, in effect up to and including April 1, 1944, and no additional charge may be made on account of any such taxes.

(e) In addition to the prices permitted in this order, a person may, during the hours when he is subject to the 20% amusement tax imposed by the Federal Revenue Act of 1943, add the exact amount of said 20% amusement tax, or the additional 15% increase if the person was adding the 5% amusement tax already in force at the time the Federal Revenue Act of 1943 became effective: *Provided, however,* That this tax may be added only in the event that it is shown separately from the selling price of the beer and/or ale on the seller's sales slip, or in cases where slips are not used, a price chart showing the prices of all brands of bottled beer and draught beer is posted in a conspicuous place above the bar; *Provided further,* That a sign showing the hours during which the 20% Federal tax will be collected be posted in a conspicuous place visible to anyone entering the establishment.

SEC. 5. Evasion. No person shall evade the provisions of this order by

means of tie-in agreement, service charge, cover charge, bottle deposit, or by any other method except that any seller may continue to make any cover charge permitted under the provisions of Second Revised Restaurant Maximum Price Regulation 7-1, or Restaurant Maximum Price Regulation 2.

SEC. 6. Definitions. The definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in § 1499.2C of the General Maximum Price Regulation shall apply to the terms used herein.

SEC. 7. This Revised order No. G-1 under General Order No. 50 supersedes Order G-1 under General Order No. 50 and Amendments 1 to 6 thereto.

Issued this 29th day of July 1946.

This order shall become effective July 29, 1946.

GEORGE A. FITZGERALD,
Acting District Director.

[F. R. Doc. 46-13666; Filed, Aug. 6, 1946;
11:58 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 479, Special Permit 12]

STANDARD REFRIGERATORS FOR CARS AT TAMPA, FLA.

Pursuant to the authority vested in me by paragraph (d) of the first ordering paragraph of Service Order No. 479 (11 F. R. 3367), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 479 insofar as it applies to the furnishing of standard refrigerators for MDT 6451 and NWX 70266 shipped by F. H. Vahlsing from Freehold (Jones Sid-ing), N. J., routed PRR-RF&P-Seaboard to N. Geraci & Co., Tampa, Fla.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of August 1946.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 46-13723; Filed, Aug. 7, 1946;
11:32 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 6773]

DEUTSCHE REICHSBANK

In re: Bonds owned by Deutsche Reichsbank. File No.: F-28-1282-A-2.

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

1. That Deutsche Reichsbank, the last known address of which is C111, Jaegerstrasse 34-36, Berlin, Germany, is a corporation organized under the laws of Germany, and which had or, since the effective date of Executive Order No. 8389, as amended, has had its principal place of business in Germany, and is a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Eleven Free State of Bavaria Serial 6½% bonds, due August 1, 1936, each of \$1,000 face value, bearing the numbers 7713, 7714, 7953, 7978, 8104, 8188, 8189, 8242, 8243, 8244 and 8245, issued in the name of bearer, presently in the custody of W. V. Gibara & Co., 61 Broadway, New York, New York, together with any and all rights thereunder and thereto.

b. Three Free State of Bavaria Serial 6½% bonds, due August 1, 1937, each of \$1,000 face value, bearing the numbers 8360, 8361 and 8686, issued in the name of bearer, presently in the custody of W. V. Gibara & Co., 61 Broadway, New York, New York, together with any and all rights thereunder and thereto.

c. Two Free State of Bavaria Serial 6½% bonds, due August 1, 1938, each of \$1,000 face value, bearing the numbers 9136 and 9343, issued in the name of bearer, presently in the custody of W. V. Gibara & Co., 61 Broadway, New York, New York, together with any and all rights thereunder and thereto.

d. One Free State of Bavaria Serial 6½% bond, due August 1, 1939, of \$1,000 face value, bearing the number 10059, issued in the name of bearer, presently in the custody of W. V. Gibara & Co., 61 Broadway, New York, New York, together with any and all rights thereunder and thereto.

e. Eight Bavarian Palatinate Consolidated Cities 7% Serial bonds, due January 1, 1936, each of \$1,000 face value, bearing the numbers M1045, M1046, M1047, M1048, M1049, M1061, M1062 and M1063, issued in the name of bearer, presently in the custody of W. V. Gibara & Co., 61 Broadway, New York, New York, together with any and all rights thereunder and thereto.

f. Five Bavarian Palatinate Consolidated Cities 7% Serial bonds, due January 1, 1939, each of \$1,000 face value, bearing the numbers M1620, M1623, M1624, M1625 and M1626, issued in the name of bearer, presently in the custody of W. V. Gibara & Co., 61 Broadway, New York, New York, together with any and all rights thereunder and thereto.

g. Thirty City of Bremen 7% bonds, due September 1, 1935, each of \$1,000 face value, bearing the numbers M9637, M2165, M4594, M1456, M2671, M3123, M3124, M3784, M3785, M3786, M4154, M5695, M5696, M5697, M5698, M5760, M5833, M8054, M8185, M8186, M8588, M9027, M9338, M9339, M10455, M10683, M10874, M11184, M11225 and M11304, issued in the name of bearer, presently in the custody of W. V. Gibara & Co., 61 Broadway, New York, New York, together

with any and all rights thereunder and thereto.

h. Two City of Bremen 7% bonds, due September 1, 1935, each of \$500 face value, bearing the numbers D744 and D745, issued in the name of bearer, presently in the custody of W. V. Gibara & Co., 61 Broadway, New York, New York, together with any and all rights thereunder and thereto.

i. Two City of Dusseldorf Serial 7% bonds, due September 1, 1937, each of \$1,000 face value, bearing the numbers M970 and M1004, issued in the name of bearer, presently in the custody of W. V. Gibara & Co., 61 Broadway, New York, New York, together with any and all rights thereunder and thereto.

