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VOLUME 11 NUMBER 170

Washington, Friday, August 30, 1946

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 26—REGULATIONS UNDER THE FEDERAL EMPLOYEES PAY ACT OF 1945 AS AMENDED BY THE FEDERAL EMPLOYEES PAY ACT OF 1946

CREDITED SERVICE

The final sentence in § 26.231 (f) (11 F. R. 7394) is amended to read as follows: "Any person entitled to be credited with service under this paragraph shall also be entitled to credit not more than twelve, eighteen or thirty months, as the case may be, for civilian employment prior to leaving his position to enter the armed forces or the merchant marine, or to comply with a war transfer."

The addition of "thirty" months to this sentence shall be retroactively effective to July 1, 1946.

By the United States Civil Service Commission.

H. B. MITCHELL,
President.

[F. R. Doc. 46-15474; Filed, Aug. 29, 1946; 11:01 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter II—Production and Marketing Administration (Commodity Credit)

[1946 CCC Peanut Bulletin 2]

PART 275—PEANUT LOANS

SUBPART—1946

This bulletin states the requirements under the 1946 Peanut Loan Program formulated by Commodity Credit Corporation and the Production and Marketing Administration for loans to shellers and dealers on peanuts purchased by them at not less than support prices.

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275.40	Administration of program.
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275.42	Eligible sheller or dealer.
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Sec.	
275.44	Approved warehouses.
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275.50	Loan documents.
275.51	Records.
275.52	Lending agency reports.
275.53	Purchase of notes by Commodity.

AUTHORITY: §§ 275.40 to 275.53, inclusive, issued under section 8 of the Stabilization Act of 1942, as amended (56 Stat. 767; 58 Stat. 632; 50 U.S.C. App. Supp. V 968); paragraphs (b) and (f) of Article Third of the Charter of Commodity Credit Corporation; and section 7 (a) of the Act of January 31, 1935, as amended (15 U.S.C. Supp. V 713).

§ 275.40 *Administration of program.* The program will be administered by the Peanut Division, Fats and Oils Branch, Production and Marketing Administration. Shellers and dealers desiring to obtain loans should request their customary banks to enter into a lending agency agreement with Commodity Credit Corporation on CCC Peanut Form—417.

§ 275.41 *Availability of loans.* Loans shall be available through June 30, 1947 to eligible shellers and dealers on eligible peanuts stored in approved warehouses.

§ 275.42 *Eligible sheller or dealer.* An eligible sheller or dealer shall be any person engaged in purchasing peanuts, who is approved by Commodity Credit Corporation.

§ 275.43 *Eligible peanuts.* Eligible peanuts shall be peanuts which meet the following requirements:

- (a) Such peanuts must be produced in 1946.
- (b) Such peanuts must be free and clear of all liens and encumbrances.
- (c) Such peanuts must have been purchased by the sheller or dealer at prices not below the support prices specified in CCC Peanut Form 406 attached hereto.
- (d) Such peanuts must be merchantable farmers' stock peanuts. The term farmers' stock peanuts means peanuts in the shell which have been produced in the continental United States and which have not been cleaned, shelled, crushed or otherwise changed from their natural state after picking or threshing.

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(e) Such peanuts must be stored in approved warehouses and must be represented by warehouse receipts unless other security arrangement has been approved by Commodity Credit Corporation.

§ 275.44 *Approved warehouses.* To be approved, warehouses must meet the requirements of Commodity Credit Corporation. Warehousemen desiring approval should communicate with the peanut cooperative association serving the area in which the warehouse is located, as follows:

Peanut Cooperative Association and Area Served

Growers Peanut Cooperative, Inc., Franklin, Va.:

Virginia-Carolina area consisting of the States of Virginia, North Carolina, Tennessee, and that portion of the State of South Carolina north and east of the Santee, Congaree, and Broad Rivers.

GFA Peanut Association, Camilla, Ga.:

Southeastern area consisting of the States of Georgia, Alabama, Mississippi, and Florida and that portion of the States of South Carolina south and west of the Santee, Congaree, and Broad Rivers, and Louisiana east of the Mississippi River. Southwestern Peanut Growers' Association, Gorman, Tex.:

Southwestern area consisting of the States of Texas, Oklahoma, Arkansas, New Mexico, Arizona, and California and the portion of the State of Louisiana west of the Mississippi River.

§ 275.45 *Warehouse bond.* An approved warehouse must furnish a bond for a minimum of \$10,000 or \$10 per ton based upon the capacity of the warehouse, whichever is greater, for each warehouse location.

§ 275.46 *Determination of grade.* The grade (i. e. percentage of sound mature kernel content, including whole loose shelled kernels, the percentage of damage, the foreign material content, and in the case of Virginia type peanuts, the Extra Large Virginia shelled content) of each lot of peanuts to be pledged as security for a loan hereunder shall, upon the delivery of such peanuts to the approved warehouse, be determined by a Federal, Federal-State or Federally-li-

censed inspector, or by such other inspector as Commodity Credit Corporation may approve, in accordance with such rules and regulations as may be prescribed by the U. S. Department of Agriculture.

§ 275.47 *Loan rates.* Loan rates are set out in 1946 Crop CCC Peanut Form-406 attached hereto.

§ 275.48 *Interest rate.* Loans shall bear interest at the rate of 3 percent per annum and interest shall accrue from the date of disbursement of the loan.

§ 275.49 *Maturity.* Loans mature on demand but not later than July 31, 1947, and must be repaid on or before maturity.

§ 275.50 *Loan documents.* Each loan shall be evidenced by an approved form of promissory note which shall be accompanied by the following documents:

(a) Warehouse receipts approved by Commodity Credit Corporation both as to warehouse arrangement and form of receipt unless other security arrangement has been approved by Commodity Credit Corporation in each instance. (Chattel mortgages or other form of lien filed or recorded in accordance with applicable law may be used only in exceptional circumstances as determined by Commodity Credit Corporation where the borrower cannot obtain warehouse receipts.)

(b) Inspection certificates issued by an approved inspector.

(c) Weight certificates issued by an approved weigh-master.

(d) Approved insurance policies or other satisfactory proof that the peanuts securing the loan have been insured as required by the Lending Agency Agreement (Shellers and Dealers), CCC Peanut Form-417.

The approvals referred to in section 1 of the Lending Agency Agreement (Shellers and Dealers) and described above will be granted on behalf of Commodity Credit Corporation by the Peanut Division, Fats and Oils Branch, Production and Marketing Administration, Washington 25, D. C.

§ 275.51 *Records.* The lending agency shall maintain accurate records of all loan transactions and the peanuts held as security, including details of each loan on an individual borrower basis.

§ 275.52 *Lending agency reports.* Not later than the last day of each month the lending agency shall transmit to Commodity Credit Corporation at the applicable Area Fiscal Office the following for the period from the 26th day of the preceding month to the 25th day of such month (both dates inclusive):

(a) 1946 Crop CCC Peanut Form-417a showing for each borrower the amount of loans made and the quantity of peanuts securing each loan, repayments of loan principal and the quantities of peanuts released, unpaid balances of loans at the end of such period, and the amount of interest collected.

(b) A copy of each note evidencing a loan made during such period.

(c) Remittance payable to the order of Commodity Credit Corporation for one-half of the interest collected during such period.

The applicable Area Fiscal Office for each of the following areas is as follows:

Fiscal Office and Area Served

Southeast area fiscal office, Western Union Bldg., Atlanta, Ga.:

Virginia-Carolina area as defined in sec. 275.44 hereof.

Southeastern area as defined in sec. 275.44 hereof.

Southwest area fiscal office, 425 Wilson Bldg., Dallas, Tex.:

Southwestern area as defined in sec. 275.44 hereof.

NOTE: A copy of each report, 1946 Crop CCC Peanut Form 417a shall be submitted to the Peanut Division, Fats and Oils Branch, Production and Marketing Administration, Washington 25, D. C.

§ 275.53 *Purchase of notes by Commodity.* Notes tendered to Commodity Credit Corporation for purchase in accordance with paragraph 5 of the Lending Agency Agreement (Shellers and Dealers) must be supported by the documents designated in this bulletin, together with a statement of the unpaid balance of the principal, the date from which interest is unpaid, and the lending agency's one-half share of the interest on each loan. The notes and accompanying statement and documents, should be transmitted to the applicable above-designated Area Fiscal Office. All outstanding notes of the same borrower must be submitted for purchase at one time.

Dated: August 27, 1946.

E. A. MEYER,
Acting President,
Commodity Credit Corporation.

EXHIBIT A—1946 PEANUT PROGRAM

LOAN AND SUPPORT PRICES FOR MERCHANTABLE FARMERS' STOCK PEANUTS AT ESTABLISHED RECEIVING POINTS

Sound mature kernels ¹ (percent)	Spanish and Valencia, east of Mississippi River	Spanish and Valencia, west of Mississippi River	Runner	Virginia type
	Per ton ⁽²⁾	Per ton ⁽³⁾	Per ton ⁽⁴⁾	Per ton ⁽⁵⁾
Above 70....				
70.....	\$174.00	\$172.00	\$169.00	\$183.00
69.....	171.50	169.50	166.60	180.40
68.....	169.00	167.00	164.20	177.80
67.....	166.50	164.50	161.80	175.20
66.....	164.00	162.00	159.40	172.60
65.....	161.50	159.50	157.00	170.00
Below 65....	(⁶)	(⁶)	(⁶)	(¹¹)

¹ Includes whole loose shelled kernels.

² For the purpose of this program includes all peanuts, excluding Valencia, which except for type, meet the "U. S. Standards for Farmers' Stock Runner Peanuts (1931)" but do not meet the U. S. Standards for Farmers' Stock Spanish or Farmers' Stock Virginia type peanuts.

³ \$174 plus \$2.50 per ton for each 1 percent above 70 percent sound mature kernels.

⁴ \$172 plus \$2.50 per ton for each 1 percent above 70 percent sound mature kernels.

⁵ \$169 plus \$2.40 per ton for each 1 percent above 70 percent sound mature kernels.

⁶ \$183 plus \$2.60 per ton for each 1 percent above 70 percent sound mature kernels.

⁷ Italic figures indicate base grade prices.

⁸ \$161.50 less \$2.50 per ton for each 1 percent or fractional part thereof below 65 percent sound mature kernels (base grade price).