j. Seventy-nine German Central Bank for Agriculture 6% bonds, due April 15, 1938, each of \$1,000 face value, bearing the numbers M274, M1509, M3092, M3093, M3286, M4099, M8215, M8443, M8515, M8516, M8517, M9234, M10027, M10028, M10029, M11396, M11397, M11530, M12507, M12508, M12556, M12557, M12558, M12559, M12560, M12960, M12961, M13051, M13052, M13053, M15108, M15372, M15412, M15413, M15414, M15415, M15416, M16257, M16292, M16672, M16725, M17040, M17041, M17042, M17043, M17044, M17204, M18065, M19326, M19327, M19328, M19329, M19330, M19331, M19540, M22023, M22024, M23627, M23783, M23784, M23785, M23786, M23787, M23788, M23789, M23790, M23791, M24514, M24515, M24571, M11557, M11558, M11559, M2735, M2736, M2737, M2738, M2739 and M2740, issued in the name of bearer, presently in the custody of W. V. Gibara & Co., 61 Broadway, New York, New York, together with any and all rights thereunder and thereto.

k. Two German Central Bank for Agriculture 6% bonds, due April 15, 1938, each of \$500 face value, bearing the numbers D1398 and D1399, issued in the name of bearer, presently in the custody of W. V. Gibara & Co., 61 Broadway, New York, New York, together with any and all rights thereunder and thereto.

l. Eight City of Munich Serial 7% bonds, due August 1, 1936, each of \$1,000 face value, bearing the numbers 4446, 4447, 4448, 4449, 4450, 4451, 4463 and 4464, issued in the name of bearer, presently in the custody of W. V. Gibara & Co., 61 Broadway, New York, New York, together with any and all rights thereunder and thereto.

m. One City of Munich Serial 7% bond, due August 1, 1937, of \$1,000 face value, bearing the number 4798, issued in the name of bearer, presently in the custody of W. V. Gibara & Co., 61 Broadway, New York, New York, together with any and all rights thereunder and thereto.

n. Three City of Munich Serial 7% bonds, due August 1, 1938, each of \$1,000 face value, bearing the numbers 5265, 5266 and 5324, issued in the name of bearer, presently in the custody of W. V. Gibara & Co., 61 Broadway, New York, New York, together with any and all rights thereunder and thereto.

o. Four City of Munich Serial 7% bonds, due August 1, 1939, each of \$1,000 face value, bearing the numbers 5826, 5827, 5828 and 5829, issued in the name

of bearer, presently in the custody of W. V. Gibara & Co., 61 Broadway, New York, New York, together with any and all rights thereunder and thereto,

p. Five Free State of Oldenburg Serial 7% bonds, due November 1, 1936, each of \$1,000 face value, bearing the numbers M1112, M1113, M1114, M1115, and M1116, issued in the name of bearer, presently in the custody of W. V. Gibara & Co., 61 Broadway, New York, New York, together with any and all rights thereunder and thereto,

q. One Provincial Bank of Westfalia 6% bond, due March 1, 1933, of \$1,000 face value, bearing the number 2668, issued in the name of bearer, presently in the custody of W. V. Gibara & Co., 61 Broadway, New York, New York, together with any and all rights thereunder and thereto,

r. Six Provincial Bank of Westfalia 6% bonds, due March 1, 1933, extended at 5% to March 1, 1936, each of \$900 face value, bearing the numbers 739, 2929, 2930, 2931, 2932 and 2933, issued in the name of bearer, presently in the custody of W. V. Gibara & Co., 61 Broadway, New York, New York, together with any and all rights thereunder and thereto,

s. Three Consolidated Municipal Serial Loan 7% of the State of Wurttemberg bonds, due November 1, 1936, each of \$1000 face value, bearing the numbers M4169, M4170 and M4171, issued in the name of bearer, presently in the custody of W. V. Gibara & Co., 61 Broadway, New York, New York, together with any and all rights thereunder and thereto.

t. Seven Consolidated Municipal Serial Loan 7% of the State of Wurttemberg bonds, due November 1, 1938, each of \$1000 face value, bearing the numbers M5082, M5083, M5084, M5085, M5086, M5087 and M5088, issued in the name of bearer, presently in the custody of W. V. Gibara & Co., 61 Broadway, New York, New York, together with any and all rights thereunder and thereto,

u. Two Congregation of Ste. Catherine, Berlin, 6% bonds, due 1933 to 1936, each of \$1000 face value, bearing the numbers M19 and M20, issued in the name of bearer, presently in the custody of W. V. Gibara & Co., 61 Broadway, New York, New York, together with any and all rights thereunder and thereto.

v. Two Congregation of Ste. Catherine, Berlin, 6% bonds, due 1933 to 1936, each of \$500 face value, bearing the numbers B34 and B35, issued in the name of bearer, presently in the custody of W. V. Gibara & Co., 61 Broadway, New York, New York, together with any and all rights thereunder and thereto,

w. One Congregation of Ste. Catherine, Berlin, 6% bond, due 1934 to 1937, of \$1000 face value, bearing the number M57, issued in the name of bearer, presently in the custody of W. V. Gibara & Co., 61 Broadway, New York, New York, together with any and all rights thereunder and thereto,

x. One Congregation of Ste. Catherine, Berlin, 6% bond, due 1934 to 1937, of \$500 face value, bearing the number B96, issued in the name of bearer, presently in the custody of W. V. Gibara & Co.,

61 Broadway, New York, New York, together with any and all rights thereunder and thereto,

y. Five coupons, due October 1, 1938, each of \$35, detached from German Atlantic Cable Company 7% bonds, due April 1, 1945, issued in the name of bearer, presently in the custody of W. V. Gibara & Co., 61 Broadway, New York, New York, together with any and all rights thereunder and thereto, and

z. Thirty-six coupons, due July 1, 1933 to January 1, 1939, each of \$37.50, detached from City of Heidelberg 7½% bonds, due July 1, 1950, issued in the name of bearer, presently in the custody of W. V. Gibara & Co., 61 Broadway, New York, New York, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 26, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13617; Filed, Aug. 6, 1946;
9:46 a. m.]

[Vesting Order 6785]

FEDERICO BAETZNER

In re: Bonds and stocks owned by the personal representatives, heirs, next of kin, legatees and distributees of Federico Baetzner, deceased. F-28-1092-A-1.

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

1. That the personal representatives, heirs, next of kin, legatees and distributees of Federico Baetzner, deceased, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. Those certain bonds described in Exhibit A, attached hereto and by reference made a part hereof, presently in the custody of Bankers Trust Company, 16 Wall Street, New York, New York, in a custodian account, Account Number 364, together with any and all rights thereunder and thereto,

b. Those certain shares of stock of Bankers National Investing Corporation, 1300 Market Street, Wilmington, Delaware, a corporation organized under the laws of the State of Delaware, described in Exhibit B, attached hereto and by reference made a part hereof, and presently in the custody of Bankers Trust Company, 16 Wall Street, New York, New York, in a custodian account, Account Number 364, together with all declared and unpaid dividends thereon,

c. Two hundred sixty (260) shares of no par value common capital stock of Beneficial Industrial Loan Corporation, 1300 Market Street, Wilmington, Delaware, a corporation organized under the laws of the State of Delaware, evidenced by the certificates numbered as set forth in Exhibit C, attached hereto and by reference made a part hereof, registered in the name of Federico Baetzner, in the amounts appearing opposite each certificate number listed in Exhibit C, and presently in the custody of Bankers Trust Company, 16 Wall Street, New York, New York, in a custodian account, Account Number 364, together with all declared and unpaid dividends thereon, and

d. Four (4) coupons dated January 1, 1940, four (4) coupons dated July 1, 1940, and four (4) coupons dated January 1, 1941, detached from the Conversion Office for German Foreign Debts Dollar Bonds described in Exhibit A, which coupons are presently in the custody of Bankers Trust Company, 16 Wall Street, New York, New York, in a custodian account, Account Number 364, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 27, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Description of Issue	Certificate No.	Face value	Rate of interest	Due date
Argentine Province of Buenos Aires External Sinking Fund Dollar of 1936.	6443	\$100.00	3	July 1, 1964
Argentine Province of Buenos Aires External Readjustment Sinking Fund Dollar.	115 406 407 408	500.00 1,000.00 1,000.00 1,000.00	4½% 4½% 4½% 4½%	Apr. 1, 1976 Apr. 1, 1976 Apr. 1, 1976 Apr. 1, 1976
Argentine Province of Buenos Aires Arrears Certificates.....	1299 ¹ 5143 5144 5127 1447 1299 2737 2738	5.31 8.53 8.53 8.53 3.06 13.89 13.89 13.89	5 5 5 5 5 6 6 6	
Chilean Consolidated Municipal Loan 31 Year External Sinking Fund Series A Stamped.	12881	1,000.00	7	Sept. 1, 1960
Conversion Office for German Foreign Debts Dollar Bonds....	12882 C067533 C067532 C067531 D010841	1,000.00 100.00 100.00 100.00 500.00	7 3 3 3 8	Sept. 1, 1960 Jan. 1, 1946 Jan. 1, 1946 Jan. 1, 1946 Jan. 1, 1946
Kingdom of Hungary State Loan Sinking Fund of 1924.....	D0364 M8470 M8451 M3403	500.00 1,000.00 1,000.00 1,000.00	4½% 4½% 4½% 4½%	Aug. 1, 1979 Aug. 1, 1979 Aug. 1, 1979 Aug. 1, 1979
Republic of Mexico Loan of 1885 Series 8A Stamped.....	4894	12,500.00	3	
United States of Mexico Coupons or Rights to Interest in Arrears Class B, represented by Deposit Receipt of Guaranty Trust Company of New York under agreement dated July 1, 1922, executed in pursuance of plan and agreement dated June 16, 1922.	2770	675.00		
Republic of Peru Peruvian National Loan External Sinking Fund 2nd Series.	10429 10430	1,000.00 1,000.00	6 6	Oct. 1, 1961 Oct. 1, 1961
Rhine Westphalia Electric Power Corporation Direct Mortgage.	8912 8913 8914 8364 820 821	1,000.00 1,000.00 1,000.00 1,000.00 500.00 500.00	7 7 7 7 7 7	Nov. 1, 1950 Nov. 1, 1950 Nov. 1, 1950 Nov. 1, 1950 Nov. 1, 1950 Nov. 1, 1950
Tokyo Electric Light Co., Ltd., 1st Mortgage Dollar Series....	41309 40985	1,000.00 1,000.00	6 6	June 15, 1953 June 15, 1953

¹ Mexican dollars.

EXHIBIT B

Type of stock	Par value	Number of shares	Certificate No.	Registered name
8% cumulative preferred.....	\$5	137	7618	Federico Baetzner.
Common class A.....	1	68	27329	Do.
Common class A scrip.....		500/1000	RA3030	Bearer form.
Common class A.....	(1)	5/100	SA9811	Do.
Common class A.....	(1)	5/100	SA9812	Do.

¹ No par value.

EXHIBIT C

Certificate No.:	Number of shares
16541.....	8
16746.....	22
20461.....	35
15356.....	40
16985.....	70
17451.....	85

[F. R. Doc. 46-13618; Filed, Aug. 6, 1946; 9:46 a. m.]