⁹ \$159.50 less \$2.40 per ton for each 1 percent or fractional part thereof below 65 percent sound mature kernels (base grade price).

¹⁰ \$170 less \$2.60 per ton for each 1 percent or fractional part thereof below 65 percent sound mature kernels (base grade price).

¹¹ \$170 less \$2.60 per ton for each 1 percent or fractional part thereof below 65 percent sound mature kernels (base grade price).

NOTE: (1) Add to the above prices for Virginia type peanuts 30¢ per ton as a premium for each full 1% of Extra Large kernels.

(2) Deduct from the above prices \$2.40 per ton for each full 1% damage in excess of 2% but less than 7% damage.

(3) All types of peanuts containing 7% or more damage will be purchased on the basis of total kernel content at \$1.70 per ton for each full 1% total kernel content. No loans will be made on such peanuts.

(4) Deduct from the above prices 10¢ per ton for each full 1% foreign material in excess of 5%.

(5) Above prices are for peanuts delivered in bulk in the States of Georgia, Florida, Alabama, Mississippi and that part of South Carolina west of the Santee, Congaree and Broad Rivers, and Louisiana east of the Mississippi River. In all other States or parts of States peanuts must be delivered in sacks as is the usual custom, except that Commodity Credit Corporation may authorize bulk delivery at those points equipped to handle such delivery.

Definitions. (1) The term "sound mature kernels" shall mean kernels which are dry and which are free from damage as defined in the U. S. Standards for farmers' stock (1) White Spanish peanuts in the case of Spanish and Valencia type peanuts and (2) Runner and Virginia type peanuts, respectively, in the case of Runner and Virginia type peanuts; and which will not pass through a screen having (1) 1/4 inch round perforations in the case of Spanish and Valencia type peanuts and (2) 1/4 inch round perforations in the case of Virginia type peanuts, (3) 1/4 inch round perforations in the case of Runner type peanuts.

(2) Extra large kernels shall mean any shelled Virginia type peanuts which are whole and which are free from noticeably discolored or damaged peanuts as defined in the U. S. Standards for shelled Virginia type peanuts (effective November 1, 1939), and which will not pass through a screen having 2 1/2/64 x 1 inch perforations.

[F. R. Doc. 46-15330; Filed, Aug. 28, 1946; 3:57 p. m.]

TITLE 7—AGRICULTURE

Subtitle A—Office of Secretary of Agriculture

PART 7—PRICE DECONTROL AND RECONTROL

ADJUSTMENTS IN MAXIMUM PRICES FOR HOGS, CATTLE, AND LAMBS

Pursuant to the authority vested in me by the Emergency Price Control Act of 1942, as amended, and particularly by section 1A (e) (2) (A) of said act as added by the Price Control Extension Act of 1946, I hereby determine that continuation of the maximum prices applicable to hogs, cattle, and lambs on June 30, 1946, would impede the necessary production of such commodities and that adjustments in such prices are necessary to obtain the necessary production. I, therefore, recommend to the Price Administrator adjustments in such maximum prices as follows:

Hogs. Ceiling price, Chicago basis—\$16.25 per hundred pounds liveweight.

Cattle. Overriding ceiling, Chicago basis—\$20.25 per hundred pounds liveweight, with maximum stabilization ranges of \$19.25 on choice, \$17.75 on good, and \$13.00 on commercial grades.

Lambs. Ceilings on dressed lamb in effect June 30, 1946, plus the equivalent of \$3.00 per hundred pounds liveweight in prices of good and choice grades of live lambs, with appropriate adjustments to offset removal of the subsidy on other grades.

The Department has estimated that the second quarter of 1947 is likely to be a critical one as far as meat production is concerned. The records for 45 years show that when the corn-hog ratio drops below 12.8 in the country as a whole, or below 13.7 in the North Central States, there is little, if any, chance for an increase in pork production the following year. The restoration of maximum prices on hogs in effect June 30, 1946, would impede the production necessary to alleviate this condition. I have, therefore, determined that maximum prices on hogs should be adjusted so that corn-hog ratios will likely approximate those listed above.

The present shortage of beef is likely to be most critical during the first few months of 1947. This shortage can be averted in part by an increased movement of range cattle into feed lots rather than direct to slaughter. Present prospects are that the total production of corn and other feed grains will be of record proportions. Maximum prices of finished cattle in effect June 30, 1946, plus subsidies, were not sufficient to encourage the movement of range cattle to feed lots. Prices of both feeder cattle and grain feeds have advanced materially since these maximum prices were established. The prices recommended above are calculated to deal with this situation as effectively as possible.

The number of sheep and the production of lambs have been declining sharply for the past few years. The lamb and mutton supply at the present time constitutes a smaller percentage of the total meat supply than at any time since 1929. A moderate increase in prices for lambs above those reflected by June 30 ceilings, plus subsidies, will provide an incentive for greater sheep and lamb production.

Issued this 28th day of August 1946.

[SEAL] CHARLES F. BRANNAN,
Acting Secretary of Agriculture.

[F. R. Doc. 46-15331; Filed, Aug. 28, 1946; 3:57 p. m.]

Chapter XI—Production and Marketing Administration (War Food Distribution Orders)

[WFO 144, Amdt. 15]

PART 1468—GRAIN

USE OF WHEAT

War Food Order No. 144, as amended (11 F. R. 6750, 7322, 7563, 7738, 7999, 8214), is hereby further amended as follows:

1. By adding immediately after paragraph (a) (19) the following new paragraph:

(20) "Milling quality wheat" means wheat grading No. 3 or better, or wheat grading No. 4 or No. 5 on test weight only.

2. By deleting paragraph (b) (1) and inserting in lieu thereof the following:

(b) Use of wheat by mixed feed manufacturers. (1) No mixed feed manufacturer shall use milling quality wheat in the manufacture of mixed feed: Pro-

vided, however, That any mixed feed manufacturer located in the States of California, Idaho, Nevada, Oregon, Utah, or Washington, or in that part of the State of Montana which is on or south of the main line of the Chicago, Milwaukee, St. Paul and Pacific Railroad or west of the continental divide may, during any calendar quarter use milling quality wheat in the manufacture of mixed feed in a quantity not in excess of 40 percent of the quantity of grain so used by such manufacturer during the corresponding calendar quarter of 1945.

3. By deleting paragraph (e) therefrom.

This amendment shall become effective at 12:01 a. m., e. s. t., October 1, 1946, except as to paragraph 3 above which shall become effective September 1, 1946. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said dates, under War Food Order No. 144, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding, with respect to any such violation, right, liability, or appeal. (E. O. 9280, 7 F. R. 10179; E. O. 9577, 10 F. R. 8087)

Issued this 23d day of August 1946.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-15472; Filed, Aug. 29, 1946; 11:07 a. m.]

[WFO 145, Amdt. 3]

PART 1468—GRAIN

RESTRICTIONS ON USE OF GRAIN

War Food Order No. 145, as amended (11 F. R. 4783, 8859), is hereby further amended as follows:

1. By deleting the figure 80 in paragraph (b) (1) and inserting the figure 85 in lieu thereof.

2. By deleting the figure 85 in paragraph (c) and inserting the figure 90 in lieu thereof.

3. By deleting the figure 80 in paragraph (d) (1) and inserting the figure 85 in lieu thereof.

4. By deleting paragraphs (e) and (f) therefrom.

This amendment shall become effective at 12:01 a. m., e. s. t., September 1, 1946. With respect to violations, rights accrued, liabilities incurred; or appeals taken, prior to said date, under War Food Order No. 145, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceedings, with respect to any such violation, right, liability, or appeal. (E. O. 9280, 7 F. R. 10179; E. O. 9577, 10 F. R. 8087)

Issued this 23d day of August 1946.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-15473; Filed, Aug. 29, 1946; 11:07 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

EXEMPTION OF CERTAIN TRANSACTIONS BY PUBLIC UTILITY HOLDING COMPANIES AND SUBSIDIARIES THEREOF

The Securities and Exchange Commission, acting pursuant to the Securities Exchange Act of 1934, particularly sections 3 (a) (12), 16 (b) and 23 (a), and finding that such action is necessary and appropriate in the public interest and for the protection of investors and necessary for the execution of the functions vested in the Commission by the said act, hereby adopts the following § 240.16b-4 [Rule X-16B-4]:

§ 240.16b-4 Exemption from section 16 (b) of certain transactions by public utility holding companies and subsidiaries thereof. Any transaction of purchase and sale, or sale and purchase, of a security shall be exempt from the provisions of section 16 (b), to the extent prescribed in this section, as not comprehended within the purpose of said subsection, if (a) the person effecting such transaction is either a holding company registered under the Public Utility Holding Company Act of 1935 or a subsidiary company thereof and (b) both the purchase and the sale of such security have been approved or permitted by the Commission pursuant to the applicable provisions of that Act and the rules and regulations thereunder.

This section becomes effective August 28, 1946.

(Sec. 3, 48 Stat. 882; 15 U. S. C. 78c; sec. 16, 48 Stat. 896; 15 U. S. C. 78p; sec. 23, 48 Stat. 901; sec. 8, 49 Stat. 1379-23 (a); 15 U. S. C. 78w)

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-15501; Filed, Aug. 29, 1946; 11:32 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

PART 12—FEES FOR SERVICES

MISCELLANEOUS AMENDMENTS

Under the authority contained in R. S. 161 (5 U. S. C. 22) §§ 12.2 and 12.3 of Title 22 of the Code of Federal Regulations are hereby amended to read as follows:

§ 12.2 Copying and comparison of records. This section is hereby rescinded.

§ 12.3 Advance payment of fees. This section is hereby renumbered and amended to read as follows:

§ 12.2 Advance payment of fees. Payment of fees for services is to be made in advance, but the Chief, or Acting Chief, Division of Central Services,

may, in special cases, waive the requirement of advance payment.

Issued this 27th day of August 1946.

This regulation shall become effective immediately upon registration in the Division of the Federal Register.

[SEAL]

DEAN ACHESON,
Acting Secretary of State.

[F. R. Doc. 46-15442; Filed, Aug. 29, 1946;
9:01 a. m.]

TITLE 24—HOUSING CREDIT

Chapter I—Federal Home Loan Bank Administration

[Bulletin 66]

PART 7—SUPERVISION

PROCEDURE FOR INSPECTION AND CLASSIFICATION OF RECORDS

AUGUST 27, 1946.

The rules and regulations for the Federal Home Loan Bank System are hereby amended, effective September 5, 1946, by the addition at the beginning of paragraph (a) of § 7.3 of a new sentence to read as follows: "All requests to inspect official records shall be in writing and delivered to the Office of the Secretary, Federal Home Loan Bank Administration, Federal Home Loan Bank Board Building, 101 Indiana Avenue, NW., Washington, D. C., with a statement of the name or names of the party or parties making such request and the concern of said party or parties in the matter."

and by the addition of a new § 7.4 to read as follows:

§ 7.4 *Availability of opinions, orders, rules and regulations for public inspection—(a) Availability for inspection.* Notwithstanding any provision of § 7.3, all final opinions or orders in the adjudication of cases, and all rules and regulations for the Federal Home Loan Bank System now or hereafter in force and effect except such final opinions and orders as are required for good cause to be held confidential and not cited as precedents, shall be made available for public inspection at the Office of the Secretary, Federal Home Loan Bank Administration, Federal Home Loan Bank Board Building, 101 Indiana Avenue, NW., Washington, D. C.

(b) *Classification as confidential.* The classification of final opinions or orders in the adjudication of cases as final opinions and orders which are required to be held confidential and not cited as precedents shall be made only by the Federal Home Loan Bank Commissioner or such person or persons as he may designate for that purpose and shall be in writing. Any change in such classification may be made only by the Federal Home Loan Bank Commissioner or such person or persons as he may designate for that purpose and shall be in writing.

These amendments are deemed to be of a procedural character within the meaning of paragraph (b) of § 8.3 of this chapter of the rules and regulations for the Federal Home Loan Bank System.

(1 Stat. 28, 49, 65, 68, 553, 9 Stat. 395, sec. 8, 16 Stat. 163, 17 Stat. 283, secs. 8, 17, 47 Stat. 731, 736, sec. 5 (a), (d), 48 Stat. 132, 133, sec. 403 (b), 48 Stat. 1257, sec. 17 (a), 49 Stat. 297, sec. 23, 49 Stat. 298, 5 U. S. C. 22, 12 U. S. C. and Sup., 1428, 1437, 1463 (n), 1464 (a), (d), 1726 (b); E. O. 9070, 7 F. R. 1529; Administrative Procedure Act, Pub. Law 404, approved June 11, 1946)

[SEAL]

HAROLD LEE, Governor.
KENNETH G. HEISLER,
General Counsel.
ORMOND E. LOOMIS,
Executive Assistant
to the Commissioner.

[F. R. Doc. 46-15327; Filed, Aug. 28, 1946;
11:33 a. m.]

Chapter II—Federal Savings and Loan System

[Bulletin 67]

PART 201—PROMULGATION, AMENDMENT, AND REPEAL OF RULES AND REGULATIONS

PROCEDURE FOR INSPECTION AND CLASSIFICATION OF RECORDS

AUGUST 27, 1946.

The rules and regulations for the Federal Savings and Loan System are hereby amended, effective September 5, 1946, by the addition of a new § 201.4 to read as follows:

201.4 *Availability of opinions, orders, rules and regulations for public inspection—(a) Availability for inspection.* Notwithstanding any provision of the rules and regulations of the Federal Home Loan Bank Administration, all final opinions or orders in the adjudication of cases, and all rules and regulations for the Federal Home Loan Bank System now or hereafter in force and effect except such final opinions and orders as are required for good cause to be held confidential and not cited as precedents, shall be made available for public inspection at the Office of the Secretary, Federal Home Loan Bank Administration, Federal Home Loan Bank Board Building, 101 Indiana Avenue, N. W., Washington, D. C.

(b) *Classification as confidential.* The classification of final opinions or orders in the adjudication of cases as final opinions and orders which are required to be held confidential and not cited as precedents shall be made only by the Federal Home Loan Bank Commissioner or such person or persons as he may designate for that purpose and shall be in writing. Any change in such classification may be made only by the Federal Home Loan Bank Commissioner or such person or persons as he may designate for that purpose and shall be in writing.

(c) *Requests to inspect records.* All requests to inspect official records shall be in writing and delivered to the Office of the Secretary, Federal Home Loan Bank Administration, Federal Home Loan Bank Board Building, 101 Indiana Avenue, N. W., Washington, D. C., with a statement of the name or names of

the party or parties making such request and the concern of said party or parties in the matter.

These amendments are deemed to be of a procedural character within the meaning of § 201.2 (c) of the rules and regulations for the Federal Savings and Loan System.

(1 Stat. 28, 49, 65, 68, 553, 9 Stat. 395, sec. 8, 16 Stat. 163, 17 Stat. 283, secs. 8, 17, 47 Stat. 731, 736, sec. 5 (a), (d), 48 Stat. 132, 133, sec. 403 (b), 48 Stat. 1257, sec. 17 (a), 49 Stat. 297, sec. 23, 49 Stat. 298, 5 U. S. C. 22, 12 U. S. C. and Sup., 1428, 1437, 1463 (n), 1464 (a), (d), 1726 (b); E. O. 9070, 7 F. R. 1529; Administrative Procedure Act, Pub. Law 404, approved June 11, 1946)

[SEAL]

HAROLD LEE, Governor.
KENNETH G. HEISLER,
General Counsel.
ORMOND E. LOOMIS,
Executive Assistant
to the Commissioner.

[F. R. Doc. 46-15328; Filed, Aug. 28, 1946;
11:33 a. m.]

[Bulletin 68]

PART 203—OPERATION

SALE OF LOANS

AUGUST 28, 1946.

The third sentence of paragraph (a) of § 203.13 of the rules and regulations for the Federal Savings and Loan System is hereby amended, effective August 28, 1946, to read as follows: "Any mortgages so sold shall be sold without recourse, and if under a contract to service the same, then on a basis to provide sufficient compensation to the Federal association to reimburse it for expenses incurred under its service contract."

(Sec. 5 (a), 48 Stat. 132; 12 U. S. C. 1464 (a); E. O. 9070, 7 F. R. 1529)

This amendment is deemed to be of a minor character within the meaning of § 201.2 of the rules and regulations for the Federal Savings and Loan System.

[SEAL]

HAROLD LEE, Governor.
KENNETH G. HEISLER,
General Counsel.
ORMOND E. LOOMIS,
Executive Assistant
to the Commissioner.

[F. R. Doc. 46-15329; Filed, Aug. 28, 1946;
11:23 a. m.]

Chapter III—Federal Savings and Loan Insurance Corporation

[Bulletin 29]

PART 301—INSURANCE OF ACCOUNTS

PROCEDURE FOR INSPECTION AND CLASSIFICATION OF RECORDS

AUGUST 27, 1946.

The rules and regulations for insurance of accounts are hereby amended, effective September 5, 1946, by the addition at the beginning of paragraph (c) of § 301.20 of a new sentence to read as fol-

lows: "All requests to inspect official records shall be in writing and delivered to the Office of the Secretary, Federal Savings and Loan Insurance Corporation, Federal Home Loan Bank Board Building, 101 Indiana Avenue NW., Washington, D. C., with a statement of the name or names of the party or parties making such request and the concern of said party or parties in the matter," and by the addition of a new § 301.25 to read as follows:

§ 301.25 *Availability of opinions, orders, rules and regulations for public inspection*—(a) *Availability for inspection.* Notwithstanding any provision of § 301.20 of these rules and regulations, all final opinions or orders in the adjudication of cases, and all rules and regulations for insurance of accounts now or hereafter in force and effect except such final opinions and orders as are required for good cause to be held confidential and not cited as precedents, shall be made available for public inspection at the Office of the Secretary, Federal Savings and Loan Insurance Corporation, Federal Home Loan Bank Board Building, 101 Indiana Avenue NW., Washington, D. C.

(b) *Classification as confidential.* The classification of final opinions or orders in the adjudication of cases as final opinions and orders which are required to be held confidential and not cited as precedents shall be made only by the Federal Home Loan Bank Commissioner or such person or persons as he may designate for that purpose and shall be in writing. Any change in such classification may be made only by the Federal Home Loan Bank Commissioner or such person or persons as he may designate for that purpose and shall be in writing.

These amendments are deemed to be of a procedural character within the meaning of paragraph (c) of § 301.22 of the rules and regulations for Insurance of Accounts.

(1 Stat. 28, 49, 65, 68, 553, 9 Stat. 395, sec. 8, 16 Stat. 163, 17 Stat. 283, secs. 402 (a), 403 (b), 48 Stat. 1256, 1257, 5 U. S. C. 22, 12 U. S. C. and Sup., 1725 (a), 1726 (b); E. O. 9070, 7 F. R. 1529; Administrative Procedure Act, Pub. Law 404, approved June 11, 1946)

W. H. HUSBAND,
General Manager.
KENNETH G. HEISLER,
General Counsel.
ORMOND E. LOOMIS,
*Executive Assistant to
the Commissioner.*

[F. R. Doc. 46-15325; Filed Aug. 28, 1946;
11:34 a. m.]

[Bulletin 30]

PART 301—INSURANCE OF ACCOUNTS
SALE OF LOANS

AUGUST 28, 1946.

The third sentence of § 301.18 of the Rules and Regulations for Insurance of Accounts is hereby amended, effective August 28, 1946, to read as follows: "Any mortgages so sold shall be sold without recourse, and if under a contract to

service the same, then on a basis to provide sufficient compensation to the insured institution to reimburse it for expenses incurred under its service contract."

(Sec. 403 (b), (c), 48 Stat. 1257, 1258, sec. 23, 49 Stat. 298; 12 U. S. C. 1726 (b), (c) and Sup.; E. O. 9070, 7 F. R. 1529)

This amendment is deemed to be of a minor character within the meaning of § 301.22 of the rules and regulations for Insurance of Accounts.