[Supplemental Vesting Order 6867]

AMERICAN POTASH & CHEMICAL CORP.

In re: Dividends on stock of American Potash & Chemical Corporation, beneficially owned by Wintershall, A. G., and Salzdetfurth, A. G.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation:

1. Having found and determined in Vesting Order Number 249, dated October 20, 1942, that Wintershall, A. G., and Salzdetfurth, A. G., are nationals of a designated enemy country (Germany) and the beneficial owners of the property described as follows:

474,726 shares of no par value capital stock of American Potash & Chemical Corporation, a Delaware corporation, New York, New York, registered in the following names and amounts:

Names	Number of shares
Consolidated Gold Fields of South Africa, Ltd.....	127,723
Gold Fields American Development Co., Ltd.....	201,531
New Consolidated Gold Fields, Ltd.....	69,712
Administratiekantoor Dilgentia.....	75,760
Total.....	474,726

and having vested the above-described stock;

2. Finding that the property described as follows: An obligation in the amount of \$2,718,993.16 owed by J. P. Morgan & Co., Incorporated, 23 Wall Street, New York, New York, to Hope & Co., Amsterdam, Holland, constituting a portion of a blocked bank account entitled "Messrs. Hope & Co., Amsterdam, Holland",

represents deposits made in the said bank account by the aforesaid American Potash & Chemical Corporation between May 10, 1940, and October 20, 1942, on account of dividends (after the deduction of the United States Government withholding tax) declared and paid on the stock described in subparagraph 1 hereof, and is property within the United States held by Hope & Co. for, on behalf of and on account of the aforesaid Wintershall, A. G., and Salzdetfurth, A. G., who are nationals of a designated enemy country (Germany);

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law,

including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 1, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13619; Filed, Aug. 6, 1946;
9:47 a. m.]

[Vesting Order 7005]

BANK FUER LANDWIRTSCHAFT A. G.

In re: Bank account owned by Bank fuer Landwirtschaft, A. G. F-28-1025-E-1.

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

1. That Bank fuer Landwirtschaft, A. G., the last known address of which is Dessauerstrasse 26, Berlin SW11, Germany, is a banking corporation, organized under the laws of Germany, and which has or, since the effective date of Executive Order No. 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Bank fuer Landwirtschaft, A. G., by The New York Trust Company, 100 Broadway, New York, New York, arising out of a checking account, entitled Koelner Handelsbank, and any and all

rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 9, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13620; Filed, Aug. 6, 1946;
9:48 a. m.]

[Vesting Order 7014]

SHUNKICHI NOMURA

In re: Debt owing to Shunkichi Nomura, also known as Shun Nomura. F-39-1374-C-1.

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

1. That Shunkichi Nomura, also known as Shun Nomura, whose last known address is c/o Nomura Jimusho, Marunouchi Building, Tokyo, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Shunkichi Nomura, also known as Shun Nomura, by Shell Oil Company, Incorporated, 100 Bush Street, San Francisco, California, arising out of commissions due on cargo sales of petroleum products, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 10, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13621; Filed, Aug. 6, 1946;
9:48 a. m.]

[Vesting Order 7015]

CHRISTINE NORTHRUP

In re: Bank account owned by Christine Northrup. F-28-13242-E-1.

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

1. That Christine Northrup, whose last known address is Menslage, Bez., Osnabruck, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of Security National Bank, Brookings, South Dakota, arising out of a savings account, entitled Christine Northrup, "Carl Greve, Agent", and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Christine Northrup, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section

10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 10, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13622; Filed, Aug. 6, 1946;
9:48 a. m.]

[Vesting Order 7016]

LUISE NOTHSTEIN

In re: Bank account owned by the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Luise Nothstein, deceased. F-28-2415-E-1.

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

1. That the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Luise Nothstein, deceased, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Luise Nothstein, deceased, by The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, arising out of an accounts payable account, entitled Luise Nothstein, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed

to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 10, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13623; Filed, Aug. 6, 1946;
9:49 a. m.]

[Vesting Order 7017]

MARIE NUMRICH

In re: Bank account owned by Marie Numrich. F-28-24022-E-1.

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

1. That Marie Numrich, whose last known address is Pyritz, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Marie Numrich, by The First National Bank of Chicago, Dearborn, Monroe, and Clark Streets, Chicago, Illinois, arising out of a savings account, Account Number 1,362,204, entitled Marie Numrich, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be

deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9695, as amended.

Executed at Washington, D. C., on July 10, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13624; Filed, Aug. 6, 1946;
9:49 a. m.]

[Vesting Order 7018]

HANS NUTZEL

In re: Bank account owned by Hans Nutz. F-28-13245-E-1.

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

1. That Hans Nutz, whose last known address is 18 Schutzenstrasse, Bamberg, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Hans Nutz, by The Provident Savings Bank & Trust Co., Seventh and Vine Streets, Cincinnati 2, Ohio, arising out of a Custody Account, entitled Hans Nutz, and any and all rights to demand, enforce and collect the same, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to

be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 10, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13625; Filed, Aug. 6, 1946;
9:49 a. m.]

[Vesting Order 7019]

THE ONE HUNDRETH BANK LTD.

In re: Bank account owned by One Hundredth Bank, Limited, also known as The One Hundredth Bank Ltd. F-39-650-E-11.

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

1. That One Hundredth Bank, Limited, also known as The One Hundredth Bank Ltd., the last known address of which is Kobe, Japan, is a corporation, organized under the laws of Japan, and which has, or since the effective date of Executive Order No. 8389, as amended, has had its principal place of business in Japan and is a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to One Hundredth Bank, Limited, also known as The One Hundredth Bank Ltd., by Bank of America National Trust and Savings Association, 300 Montgomery Street, San Francisco, California arising out of a blocked account, entitled The One Hundredth Bank Ltd., Kobe, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliv-

erable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 10, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13626; Filed, Aug. 6, 1946;
9:49 a. m.]

[Vesting Order 7020]

HERMAN OPPENHEIMER

In re: Debt owing to Herman Oppenheimer. F-28-23935-C-1.

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

1. That Herman Oppenheimer, whose last known address is Usingen i Taunus, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Herman Oppenheimer, by

A. G. Danforth & Company, Washington, Illinois, in the amount of \$618.70, as of April 26, 1946, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 10, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13627; Filed, Aug. 6, 1946;
9:49 a. m.]

[Vesting Order 7066]

EIBE WIENBERG

In re: Debt owing to Eibe Wienberg.
F-28-23907-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and

Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation, finding:

1. That Eibe Wienberg, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Eibe Wienberg, by First State Bank, Scottsbluff, Nebraska, in the amount of \$1086.10, as of December 31, 1945 evidenced by a certificate of deposit, issued by said bank, presently in the custody of Judge Ted R. Feidler, Scottsbluff, Nebraska, together with such certificate of deposit, and any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 10, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13628; Filed, Aug. 6, 1946;
9:49 a. m.]

[Vesting Order 7175]

ALBERT FEHRENBACH

In re: Real property, deed of trust and claim owned by Albert Fehrenbach.

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

1. That Albert Fehrenbach, whose last known address is V'Schutzenbach Str. 2, Furtwangen, Baden, Germany, is a citizen and resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Real property situated in the City of Chicago, County of Cook, State of Illinois, particularly described as Lot One Hundred (100) in E. A. Cummings and Company's 55th Street Boulevard Addition in the South East Quarter (SE $\frac{1}{4}$), of Section Seven (7), Township Thirty-Eight (38) North, Range Fourteen (14), East of the Third Principal Meridian together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments, arising from the ownership of such property,

b. That certain obligation, secured by a deed of trust executed on October 15, 1927, by Susanna Stapke, a widow, to Joseph J. Reiter, as Trustee, and recorded on October 18, 1927, in the Office of Recorder of Deeds, City of Chicago, County of Cook, State of Illinois, as Document No. 9812893, in Book 24787 of Records, at Page 124; which deed of trust was sold, assigned and transferred in 1930 by Joseph J. Reiter, as Trustee, to Albert Fehrenbach, including but not limited to all security rights in and to any and all collateral for such obligation and the right to enforce and collect such obligation and the right to possession of any and all notes, bonds or other instruments evidencing such obligation, and

c. That certain debt or obligation of Drovers National Bank, 47th Street and Ashland Avenue, Chicago 9, Illinois, arising out of an account entitled "Joseph J. Reiter Co., Agent for Albert Fehrenbach, Blocked Account," and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Albert Fehrenbach, the aforesaid national of a designated enemy country (Germany);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States re-

quires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 2-b and 2-c hereof.

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 22, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13629; Filed, Aug. 6, 1946;
9:49 a. m.]

[Vesting Order 7188]

G. ERNST OTTO ET AL.

In re: Real property, claim and promissory notes, owned by G. Ernst Otto, Dorothea Otto and Mary Frances Otto.

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

1. That G. Ernst Otto, Dorothea Otto and Mary Frances Otto, whose last known addresses are Osthofener Weg 21, Berlin-Nikolassee, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. Real property, situated in the Counties of Santa Barbara and San Luis Obispo, State of California, particularly described in Exhibits A, B and C, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. Those certain debts or other obligations, owing to the persons named in subparagraph 1, by the following named persons, evidenced by their promissory notes, made on the dates and in the amounts indicated below, together with the present balance of each:

Maker	Date	Principal amount of loan	Balance of principal
Richard T. Proud, Terminal Island, Wilmington, Calif.	June 1, 1941	\$1,652.09	\$1,652.09
	June 1, 1941	356.12	356.12
C. E. James, Court-house, Santa Barbara, Calif.	May 9, 1935	95.00	21.06
R. F. Logan, Weott, Calif.	May 23, 1935	1,500.00	432.20
Mildred E. Robertson, also known as Mildred Fuller Robertson, address unknown	June 1, 1941	112.86	112.86

all of which promissory notes are in the custody of Coleman E. Stewart, Attorney, Battle Creek Ranch, Route 4, Red Bluff, California, and any and all rights thereunder and thereto,

c. All right, title, interest and claim of any name and nature whatsoever of the persons named in subparagraph 1 hereof, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to them by Coleman E. Stewart, and which is deposited in County National Bank and Trust Company, Santa Barbara, California, in the name of "Coleman E. Stewart, Attorney in Fact, for Otto Estate Co.," including particularly but not limited to those sums arising by reason of income received from the property described in subparagraphs 2-a and 2-b hereof, and any and all security rights in and to all collateral for any or all such obligations, and the right to collect and enforce the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, hereby vests in the Alien Property Custodian the property described in subparagraphs 2-b and 2-c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 23, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Lot Fourteen (14) of the Barranca Acreage No. 1, The Riviera, in the City of Santa Barbara, County of Santa Barbara, State of California, according to the map thereof, recorded in Book 9, pages 82 and 83 of Maps, in the office of the County Recorder of said County.

EXHIBIT B

Parcel 1. The easterly part of Lot 9 in Block 36 of Atascadero Colony, in the County of San Luis Obispo, State of California, according to the map thereof filed in the office of the County Recorder of said County, more particularly described as follows:

Beginning at a point common to Lots 3, 4 and 18 in Block 36; thence South 43°00' West, a distance of 332.22 feet; thence North 20°00' East, a distance of 269.69 feet; thence South 73°30' East, a distance of 128.71 feet to the point of beginning.