[SEAL] W. H. HUSBAND,
General Manager.
KENNETH G. HEISLER,
General Counsel.
ORMOND E. LOOMIS,
*Executive Assistant to the
Commissioner.*

[F. R. Doc. 46-15326; Filed, Aug. 28, 1946;
11:33 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T. D. 5534]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

CHANGE OF STATUS OF PHILIPPINE ISLANDS FROM U. S. POSSESSION TO SELF GOVERNMENT

Regulations 111 amended to give effect to the change of status of the Philippine Islands from a possession of the United States to a separate self-governing nation as of July 4, 1946.

Regulations 111 (26 CFR, Com. Supp., Part 29) are amended as follows:

PARAGRAPH 1. Section 29.131-2 is amended by inserting after the words "the Philippines" the words "prior to July 4, 1946".

PAR. 2. Section 29.251-4 is amended as follows:

(A) By inserting in the second sentence immediately after the words "the Philippine Islands" the words "prior to July 4, 1946".

(B) By striking out the third sentence and inserting in lieu thereof the following: "Prior to July 4, 1946, the Philippine Islands came within the classification of 'possessions of the United States' for Federal income tax purposes, notwithstanding the establishment of the Commonwealth of the Philippines under the Act of March 24, 1934 (48 Stat., 456). The Philippine Islands on July 4, 1946, became a separate self-governing nation."

(Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U. S. C., 1940 ed., 62))

[SEAL] STEWART BERKSHIRE,
*Acting Commissioner of
Internal Revenue.*

Approved: August 28, 1946.

JOSEPH J. O'CONNELL, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 46-15506; Filed, Aug. 29, 1946;
11:47 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division

PART 502—SUBSTANTIVE RULES

Sec.	
502.1	Industry committees.
502.2	Utilization of State agencies.
502.3	Record-keeping requirements.
502.4	Student learners in vocational training programs.
502.5	Apprentices.
502.6	Learners.
502.7	Messengers.
502.8	Handicapped persons.
502.9	Handicapped clients in sheltered workshops.
502.10	Determinations of seasonal industries.
502.11	Determinations of reasonable cost of facilities.
502.12	Definition of "area of production."
502.13	Definition of "executive," "administrative," "professional," "local retailing," and "outside salesman" capacities.
502.14	Home workers in needlework industries in Puerto Rico.
502.15	Homemakers in other specified industries.
502.16	Wage orders for particular industries.

§ 502.1 *Industry committees.* The substantive rules established to govern industry committees in exercising their functions in connection with the issuance of wage orders pursuant to sections 5 and 8 of the Fair Labor Standards Act (29 U. S. C. 205, 208) are set forth in Part 511 of this chapter.

§ 502.2 *Utilization of state agencies.* The substantive rules established for the utilization of State agencies for investigations and inspections under section 11 (b) of the Fair Labor Standards Act (29 U. S. C. 211 (b)) are set forth in Part 515 of this chapter.

§ 502.3 *Record-keeping requirements.* The substantive rules established in connection with the record-keeping requirements of section 11 of the Fair Labor Standards Act (29 U. S. C. 211) are set forth in Part 516 of this chapter.

§ 502.4 *Student learners in vocational training programs.* The substantive rules established in connection with the part-time employment of student learners in vocational training programs pursuant to section 14 of the Fair Labor Standards Act (29 U. S. C. 214) are set forth in Part 520 of this chapter.

§ 502.5 *Apprentices.* The substantive rule established in connection with the employment of apprentices pursuant to section 14 of the Fair Labor Standards Act (29 U. S. C. 214) are set forth in Part 521 of this chapter.

§ 502.6 *Learners.* The substantive rules established in connection with the employment of learners pursuant to section 14 of the Fair Labor Standards Act (29 U. S. C. 214) are set forth in Part 522 of this chapter.

§ 502.7 *Messengers.* The substantive rules established in connection with the employment of messengers pursuant to section 14 of the Fair Labor Standards Act (29 U. S. C. 214) are set forth in Part 523 of this chapter.

§ 502.8 *Handicapped persons.* The substantive rules established in connection with the employment of handi-

capped persons pursuant to section 14 of the Fair Labor Standards Act (29 U. S. C. 214) are set forth in Part 524 of this chapter.

§ 502.9 *Handicapped clients in sheltered workshops.* The substantive rules established in connection with the employment of handicapped clients in sheltered workshops pursuant to section 14 of the Fair Labor Standards Act (29 U. S. C. 214) are set forth in Part 525 of this chapter.

§ 502.10 *Determination of seasonal industries.* The substantive rules established for the determination of industries of a seasonal nature, pursuant to section 7 (b) (3) of the Fair Labor Standards Act (29 U. S. C. 207 (b) (3)), are set forth in Part 526 of this chapter.

§ 502.11 *Determinations of reasonable cost of facilities.* The substantive rules established for the determination of the reasonable cost of facilities furnished employees pursuant to section 3 (m) of the Fair Labor Standards Act (29 U. S. C. 203 (m)) are set forth in Part 531 of this chapter.

§ 502.12 *Definition of "area of production."* Substantive rules established in connection with defining the term "area of production" pursuant to sections 7 (c) and 13 (a) (10) of the Fair Labor Standards Act (29 U. S. C. 207 (c), 213 (a) (10)) are set forth in Part 536 of this chapter.

§ 502.13 *Definition of "executive," "administration," "professional," "local retailing," and "outside salesman" capacities.* The substantive rules established in connection with defining the terms "executive," "administration," "professional," "local retailing," and "outside salesman" capacities, pursuant to section 13 (a) (1) of the Fair Labor Standards Act (29 U. S. C. 213 (a) (1)) are set forth in Part 541 of this chapter.

§ 502.14 *Homeworkers in needlework industries in Puerto Rico.* The substantive rules established in connection with the employment of homeworkers in the needlework industries in Puerto Rico, pursuant to sections 6 and 11 of the Fair Labor Standards Act (29 U. S. C. 206, 211) are set forth in Part 545 of this chapter.

§ 502.15 *Homeworkers in other specified industries.* The substantive rules established in connection with the employment of homeworkers in the Women's Apparel Industry, the Jewelry Manufacturing Industry, the Knitted Outerwear Industry, the Gloves and Mittens Industry, the Button and Buckle Manufacturing Industry, the Handkerchief Manufacturing Industry, and the Embroideries Industry, pursuant to sections 8 and 11 of the Fair Labor Standards Act (29 U. S. C. 208, 211) are set forth in Parts 605, 607, 617, 621, 625, 628, and 633, respectively, of this chapter.

§ 502.16 *Wage orders for particular industries.* Wage orders issued for particular industries pursuant to sections 5 and 8 of the Fair Labor Standards Act (29 U. S. C. 205, 208) are set forth in separate parts of this chapter beginning with Part 551.

PART 516—RECORDS TO BE KEPT BY EMPLOYEES

This part is amended as follows:

1. The following is inserted after the first sentence of § 516.18 (b): "Where the authority granted hereunder is sought to be revoked for failure to comply with the conditions determined by the Administrator to be requisite to its existence, the employer or groups of employers involved shall be notified in writing of the facts constituting such failure and afforded an opportunity to achieve or demonstrate compliance."

2. Section 516.18 (c) is amended to read as follows:

(c) No employer or group of employers is relieved of any obligation to comply with all the requirements of the regulations in this part applicable to him, or to them, as a result of the submission of a petition or through delay of the Administrator in acting on a petition received. However, the Administrator shall give notice of the denial of any petition with due promptness.

PART 520—PART-TIME EMPLOYMENT OF STUDENT-LEARNERS IN VOCATIONAL TRAINING PROGRAMS

This part is amended as follows:

1. The period at the end of the second sentence of § 520.2 is changed to a comma, and the following inserted immediately thereafter: "including, among other things, the total number of persons employed in the establishment, data regarding the age of the employee, the proposed hourly wage rate, and the length of the period for, and the total weekly hours devoted to employment training and school instruction."

2. The following sentence is added to § 520.7 (b): "Such nullification shall follow upon a determination of falsity and knowledge thereof, made in accordance with the procedure established in § 520.8 hereof for the revocation of certificates."

3. The following is substituted for § 520.8:

§ 520.8 *Revocation of certificates.* Any certificate issued under the regulations in this part may be canceled for cause by the Administrator after the facts or conduct which may warrant such cancellation shall have been called in writing to the attention of the student learner, the employer, and the officer of the educational institution involved, and the parties accorded an opportunity to demonstrate or achieve compliance with all requirements.

PART 521—EMPLOYMENT OF APPRENTICES

This part is amended by adding the following to § 521.7: "Before any certificate is canceled, however, interested parties shall be notified in writing of the facts warranting such cancellation and afforded an opportunity to demonstrate or achieve compliance."

PART 522—EMPLOYMENT OF LEARNERS

This part is amended as follows:

1. The following is inserted after the first sentence of § 522.2: "Such forms require to be set forth, among other things, a list of products upon which and occu-

pations in which learners are to be employed, the number of learners hired during the preceding 12 months, the number of learners requested, their proposed hourly rates, and learning period in number of hours, the number of experienced workers, the average hourly earnings of experienced workers during the last payroll period, and the number of productive factory workers for one payroll period during each of the preceding 12 months."

2. The following is inserted after the first sentence in § 522.3: "The notice must set forth, among other things, the number of learners that the employer has requested permission to employ, the occupations in which the learners will be employed, and a statement that experienced workers are not available, and that the employment of learners is necessary to prevent a curtailment of opportunities for employment."

3. The following is substituted for the last sentence of § 522.6; "The Administrator shall issue a subpoena for attendance at such hearings to any party upon request and upon a showing of general relevance and reasonable scope of the evidence sought. The Administrator may, on his own motion, or that of his authorized representative, cause to be brought before him or his authorized representative any witness whose testimony he deems material to the matters in issue."

4. Section 522.12 is amended to read as follows:

§ 522.12 *Revision of regulations.* The Administrator may at any time, upon his own motion or upon written request of any interested party setting forth reasonable grounds therefor, and after a hearing or other opportunity to interested persons to present their views, amend or revoke any of the terms of this part or any industry regulation issued pursuant to § 522.4.

5. The following new § 522.14 is added:

§ 522.14 *Application for renewal.* No certificate regularly scheduled to expire at the end of the term specified in this part shall expire until an application for renewal, properly executed in accordance with the requirements of this part, and filed not less than 15 or more than 30 days prior to the expiration date, shall have been finally determined.