Parcel 2. The Easterly parts of Lots 16 and 17 in Block 36 of Atascadero Colony, in the County of San Luis Obispo, State of California, according to the map thereof filed in the office of the County Recorder of said County, more particularly described as follows:

Beginning at a point on the center line of San Diego Road common to Lots 17 and 18, Block 36; thence in a Southerly and Westerly

direction along the center line of said road to a point common to said center line and Lots 13 and 16; thence North 26°00'20" West for a distance of 646.82 feet; thence North 61°26' East a distance of 86.00 feet; thence North 17°40' West a distance of 61.1 feet; thence North 9°23' East for a distance of 207.65 feet; thence North 8°17' East a distance of 236.85 feet; thence North 15°30' East a distance of 74.67 feet; thence North 53°24' East a distance of 186.86 feet; thence South 50°00' East a distance of 947.82 feet; along line common to Lots 17 and 18 in Block 36 to the point of beginning.

Parcel 3 Lot 18 in Block 36 of Atascadero Colony, in the County of San Luis Obispo, State of California, according to the map thereof filed in the office of the County Recorder of San Luis Obispo County.

EXHIBIT C

Parcel 4. Lot 13 of Block F of Atascadero Colony in the County of San Luis Obispo, State of California, according to the map thereof recorded in the office of the County Recorder of said County.

[F. R. Doc. 46-13630; Filed, Aug. 6, 1946; 9:50 a. m.]

[Vesting Order 7240]

RUDOLF KREUTZER AND WALTER KREUTZER

In re: Claims owned by Rudolf Kreutzer and Walter Kreutzer.

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

1. That Rudolf Kreutzer, whose last known address is No. 24 Gervinstrasse, Nuernberg, Germany, and Walter Kreutzer, whose last known address is No. 19 Alois Wohlmuthstrasse, Munich, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That Rudolf and Walter Kreutzer, immediately prior to the sale described in subparagraph 3 hereof, were the beneficial owners of 728 shares of \$50 par value capital stock of J. S. Staedtler, Inc., a New York corporation, which stock was registered in the name of Theodore Richie;

3. That Emma Richie, as executrix of the Estate of Theodore Richie, executed under date of October 22, 1945, a contract of sale pursuant to which said Emma Richie agreed to sell and Raymond J. Urmston agreed to buy said 728 shares;

4. That the property described as follows:

a. Sums of money heretofore paid or as yet to be paid pursuant to the contract of sale described in subparagraph 3 hereof, including particularly the sum of \$15,000 heretofore paid under said contract to Emma Richie, as executrix, and all rights to demand, enforce and collect the same, and

b. All rights and interests of any nature whatsoever of Emma Richie, as executrix, in and to any and all other obligations, contingent or otherwise, and whether or not matured, created by the aforesaid contract of sale, including particularly, but not limited to, the right thereunder to receive the sum of \$25,000 from said Raymond J. Urmston, and any and all security rights in and to any and all collateral for any and all such obliga-

tions, and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 4 above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 29, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13631; Filed, Aug. 6, 1946; 9:50 a. m.]

[Vesting Order 7162]

KENZABURO MUKAI

In re: Certificate of deposit owned by Kenzaburo Mukai. D-39-199.

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

1. That Kenzaburo Mukai, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Kenzaburo Mukai, by Bishop National Bank of Hawaii, Honolulu, T. H., in the amount of \$50.50, as of July 10, 1945, evidenced by Certificate of Deposit No. 3431, issued by said bank, together with such Certificate of Deposit, and any

and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 17, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13541; Filed, Aug. 5, 1946; 9:29 a. m.]

[Vesting Order 7165]

KYOICHI NAKANO

In re: Bank account and securities owned by Kyoichi Nakano. D-39-845.

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

1. That Kyoichi Nakano, whose last known address is Hiroshima, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. That certain debt or other obligation owing to Kyoichi Nakano, by Bank of Hawaii, Honolulu, T. H., arising out of a blocked account entitled Kyoichi Nakano, Sakae Sakoda, agent, and any and all rights to demand, enforce and collect the same,

b. 250 shares of \$20 par value common capital stock of National Mortgage and Finance Company, Limited, 1030 Smith Street, Honolulu, T. H., a corporation organized under the laws of the Territory of Hawaii, evidenced by Certificates Numbers 175 and 176, dated June 15, 1938, and registered in the name of Kyoichi Nakano, together with all declared and unpaid dividends thereon.

c. 400 shares of \$20 par value capital stock of Island Insurance Company, Limited, 1030 Smith Street, Honolulu, T. H., a corporation organized under the laws of the Territory of Hawaii, evidenced by Certificate Number 3, dated May 2, 1940, and registered in the name of Kyoichi Nakano, together with all declared and unpaid dividends thereon,

d. 2,090 shares of \$5 par value capital stock of Honolulu Sake Brewery and Ice Company, Limited, 2150 Booth Road, Honolulu, T. H., a corporation organized under the laws of the Territory of Hawaii, evidenced by Certificates Numbers 499, 500, 518, 566, 578 and 644, and registered in the name of Kyoichi Nakano, together with all declared and unpaid dividends thereon, and

e. 5 shares of \$25 par value preferred capital stock of Taisho Printing Company, Limited, 935 Cooke Street, Honolulu, T. H., a corporation organized under the laws of the Territory of Hawaii, evidenced by Certificate Number 56, and registered in the name of Kyoichi Nakano, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be

deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 17, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13542; Filed, Aug. 5, 1946;
9:29 a. m.]

[Vesting Order 7166]

SHUNICHI NEKOMOTO ET AL.

In re: Securities owned by Shunichi Nekomoto, Hiroshi Morimoto and Josephine Aiko Yanagihara. D-39-845.