6. The following is added to § 522.001: Application forms will be furnished on request by the Wage and Hour Division and must contain all information required by such forms. In addition to the information called for above, such forms require to be set forth, among other things, a statement of the processes on which learners are to be employed, the number of learners requested, the number of experienced "makers" employed during the last preceding 12 months and the number currently employed and their average hourly earnings during the last payroll period.

7. The following is added to § 522.011: "All applications must be made upon official forms furnished on request by the Wage and Hour Division and must contain all information required by such forms. Such forms require to be set

forth, among other things, a statement of the number of learners requested, the number of operators and trimmers currently employed, the largest number of operators and trimmers employed during the same season of the preceding year, and the average hourly earnings of experienced operators and trimmers in a typical pay roll period of the previous year in both the peak and low periods of the same season, as the one for which learners are requested."

8. The following is added to § 522.020: "Such forms require to be set forth, among other things, a list of occupations in which learners are requested, the number of learners requested, the number of learners hired during the preceding 12 months, a list of occupations in which experienced workers are employed, the number employed, their average straight time hourly earnings in cents per hour, and information concerning the type of machine to be used by learners."

9. The following is added to § 522.040: "Such forms require to be set forth, among other things, a list of occupations in which learners are requested, the number of learners requested, the number of learners hired during the preceding 12 months, a list of occupations in which experienced workers are employed, the number employed, their average straight time hourly earnings in cents per hour, and information concerning the type of machine to be used by learners."

10. The following is added to § 522.060: "Such forms require to be set forth, among other things, a list of occupations in which learners are requested, the number of learners requested, the number of learners hired during the preceding 12 months, a list of occupations in which experienced workers are employed, the number employed, their average straight time hourly earnings in cents per hour, and information concerning the type of machine to be used by learners."

11. The following is added to § 522.082: "The application forms require to be set forth, among other things, a statement whether the company is owned or controlled by the American Telephone and Telegraph Company (Bell System) or its subsidiaries, the number of learners requested, the number of learners hired in the preceding 12 months, the number of commercial switchboard operators for one pay roll period during each of the preceding 12 months, and certain information as to existing wage and hour structures."

12. The following is inserted after the first sentence of § 522.100 (a): "Such forms require to be set forth, among other things, a list of occupations in which learners are requested, the number of learners requested, the number of learners hired during the preceding 12 months, a list of occupations in which experienced workers are employed, the number employed, their average straight time hourly earnings in cents per hour, and information concerning the type of machine to be used by learners."

13. The following is inserted after the first sentence of § 522.101: "The notice must set forth, among other things, the

number of learners that the employer has requested permission to employ, the occupations in which the learners will be employed, and a statement that experienced workers are not available and that the employment of learners is necessary to prevent a curtailment of opportunities for employment."

14. The following is inserted after the first sentence of § 522.121: "Such forms require to be set forth, among other things, a list of occupations in which learners are requested, the number of learners hired during the preceding 12 months, a list of occupations in which experienced workers are employed, the number employed, their average straight time hourly earnings in cents per hour, and information concerning the type of machine to be used by learners."

15. The following is inserted after the first sentence of § 522.122: "The notice must set forth, among other things, the number of learners that the employer has requested permission to employ, the occupations in which the learners will be employed, and a statement that experienced workers are not available and that the employment of learners is necessary to prevent a curtailment of opportunities for employment."

16. The following is inserted after the first sentence of § 522.141: "Such forms require to be set forth, among other things, a list of occupations in which learners are requested, the number of learners requested, the number of learners hired during the preceding 12 months, a list of occupations in which experienced workers are employed, the number employed, their average straight time hourly earnings in cents per hour, and information concerning the type of machine to be used by learners."

17. The following is inserted after the first sentence of § 522.142: "The notice must set forth, among other things, the number of learners that the employer has requested permission to employ the occupations in which the learners will be employed, and a statement that experienced workers are not available and that the employment of learners is necessary to prevent a curtailment of opportunities for employment."

18. The following is added to § 522.160: "All applications must be made upon official forms furnished on request by the Wage and Hour Division and must contain all information required by such forms. Such forms require to be set forth, among other things, a list of occupations in which learners are requested, the number of learners requested, the number of learners hired during the preceding 12 months, a list of occupations in which experienced workers are employed, the number employed, their average straight-time hourly earnings in cents per hour, and information concerning the type of machine to be used by learners."

19. The following is inserted after the first sentence of § 522.201: "All applications must be made upon official forms furnished on request by the Wage and Hour Division and must contain all information required by such forms. Such forms require to be set forth, among other things, a list of occupations in which learners are requested, the num-

ber of learners requested, the number of learners hired during the preceding 12 months, a list of occupations in which experienced workers are employed, the number employed, their average straight time hourly earnings in cents per hour, and information concerning the type of machine to be used by learners."

PART 523—EMPLOYMENT OF MESSENGERS

This part is amended as follows:

1. The following is substituted for § 523.6:

§ 523.6 *Witnesses.* The Administrator shall issue a subpoena for attendance at such hearings to any party upon request and upon a showing of general relevance and reasonable scope of the evidence sought. The Administrator may, on his own motion, or that of his authorized representative, cause to be brought before him or his authorized representative any witness whose testimony he deems material to the matters in issue.

2. The following is substituted for § 523.11:

§ 523.11 *Delegations of authority.* Whenever it shall appear that the review procedure provided in § 523.9 will cause undue delay in arriving at a determination or decision, the Administrator may delegate the authority vested in the Administrator to make the determination or decision to either of the Deputy Administrators. Action so taken by such persons shall not be subject to review by the Administrator under § 523.9.

3. A new § 523.12 is added as follows:

§ 523.12 *Cancellation of certificate.* Any certificate granted under this part may be canceled for violation of any of the terms of the certificate, and also for good cause to effectuate the provisions of section 14 of the Fair Labor Standards Act. Before any certificate is canceled, however, interested parties shall be notified in writing of the facts warranting such cancellation and afforded an opportunity to achieve or demonstrate compliance.

PART 524—EMPLOYMENT OF HANDICAPPED PERSONS

This part is amended as follows:

1. The following is added to § 524.2: "Such forms require to be set forth, among other things, a description of the job at which the employee is to be employed, the nature of the handicap, the total number of handicapped and non-handicapped persons in the establishment and the number doing the same type of work, the amount per hour the firm proposes to pay or guarantee the employee, the hourly earnings range and the average hourly earnings of non-handicapped workers performing the same type of work for the most recent four-week period, and the actual earnings of the employee for the most recent 12 weeks."

2. The following is added to § 524.8: "No certificate regularly scheduled to expire at the end of the term specified in this part shall expire until an application for renewal, properly, executed in

accordance with the requirements of this part, and filed not less than 15 nor more than 30 days prior to the expiration date, shall have been finally determined."

3. The following is added to § 524.9: "Such notice shall state the facts warranting cancellation or nullification, and the parties shall be afforded an opportunity to achieve or demonstrate compliance."

4. The following is added to § 524.14 (e): "No certificate regularly scheduled to expire at the end of the term specified in this part shall expire until an application for renewal, properly executed in accordance with the requirements of this part, and filed not less than 15 nor more than 30 days prior to the expiration date, shall have been finally determined."

PART 525—EMPLOYMENT OF HANDICAPPED CLIENTS IN SHELTERED WORKSHOPS

This part is amended as follows:

1. The following is added to § 525.3: "In addition to the information called for above, such forms require to be set forth, among other things, the facilities furnished to the clients, the main sources of clients, the main sources of revenue, and a financial statement."

2. The first proviso in § 525.5 is amended to read as follows: "Provided, That the sheltered workshop prepares monthly, as of the last day of each month, and mails to the Administrator before the tenth day of the following month, reports on the official monthly report forms, which forms require to be set forth, among other things, a statement of the total number of clients and non-client employees, the total monthly pay roll for clients and non-clients engaged in interstate commerce, a schedule showing the work performed by and the earnings of clients and employees engaged in or producing goods for interstate commerce, a schedule showing the volume, price and description of new goods produced for interstate commerce, a schedule showing the volume, price and description of new goods produced for interstate commerce, a schedule showing the income from the sale of used goods for interstate commerce, and certain information regarding the number of clients engaged in, the wages paid for, and the income derived from, the production of goods or rendering of services not for interstate commerce."

3. The following is added to § 525.7: "No certificate regularly scheduled to expire at the end of the term specified in this part shall expire until an application for renewal, properly executed in accordance with the requirements of this part, and filed not less than 15 nor more than 30 days prior to the expiration date, shall have been finally determined."

4. The following is inserted after the first sentence of § 525.9: "These forms will be furnished on request by the Wage and Hour Division and require to be set forth, among other things, a description of the work program contemplated for this client, the nature of his handicap, certain medical information, a wage and hour schedule of the most recent 8 weeks' earnings of this client in the workshop and the minimum hourly rate that the workshop proposes to pay the client."

5. The period after the last sentence of § 525.14 is amended to a comma, and the following is added: "and such parties afforded an opportunity to demonstrate or achieve compliance."

6. Section 525.17 is rescinded.

PART 526—INDUSTRIES OF A SEASONAL NATURE

This part is amended as follows:

1. The following is substituted for § 526.6 (d):

(d) The Administrator shall issue a subpoena for attendance at such hearings to any party upon request and upon a showing of general relevance and reasonable scope of the evidence sought. The Administrator may, on his own motion, or that of his authorized representative, cause to be brought before him or his authorized representative any witness whose testimony he deems material to the matters in issue.

2. The following is substituted for the last sentence of § 526.5 (b): "The exemption shall become effective 30 days after publication in the FEDERAL REGISTER, or at such time prior thereto as may be provided therein upon good cause found and published therewith."

3. The following is substituted for the second sentence of § 526.6 (e): "If the finding, made by the Administrator himself, is that the industry in question is of a seasonal nature within the meaning of § 526.3, the exemption shall become effective 30 days after publication in the FEDERAL REGISTER, or at such time prior thereto as may be provided therein upon good cause found and published therewith."

4. The following is substituted for the second sentence of the second paragraph of § 526.7: "If such finding is that the industry in question is of a seasonal nature within the meaning of section 526.3, the exemption shall become effective 30 days after publication in the FEDERAL REGISTER, or at such time prior thereto as may be provided therein upon good cause found and published therewith."

5. The following is substituted for the third paragraph of § 526.7:

If a petition for review is granted and upon hearing the Administrator confirms a finding by the representative that the industry is of a seasonal nature within the meaning of § 526.3, or if the Administrator, rejecting a finding by the representative to the contrary, finds on the record that the industry is of a seasonal nature within the meaning of § 526.3, the exemption shall become effective 30 days after publication in the FEDERAL REGISTER, or at such time prior thereto as may be provided therein upon good cause found and published therewith.

6. A new § 526.8 is added as follows:

§ 526.8 Any person wishing a revision of any of the terms of §§ 526.1-526.7 may submit in writing to the Administrator a petition setting forth the changes desired and the reason for proposing them. If, after consideration of the petition, the Administrator believes that reasonable cause for amendment of the regulations

is set forth, he shall either schedule a hearing, with due notice to interested parties, or shall make other provision for affording interested parties an opportunity to present their views, both in support of and in opposition to the proposed changes.

PART 605—WOMEN'S APPAREL INDUSTRY, MINIMUM WAGE ORDERS

This part is amended as follows:

1. The following is added to § 605.105: "No certificate regularly scheduled to expire at the end of the term specified in this part shall expire until an application for renewal, properly executed in accordance with the requirements of this part, and filed not less than 15 nor more than 30 days prior to the expiration date, shall have been finally determined."

2. The following is substituted for the last sentence of § 605.106: "Before any certificate is canceled, however, interested parties shall be notified in writing of the facts warranting such cancellation and afforded an opportunity to demonstrate or achieve compliance."

PART 607—JEWELRY MANUFACTURING INDUSTRY, MINIMUM WAGE ORDERS

This part is amended as follows:

1. The following is added to § 607.105: "No certificate regularly scheduled to expire at the end of the term specified in this part shall expire until an application for renewal, properly executed in accordance with the requirements of this part, and filed not less than 15 nor more than 30 days prior to the expiration date, shall have been finally determined."

2. The following is substituted for the last sentence of § 607.106: "Before any certificate is canceled, however, interested parties shall be notified in writing of the facts warranting such cancellation and afforded an opportunity to demonstrate or achieve compliance."

PART 617—KNITTED OUTERWEAR INDUSTRY, MINIMUM WAGE ORDERS

This part is amended as follows:

1. The following is added to § 617.105: "No certificate regularly scheduled to expire at the end of the term specified in this part shall expire until an application for renewal, properly executed in accordance with the requirements of this part, and filed not less than 15 nor more than 30 days prior to the expiration date, shall have been finally determined."

2. The following is substituted for the last sentence of § 617.106: "Before any certificate is canceled, however, interested parties shall be notified in writing of the facts warranting such cancellation and afforded an opportunity to demonstrate or achieve compliance."

PART 621—GLOVES AND MITTENS INDUSTRY, MINIMUM WAGE ORDERS

This part is amended as follows:

1. The following is added to § 621.105: "No certificate regularly scheduled to expire at the end of the term specified in this part shall expire until an application for renewal, properly executed in accordance with the requirements of this

part, and filed not less than 15 nor more than 30 days prior to the expiration date, shall have been finally determined."

2. The following is substituted for the last sentence of § 621.106: "Before any certificate is canceled, however, interested parties shall be notified in writing of the facts warranting such cancellation and afforded an opportunity to demonstrate or achieve compliance."

PART 625—BUTTON AND BUCKLE MANUFACTURING INDUSTRY, MINIMUM WAGE ORDERS

This part is amended as follows:

1. The following is added to § 625.105: "No certificate regularly scheduled to expire at the end of the term specified in this part shall expire until an application for renewal, properly executed in accordance with the requirements of this part, and filed not less than 15 nor more than 30 days prior to the expiration date, shall have been finally determined."

2. The following is substituted for the last sentence of § 625.106: "Before any certificate is canceled, however, interested parties shall be notified in writing of the facts warranting such cancellation and afforded an opportunity to demonstrate or achieve compliance."

PART 628—HANDKERCHIEF MANUFACTURING INDUSTRY, MINIMUM WAGE ORDERS

This part is amended as follows:

1. The following is added to § 628.105: "No certificate regularly scheduled to expire at the end of the term specified in this part shall expire until an application for renewal, properly executed in accordance with the requirements of this part, and filed not less than 15 nor more than 30 days prior to the expiration date, shall have been finally determined."

2. The following is substituted for the last sentence of § 628.106: "Before any certificate is canceled, however, interested parties shall be notified in writing of the facts warranting such cancellation and afforded an opportunity to demonstrate or achieve compliance."

**PART 633—EMBROIDERIES INDUSTRY
MINIMUM WAGE ORDERS**

This part is amended as follows:

1. The following is added to § 633.105: "No certificate regularly scheduled to expire at the end of the term specified in this part shall expire until an application for renewal, properly executed in accordance with the requirements of this part, and filed not less than 15 nor more than 30 days prior to the expiration date, shall have been finally determined."

2. The following is substituted for the last sentence of § 633.106: "Before any certificate is canceled, however, interested parties shall be notified in writing of the facts warranting such cancellation and afforded an opportunity to demonstrate or achieve compliance."

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 46-15433; Filed, Aug. 28, 1946; 2:41 p. m.]

TITLE 30—MINERAL RESOURCES

**Chapter VI—Solid Fuels Administration
for War**

PART 602—GENERAL ORDERS AND DIRECTIVES

DIRECTION TO LAKE RECEIVERS OF COAL PRODUCED IN DISTRICTS 7 AND 8

Because of the short supply of coals produced in Districts Nos. 7 and 8, the following direction is issued pursuant to the provisions of SFAW Regulation No. 1.

Notwithstanding any provision of SFAW Revised Regulation No. 32:

1. Each commercial lake dock operator and each industrial consumer receiving coal by vessel or barge on the Great Lakes shall not, during the 1946 season of lake navigation, receive an amount of coals produced in Districts Nos. 7 and 8 in excess of the amounts hereinafter set forth:

(a) No commercial lake dock operator shall receive in the aggregate, from all sources combined, tonnages of Districts Nos. 7 and 8 coals in excess of that necessary to enable the lake dock operator:

(i) To ship to each retail dealer during the coal year (April 1, 1946 to March 31, 1947) a tonnage equal to 90% of the total of prepared sizes furnished to such dealer by the commercial dock operator during the coal year April 1, 1945 to March 31, 1946, and

(ii) To supply to his industrial consumer customers a tonnage equal to 100% of the tonnage supplied to each such industrial consumer during the period May 1, 1945 to April 30, 1946.

(b) No industrial consumer shall receive a tonnage of Districts Nos. 7 and 8 coals in excess of an amount equal to the tonnage he received during the period May 1, 1945 to April 30, 1946.

2. No shipper of coals produced in Districts Nos. 7 and 8 shall ship, in the aggregate, to all of his lake customers, a tonnage in excess of 90% of the prepared sizes for domestic use which he shipped to the Lakes during the 1945 season of navigation and not more than 100% of the sizes for industrial use which he shipped to the Lakes during the 1945 season of navigation.

The purpose of this direction is to assure, as far as practicable, that each community and each industrial consumer will receive its fair share of the short supply of Districts Nos. 7 and 8 coals, and to this end SFAW, as necessary, will issue specific directions requiring shippers to modify their commitments to conform with this direction. A copy of any such specific direction will be sent to the receiver affected thereby.

(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)

Issued this 28th day of August 1946.

DAN H. WHEELER,
Deputy,

Solid Fuels Administrator for War.

[F. R. Doc. 46-15471; Filed, Aug. 29, 1946; 11:07 a. m.]

TITLE 32—NATIONAL DEFENSE

**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 OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Reg. 33, Direction 5, as Amended Aug. 28, 1946]

GYPSUM BOARD AND GYPSUM LATH

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

NOTE: The first subparagraph of paragraph (a) deleted Aug. 28, 1946.

(a) *Purpose of this direction.* In order to meet the Veterans' Emergency Housing Program and the needs of other essential construction it is necessary to increase the production of many building materials including gypsum board and gypsum lath, and to do this increased tonnage of gypsum liner must be made available to producers of gypsum board and lath. This direction makes provision for directives to be issued by the Civilian Production Administration from time to time for the purpose of securing the production and delivery of gypsum liner for the manufacture of gypsum board and gypsum lath.

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

(1) "Gypsum board" means only those products made from gypsum and commonly referred to in the building trade as wall board, long board, wide board, laminated board or sheathing. The term does not include precast reinforced gypsum roof plank.

(2) "Gypsum lath" means the gypsum product made especially for use as a plaster base.

(3) "Producer" means a person owning or operating facilities in which gypsum board or gypsum lath are manufactured.

(4) [Deleted Aug. 28, 1946.]

NOTE: Former paragraphs (c), (d) and (e) deleted and former paragraphs (f) and (g) redesignated (c) and (d) on Aug. 28, 1946.

(c) *Directives for gypsum liner.* The Civilian Production Administration, in order to increase the production of gypsum board and gypsum lath, may issue directives from time to time to the manufacturers of boxboard, requiring them to produce specified quantities of gypsum liner and to make delivery to producers of gypsum board and gypsum lath. The production of gypsum liner covered by the directives will be distributed among the boxboard mills in as equitable a manner as is possible taking into account the following:

(1) The facilities of all mills in the boxboard field which can produce either cream-faced, greyback or lath board and which have suitable machines and roll equipment for the production of liner of the basic weight required.

(2) From the total tonnage of gypsum liner needed to produce the required tonnage of gypsum board and lath for housing and other essential construction, including maintenance and repair, there will be deducted the tonnage of gypsum liner being produced by the regular suppliers for the gypsum board and lath producers. The additional tonnage of gypsum liner necessary to meet the requirements for gypsum board and gypsum lath will be spread through the means of directives among the boxboard mills on an approximate percentage basis of their production, calculated on the boxboard and miscellaneous board produced by them during the first three months of 1946.

(d) *Appeals.* (1) Any appeal from the provisions of this direction should be made by mailing a letter in triplicate to the Civilian Production Administration, Washington 25, D. C., Ref: PR-33, Direction 5, stating the particular provision appealed from and stating fully the grounds for the appeal.