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

1. That Shunichi Nekomoto, Hiroshi Morimoto and Josephine Aiko Yanagihara, whose last known addresses are Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the property described as follows: 10 shares of \$20 par value common capital stock and 6 shares of \$20 par value preferred capital stock of National Mortgage and Finance Company, Limited, 1030 Smith Street, Honolulu, T. H., a corporation organized under the laws of the Territory of Hawaii, evidenced by the certificates listed below, registered in the names of and owned by the persons listed below in the amounts appearing opposite each name as follows:

Registered owner	Certificate No.	Number of shares	
		Common	Preferred
Shunichi Nekomoto.....	122	-----	1
Hiroshi Morimoto.....	11	5	-----
Josephine Aiko Yanagihara....	32	-----	5
	199	5	-----

together with all declared and unpaid dividends thereon, is property within the United States owned or controlled by,

payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 17, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13543; Filed, Aug. 5, 1946;
9:29 a. m.]

[Dissolution Order 39]

ADOLFF BOBBIN CO., INC.

Whereas, by Vesting Order Number 276, dated October 30, 1942 (7 F.R. 10627, December 19, 1942), the Alien Property Custodian vested all the issued and outstanding shares of the capital stock of Adolff Bobbin Company, Inc., a New Jersey corporation, and

Whereas, Adolff Bobbin Company, Inc., has been substantially liquidated under the supervision of the Alien Property Custodian,

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

1. Finding that the claims of all known creditors have been paid, except such claim if any as the Alien Property Custodian may have for money advanced or services rendered to or on behalf of the corporation; and

2. Having determined that it is in the national interest of the United States that said corporation be dissolved, and that its assets be distributed, and a Certificate of Dissolution having been issued by the Secretary of State of the State of New Jersey;

hereby orders, that the officers and directors of Adolf Bobbin Company, Inc. (to wit, Robert Kramer, President, Treasurer and Director, Francis J. Carmody, Secretary and Director, and the third Director, if the existing vacancy in that office is hereafter filled, and their successors, or any of them), continue the proceedings for the dissolution of Adolf Bobbin Company, Inc., in accordance with the statutes of the State of New Jersey in such case made and provided; and further orders, that the said officers and directors wind up the affairs of the corporation and distribute the assets thereof coming into their possession as follows:

(a) They shall first pay the current expenses and reasonable and necessary charges of winding up the affairs of said corporation and the dissolution thereof; and

(b) They shall then pay all known Federal, state, and local taxes and fees owed by or accruing against the said corporation; and

(c) They shall then pay over, transfer, assign and deliver to the Alien Property Custodian, all of the funds and property, if any, remaining in their hands after the payments as aforesaid, the same to be applied by him, first in satisfaction of such claims, if any, as he may have for monies advanced or services rendered to or on behalf of the corporation, and second, as a liquidating distribution of assets to the Alien Property Custodian as holder of all the issued and outstanding stock of the corporation; and

further orders, that nothing herein set forth shall be construed as prejudicing the rights, under the laws of the State of New Jersey, of any person who may claim against said corporation: *Provided, however,* That nothing herein contained shall be construed as creating additional rights in such persons; and such persons or any of them may file claims with the Alien Property Custodian against any funds or property received by the Alien Property Custodian hereunder: *Provided, however,* That any such claims against said corporation shall be filed with or presented to the Alien Property Custodian within the time prescribed for such claims by the statutes of the State of New Jersey; and further orders, that all actions taken and acts done by the said officers and directors of Adolf Bobbin Company, Inc., pursuant to this order

and the directions contained herein shall be deemed to have been taken and done in reliance on and pursuant to paragraph numbered (2) of subdivision (b) of section 5 of the Trading with the Enemy Act, as amended, and the acquittance and exculpation provided therein.

Executed at Washington, D. C., this 24th day of July 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13544; Filed, Aug. 5, 1946;
9:30 a. m.]

[Vesting Order 6772]

SOPHIE PFLUEGER

In re: Bank account, debt and trust certificate owned by Sophie Pflueger.

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

1. That Sophie Pflueger, whose last known address is 10 Germanstr., Villingen, Germany, is a resident of Germany and a national of a designated enemy country (Germany):

2. That the property described as follows:

a. That certain debt or other obligation of City National Bank and Trust Company of Chicago, 208 South La Salle Street, Chicago, Illinois, arising out of a checking account, entitled Walter P. Paepcke, Attorney in Fact for Sophie Pflueger, and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation owing to Sophie Pflueger by Alice P. Guenzel, 219 Lake Shore Drive, Chicago, Illinois, in the amount of \$4,000.00, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, and

c. Twenty-one (21) no par value units of Hardwood Timber Liquidation Trust, evidenced by a Certificate of Interest, numbered 271, registered in the name of Sophie Pflueger, and presently in the custody of City National Bank and Trust Company of Chicago, 208 South La Salle Street, Chicago, Illinois, in a safekeeping account, Account Number 22367, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Sophie Pflueger, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 26, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13689; Filed, Aug. 7, 1946;
9:55 a. m.]

[Vesting Order 7021]

JULIUS OPPENHEIMER

In re: Debt owing to Julius Oppenheimer. F-28-23934-C-1.

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

1. That Julius Oppenheimer, whose last known address is Offenbach a/m. Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Julius Oppenheimer, by A. G. Danforth & Company, Washington, Illinois, in the amount of \$618.61, as of April 26, 1946, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within

a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 10, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13690; Filed, Aug. 7, 1946;
9:55 a. m.]

[Vesting Order 7022]

RECHA OPPENHEIMER

In re: Debt owing to Recha Oppenheimer. F-28-23933-C-1.

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

1. That Recha Oppenheimer, whose last known address is Offenbach a/m, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Recha Oppenheimer, by A. G. Danforth & Company, Washington, Illinois, in the amount of \$618.39, as of April 26, 1946, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 10, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13691; Filed, Aug. 7, 1946;
9:55 a. m.]