(2) If an appeal from a directive issued under paragraph (c) is to be made on the ground that compliance with the action will result in production at a loss, an application for price relief on that ground must first be filed with the Secretary of the Office of Price Administration, Washington, D. C., and a copy filed with the appeal. If the Civilian Production Administration appeal is granted, the directive for increases above current production will be suspended until the decision of the Office of Price Administration upon the application for price relief. This paragraph does not indicate or limit the extent or kind of price relief, if any, which may be granted by the Office of Price Administration.

Issued this 28th day of August 1946.

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

[F. R. Doc. 46-15264; Filed, Aug. 28, 1946;
12:09 p. m.]

PART 4700—VETERANS' EMERGENCY HOUSING PROGRAM

[Veterans' Housing Program Order 3]

CAST IRON SOIL PIPE—USE RESTRICTION

There is a shortage in the supply of cast iron soil pipe for defense, for private account and for export. Cast iron soil pipe is suitable for the construction and completion of housing accommodations in rural and urban areas and for the construction and repair of essential farm buildings. This order is necessary and appropriate in the public interest, to promote the national defense and to effectuate the purposes of the Veterans' Emergency Housing Act of 1946.

§ 4700.16 *Veterans' Housing Program Order 3*—(a) *Definition.* "A builder" means any person engaged in the business of construction or repairing for his own account, or for the account of another or repairing for his own account, or for the account of another, a house, building, or other structure (as defined in Veterans' Housing Program Order 1). The term includes a subcontractor.

(b) *Use restriction.* Beginning September 1, 1946, no builder may install new or used cast iron soil pipe outside a structure except within 5 feet of the structure. This does not apply to the replacement of damaged or worn-out cast iron soil pipe in existing waste-disposal systems. In addition, until October 1,

1946, it does not apply to the use of cast iron soil pipe needed to meet the minimum requirements of building codes issued by local governmental bodies.

(c) *Delivery restriction.* Beginning September 1, 1946, no supplier shall deliver cast iron soil pipe to a builder if he knows, or has reason to believe, that it will be used in violation of this order.

(d) *Appeals.* Appeals from the provisions of this order are to be made by letter in triplicate, referring to the particular provision appealed from and stating fully the ground of appeal. Appeals involving housing accommodations should be addressed to the National Housing Agency, Washington 25, D. C., Ref: VHP-3. Appeals not involving housing accommodations should be addressed to the Civilian Production Administration, Washington 25, D. C.; Ref: VHP-3.

(e) *Communications.* Communications regarding this order (except appeals, which are covered by paragraph (d) above) should be addressed to the Civilian Production Administration, Washington 25, D. C., Ref: VHP-3.

(f) *Violations.* A person who willfully violates any provisions of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction, will 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.

Issued this 28th day of August 1946.

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

[F. R. Doc. 46-15399; Filed, Aug. 28, 1946;
5:04 p. m.]

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

[Priorities Reg. 33, Direction 1, as Amended July 17, 1946, Amdt. 1]

LUMBER, HARDWOOD FLOORING AND MILLWORK

Amend Direction 1 to Priorities Regulation 33 as follows:

1. Amend paragraph (a) as follows:

(i) Change "Direction 8" to "Directions 8 and 13".

(ii) Insert before the word "prefabricators" the words "house trailer manufacturers", in line 4.

(iii) Delete in line 7 the words "and List 1 of Direction 8 to Priorities Regulation 33".

(iv) Insert after the words "hardwood flooring manufacturers" in lines 18 and 23 the words "house trailer manufacturers,".

2. Amend paragraph (b) as follows:

(i) In subparagraph (2) insert after the word "retail" in line 3, the following: "The term "distributor" includes any establishment owned or operated by a saw-

mill where lumber is sold at either wholesale or retail."

(ii) Insert as new subparagraph (6) the following:

(6) "Residential hardwood flooring" means hardwood flooring of 25/32" thickness or less manufactured from Grades 2 and 3A Oak, Hard Maple, Beech and Birch and Grades 2 and 3 Common of Pecan.

(iii) Redesignate subparagraph (6) as (7) and amend it as follows:

(i) Amend subdivision (i) as follows:

(i) A person operating any mill or plant, stationary or portable, that produces lumber. The term includes a person who has logs manufactured into lumber by a sawmill, except a person who has less than 5000 feet a quarter of his own logs sawed into lumber for his own use.

(ii) Amend subdivision (ii) by inserting the words "a person operating" at the beginning of the paragraph after the figures "(ii)"

(iii) In line 10 insert after the word "yard" the words "even though owned by a sawmill".

(iv) Redesignate subparagraphs (8), (9), (10), (11), (12) and (13) as (7), (8), (9), (10), (11), (12), (13) and (14).

(v) Insert as new subparagraph (14), the following:

(14) "A cut-stock manufacturer" means a person who cuts and surfaces lumber into sizes suitable as parts for sash and doors.

3. Amend paragraph (c) as follows:

(i) Amend subparagraph (1) to read as follows:

(1) *Softwood.* Each sawmill as described in paragraph (b) (7) above shall manufacture at least 50% of his monthly production of softwood in the form of housing construction lumber which shall be reserved for shipment only on certified or rated orders calling for delivery within such month. A sawmill may not include in his total production logs custom sawed for another person. Such other person, if a sawmill as defined in paragraph (b) (7) above is subject to this direction.

(ii) Amend subparagraph (2) as follows:

(a) In (2) (i), line 2, change the figure "(6)" to "(7)" and delete the words beginning with the word "or" in line 10 and ending with the word "month" in line 11, and substitute the words "orders from hardwood flooring manufacturers and AAA rated orders."

(b) In (2) (ii), line 2, change the figure "(6)" to "(7)" and delete the words beginning with the words "or" in line 7 and ending with the word "month" in line 9, and substitute the words "orders from hardwood flooring manufacturers and rated orders."

(iii) Amend subparagraph (5) to read as follows:

(i) Every sawmill must hold his reserve of housing construction lumber, including therein all Western Pine and Fir shop produced until the last day of each month for delivery on certified or

rated orders and must accept and ship such orders for delivery in that month in preference to all other orders to the extent that such orders do not require more than the sawmill's monthly reserve. A sawmill's reserve production of shop grades of Western Pine and Fir must be held for shipment only on certified orders from millwork manufacturers or cutstock manufacturers. The order of precedence for filling certified and rated orders is given in paragraph (m) (1) below. A sawmill, however, may not accept for delivery in any month orders rated MM for housing construction lumber for more than 10 percent of his reserve production of housing construction lumber for that month. When a sawmill has accepted certified or rated orders for housing construction lumber to the extent of his reserve, he need not accept additional certified or rated orders (except AAA) for housing construction lumber produced in that month. Any portion of the sawmill's reserve production of housing construction lumber for the month of September not required to fill certified or rated orders calling for delivery during the month shall be carried over as a part of his reserve for the month of October.

4. Amend paragraph (d) as follows: In subparagraph (1)—

(i) Change the figure "7" in line 8 to "10";

(ii) Amend subparagraph (2) as follows:

(2) Every distributor placing certified orders based on a percent of his inventory as provided above in (d) (1) (i) must reserve indefinitely 80% of all housing construction lumber received on certified and rated orders and 75% of all housing construction lumber he imports in every month for delivery on certified or rated orders. A distributor, however, may not accept for delivery in any month orders rated MM for more than 10% of the housing construction lumber reserved in that month. In addition, he need not accept certified or rated orders (except AAA) for a quantity in excess of the reserve. Any housing construction lumber which such a distributor is not required to reserve may be delivered on uncertified or unrated orders.

(iii) Insert as new subparagraph (3) the following:

(3) Every distributor placing certified orders for two cars or less of housing construction lumber a quarter, must reserve 75% of the housing construction lumber received in any month on certified orders and 75% of the housing construction lumber he imports in any month for delivery on certified or rated orders. The distributor, however, may not accept for delivery in any month orders rated MM for more than 10% of the housing construction lumber reserved in that month. In addition, he need not accept certified or rated (except AAA) orders, for a quantity in excess of the reserve. Any housing construction lumber received which a distributor is not required to reserve and

any lumber in the reserve for which certified or rated orders are not received during the month, may be delivered on uncertified or unrated orders.

(iv) Redesignate subparagraph (3) as (4).

5. Amend paragraph (f) as follows:

(i) Amend caption to read "*Millwork and Cut-Stock Manufacturers*", and insert the words "and cut-stock" after the word "millwork" in line 1.

(ii) Amend subparagraph (1) as follows: insert after the word "millwork" in line 1 the words "or cut-stock"; delete the words beginning with the word "starting" in line 3 and ending with "1946" in line 3; insert after the word "distributor" in line 5 the words "or with a cut-stock manufacturer for cut-stock" and after the word "lumber" in line 9, insert the words "or cut-stock".

(iii) Amend subparagraph (2) to read as follows:

(2) A millwork manufacturer must use each month a quantity of lumber equal to all housing construction lumber received on certified orders for the manufacture of millwork. Every millwork manufacturer must reserve indefinitely 85% of the millwork so manufactured in any month for delivery only on certified or rated orders. However, he may not accept for delivery in any month orders rated MM for more than 10% of the quantity reserved in any one month. In addition, he need not accept certified or rated (except AAA) orders for a quantity in excess of the reserve. 15% of the millwork produced in any month may be delivered by the millwork manufacturer on uncertified or unrated orders.

(iv) Insert as new subparagraph (3) the following:

(3) A cut-stock manufacturer must use each month a quantity of lumber equal to all housing construction lumber received on certified orders for the manufacture of cut-stock. Every cut-stock manufacturer must reserve indefinitely the cut-stock so manufactured for delivery only on AAA or certified orders from millwork manufacturers.

(v) Redesignate (3) as (4) and amend as follows:

Insert after the word "lumber" in lines 3 and 6, the words "or cut-stock".

(vi) Redesignate subparagraph (4) as (5) and delete "AAA, MM, CC and HH" in lines 4 and 5.

(vii) Redesignate subparagraph (5) as (6) and delete "AAA, MM, CC and HH" in lines 2 and 6.

6. Amend paragraph (g) as follows:

(i) Amend subparagraph (1) by deleting the words beginning with the word "starting" in line 3 and ending with "1946" in line 3.