[Vesting Order 7023]

J. OSAWA & CO. LTD.

In re: Debt owing to J. Osawa & Co. Ltd. F-39-2283-C-1 and F-39-2283-C-2.

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

1. That J. Osawa & Co. Ltd., the last known address of which is Japan, is a

corporation, partnership, association or other business organization, organized under the laws of Japan, and which has or, since the effective date of Executive Order No. 8389, as amended, has had its principal place of business in Japan and is a national of a designated enemy country (Japan);

2. That the property described as follows:

a. That certain debt or other obligation owing to J. Osawa & Co. Ltd., by Dodge & Seymour, Ltd., 53 Park Place, New York 7, New York, in the amount of \$173.68, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation owing to J. Osawa & Co., Ltd., by General Motors Overseas Operations, Division of General Motors Corporation, 1775 Broadway, New York 19, New York, in the amount of \$3,215.37, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 10, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13692; Filed, Aug. 7, 1946;
9:55 a. m.]

[Vesting Order 7024]

PAULA PAEPCKE

In re: Bank account owned by Paula Paepcke. F-28-11913-C-1.

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

1. That Paula Paepcke, whose last known address is 8 Loignystr., Rostock, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of City National Bank and Trust Company of Chicago, 208 South La Salle Street, Chicago, Illinois, arising out of a checking account, entitled Walter P. Paepcke, Attorney-in-fact for Paula Paepcke, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Paula Paepcke, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 10, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13693; Filed, Aug. 7, 1946;
9:55 a. m.]

[Vesting Order 7025]

ELIZE PAGELS

In re: Bank account owned by Elize Pagels, also known as Elise Pagels. D-28-3820-C-1.

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

1. That Elize Pagels, also known as Elise Pagels, whose last known address is 8 Loignystr., Rostock, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of City National Bank and Trust Company of Chicago, 208 South La Salle Street, Chicago, Illinois, arising out of a checking account, entitled Walter P. Paepcke, Attorney-in-fact for Elize Pagels, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Elize Pagels, also known as Elise Pagels, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be

deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 10, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13694; Filed, Aug. 7, 1946;
9:55 a. m.]

[Vesting Order 7026]

WERNER PAGELS

In re: Bank account owned by Werner Pagels. F-28-11915-C-1.

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

1. That Werner Pagels, whose last known address is Fahrenholz, Mecklenburg, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of City National Bank and Trust Company of Chicago, 208 South La Salle Street, Chicago, Illinois, arising out of a checking account, entitled Walter P. Paepcke as Agent for Werner Pagels, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Werner Pagels, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and

certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 10, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13695; Filed, Aug. 7, 1946;
9:56 a. m.]

[Vesting Order 7027]

GRETA PETERICH

In re: Bank account owned by Greta Peterich. F-28-24090-E-1.

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

1. That Greta Peterich, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Greta Peterich, by Security-First National Bank of Los Angeles, Sixth and Spring Streets, Los Angeles, California, arising out of a checking account, entitled Greta Peterich, maintained at the branch office of the aforesaid bank located at 110 South Spring Street, Los Angeles 12, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on ac-

count of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof, in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 10, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13696; Filed, Aug. 7, 1946;
9:56 a. m.]

[Vesting Order 7028]

HASHIMOTO PETERS

In re: Debt owing to Hashimoto Peters. F-39-3340-C-1.

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

1. That Hashimoto Peters, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Hashimoto Peters, by

Standard-Vacuum Oil Company, 26 Broadway, New York 4, New York, in the amount of \$8,638.00, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 10, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13697; Filed, Aug. 7, 1946;
9:56 a. m.]

[Vesting Order 7029]

HANNA PETERSON

In re: Bank account owned by Hanna Peterson. F-28-24091-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and

Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Hanna Peterson, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Hanna Peterson, by Security-First National Bank of Los Angeles, Sixth and Spring Streets, Los Angeles, California, arising out of a checking account, entitled Hanna Peterson, maintained at the branch office of the aforesaid bank located at 110 South Spring Street, Los Angeles 12, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges, or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as

may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 10, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-13698; Filed, Aug. 7, 1946; 9:56 a. m.]

[Vesting Order 7368]

KATHARINA GAFFNEY

In re: Estate of Katharina Gaffney, also known as Katherine Gaffney, Catherine Gaffney, also known as Catherine Eck, deceased. (File No. D-28-8843; E. T. Sec. 10911.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Franziska Michel, and her issue, names unknown, Sophia Eckert and her issue, names unknown, Katarina Schenck and her issue, names unknown, Anna Muller and her issue, names unknown, Johanna Lang and her issue, names unknown, Waldburga Lang and her issue, names unknown, and Elizabeth Lang and her issue, names unknown, and each of them, in and to the estate of Katharina Gaffney a/k/a Katherine Gaffney, Catherine Gaffney, also known as Catherine Eck, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Franziska Michel and her issue, names unknown, Germany.

Sophia Eckert and her issue, names unknown, Germany.

Katarina Schenck and her issue, names unknown, Germany.

Anna Muller and her issue, names unknown, Germany.

Johanna Lang and her issue, names unknown, Germany.

Waldburga Lang and her issue, names unknown, Germany.

Elizabeth Lang and her issue, names unknown, Germany.

That such property is in the process of administration by Christopher C. Mollenhauer, as Executor of the Estate of Katharina Gaffney, a/k/a Katherine Gaffney, Catherine Gaffney, also known as Catherine Eck, deceased, acting under the judicial supervision of the Surrogate's Court, Kings County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 5, 1946.

[SEAL]

FRANCIS J. McNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 46-13702; Filed, Aug. 7, 1946; 9:57 a. m.]