(ii) Amend subparagraph (2) to read as follows:

(2) A hardwood flooring manufacturer shall use each month a quantity of hardwood flooring lumber equal to the amount he receives on certified orders for the manufacture of hardwood floor-

ing. Every hardwood flooring manufacturer must indefinitely reserve all residential hardwood flooring for delivery on AAA, certified, MM or HH rated orders. The MM rated order to be eligible must contain a statement that the hardwood flooring is to be used for Veterans, Army or Navy hospitals.

(iii) Insert a new subparagraph (4):

(4) A distributor who has received a AAA, MM, or HH rated order for residential hardwood flooring may extend the rating to his suppliers to get residential hardwood flooring which he will deliver on that order. If a distributor has made delivery of residential hardwood flooring on a AAA, MM, or HH rated order, he may extend the rating to his supplier to replace it in his inventory subject to applicable inventory regulations.

(iv) Insert a new subparagraph (5):

(5) HH rated or certified orders may not be used by anybody to obtain any hardwood flooring except residential hardwood flooring.

7. Amend paragraph (i) as follows:

Prefabricators and House Trailer Manufacturers

(i) *Prefabricators and house trailer manufacturers.* The following provisions tell how a prefabricator or a house trailer manufacturer may place certified orders for authorized quantities of all or some of the materials covered by this direction.

(1) A prefabricator or a house trailer manufacturer may place certified orders for house construction lumber with a sawmill, distributor or office wholesaler, and for millwork with a millwork manufacturer. A prefabricator but not a house trailer manufacturer may also place certified orders for hardwood flooring with a hardwood flooring manufacturer. Such persons may place certified orders for amounts not in excess of the amounts authorized, for their quarterly production schedules, on Form NHA-14-53 or CPA-4415 (for prefabricators) or Form NHA-14-44 (for house trailer manufacturers). A prefabricator or house trailer manufacturer must order, accept delivery of, and use the housing construction lumber, millwork and hardwood flooring in accordance with the provisions of Directions 8 and 13 of Priorities Regulation 33.

(2) A prefabricator or house trailer manufacturer may not apply or extend an HH rating for housing construction lumber, millwork or hardwood flooring.

8. Amend paragraph (j) as follows: Insert after the word "millwork" in lines 2 and 6, the words "cut-stock".

9. Amend paragraph (k) as follows:

(i) Insert after the word "manufacturers" in line 2 the words "cut-stock manufacturers".

(ii) In subparagraph (2) insert after the word "millwork" in line 2 the words "cut-stock".

10. Amend paragraph (1) by inserting in line 4 of the certification before the word "hardwood" the words "cut-stock manufacturer".

11. Amend paragraph (m) as follows:
(i) Insert in line 3 before the word "hardwood" the words "cut-stock manufacturer".

(ii) Amend subparagraph (3) by changing in line 4 the "(h)" to "(i)".

Issued this 28th day of August 1946.

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

[F. R. Doc. 46-15430; Filed, Aug. 28, 1946;
5:15 p. m.]

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

[Priorities Reg. 33, Revocation of Directions
2, 3, 4, 7, 9, 10, and 12]

The following published directions to
Priorities Regulation 33 are revoked effective
September 1, 1946:

Direction 2.
Direction 3.
Direction 4.
Direction 7.
Direction 9.
Direction 10.
Direction 12.

The above directions will be superseded
by Schedule B to Priorities Regulation 33,
issued August 27, 1946.

These revocations do not affect any liabilities
incurred for violation of these directions,
or of actions taken by the Civilian Production
Administration under these directions.

Issued this 28th day of August 1946.

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

[F. R. Doc. 46-15265; Filed, Aug. 28, 1946;
12:09 p. m.]

Chapter XI—Office of Price Administration

PART 1418—TERRITORIES AND POSSESSIONS

[SR 2¹ for Hawaii, Amdt. 7 (§ 1418.152)]

CANNED PINEAPPLE AND PINEAPPLE JUICE

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

Section 7 is added to read as follows:

SEC. 7. *Maximum prices for sales by processors of canned Hawaiian pineapple and canned Hawaiian pineapple juice.* (a) The processor's maximum price per dozen container or other unit, f. o. b. shipping point, to any class of purchasers for an item of canned Hawaiian pineapple or canned Hawaiian pineapple juice shall be his maximum price as established by the General Maximum Price Regulation for Hawaii for sales to the same class of purchaser plus 13½ percent of that price.

(b) Within 15 days after the date of his first sale of any item for which he figures his maximum price under this

section, the processor shall file with the Wholesale-Retail and Fruits and Vegetables Branch, Food Price Division, Office of Price Administration, Washington, D. C., a report in duplicate and signed by him showing:

(1) A description in detail of the item being priced, including its grade and brand name (if any).

(2) His maximum price, f. o. b. shipping point, as established by the General Maximum Price Regulation for Hawaii for sales to each class of purchasers (for example, government procurement agencies, wholesalers, retailers).

(3) His maximum price, f. o. b. shipping point, as figured under this section for sales to each class of purchasers.

(4) A list of his customary discounts, transportation and other allowances and price differentials.

(c) When used in this section the term:

(1) "Processor" means a person who processes any part of what he sells of the kind and brand of product being priced. The term includes a person who has the goods "custom-packed" or "toll-packed" by another.

(2) "Item" means a kind, variety, grade, brand, style of pack, container type and size of product.

(d) Except to the extent that maximum prices under the General Maximum Price Regulation for Hawaii are modified by this section, the provisions of that regulation apply to sales of canned Hawaiian pineapple and canned Hawaiian pineapple juice by processors.

This amendment shall become effective August 29, 1946.

NOTE: All reporting requirements of this amendment have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

Issued this 28th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-15381; Filed, Aug. 28, 1946;
4:25 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 1, Amdt. 3 to Supp. 3¹]

PREPARED FLOUR MIXES

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.

Supplement 3 to Food Products Regulation 1 is amended in the following respects:

1. Section 4a is added to read as follows:

SEC. 4a. *Permitted additions to maximum prices for sales by processors of pancake mix and waffle mix.* (a) On and after August 29, 1946, a processor's maximum price for sales of pancake mix or waffle mix to each class of purchaser shall be:

(1) His maximum price to that class of purchaser as determined under this supplement prior to August 29, 1946; plus

(2) The following amounts for the following items, respectively:

(i) For plain pancake mix and waffle mix, \$0.0175 per pound for each pound or fraction thereof in his selling unit.

(ii) For buckwheat pancake mix, \$0.02 per pound for each pound or fraction thereof in his selling unit.

(b) *Information to be filed.* Each processor who determines a maximum price for any item of pancake or waffle mix under paragraph (a) shall, not later than September 18, 1946, file with the Grocery Products Branch, Office of Price Administration, Washington, D. C., a true copy of the calculations showing his determination of such maximum price for that item.

The Office of Price Administration may require any seller filing a report which does not comply with the provisions of this section, or which reports a price erroneously figured to correct and resubmit the report.

2. Section 7a is added to read as follows:

SEC. 7a. *Maximum prices for sales by wagon wholesalers on and after August 29, 1946.* (a) On and after August 29, 1946, the maximum price which any wagon wholesaler may charge for any item of plain or buckwheat pancake mix or waffle mix, shall be determined as follows:

(1) He shall take his maximum price on March 31, 1946 as determined under section 7 of this supplement;

(2) Divide this price by his most recent "net delivered cost" of such item, prior to March 31, 1946; and

(3) Multiply the percentage so obtained by his current "net delivered cost" (based on his supplier's maximum price to him after August 29, 1946) for the item being priced. The resulting figure shall be his new maximum price.

This amendment shall become effective August 29, 1946.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of August 1946.

PAUL A. PORTER,
Administrator.

Approved:

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-15475; Filed, Aug. 29, 1946;
11:27 a. m.]

PART 1305—ADMINISTRATION

[SO 94, Amdt. 9]

**SALES BY GOVERNMENT AGENCIES AND REALES
BY CERTAIN BUYERS**

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 94 is amended in the following respect:

¹ 11 F. R. 3528.

¹ 9 F. R. 6724, 13758; 10 F. R. 3554.

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

(i) To another Government agency, except that in case of sales by a Government disposal agency to the Reconstruction Finance Corporation for the purpose of resale pursuant to section 18 (e) of the Surplus Property Act of 1944, as amended, the maximum price at which the Government disposal agency can sell to the Reconstruction Finance Corporation shall be the maximum price at which such disposal agency could sell to the person to whom the Reconstruction Finance Corporation proposes to sell.

This amendment shall become effective August 30, 1946.

Issued this 29th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-15479; Filed, Aug. 29, 1946;
11:27 a. m.]

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[MPR 558, Incl. Amdts. 1-5]

EASTERN WOODEN MINE MATERIALS AND INDUSTRIAL BLOCKING

This compilation of Maximum Price Regulation 558 includes Amendment 5, effective September 3, 1946. Changes in tables by Amendment 5 are indicated by notes or underscoring.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the industry affected.

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.²

Sec.

1. Sales of Eastern wooden mine material and industrial blocking at higher than maximum prices prohibited.
2. Coverage of the regulation.
3. Basic maximum prices.
4. Transportation addition.
5. Treated products.
6. Special pricing.
7. Adjustable pricing.
8. Exports and imports.
9. Records.
10. Petitions for amendment and adjustment.
11. Prohibited practices.
12. Enforcement.
13. Licensing.
14. Maximum Prices for Eastern wooden mine materials and industrial blocking.

¹ 9 F. R. 11643.

² Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

AUTHORITY: § 1426.257, issued under 56 Stat. 23, 765; 57 Stat. 556; Pub. Law 383, 78th Cong.; Pub. Laws 108 and 548, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9599, 10 F.R. 10155; E.O. 9651, 10 F.R. 13487; E.O. 9697, 11 F.R. 1691.

SECTION 1. Sales of wooden mine materials and industrial blocking at higher than maximum prices prohibited.

(a) On and after September 26, 1944, regardless of any contract or other obligation except as provided in paragraph (c) of this section, no person shall buy or receive in the course of trade or business any Eastern wooden mine materials and industrial blocking covered by this regulation at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices, may, of course, be charged and paid.

(c) In any case where a maximum price having once been established in this regulation is reduced by subsequent amendment, sellers who have entered into firm contracts on the basis of earlier ceilings may apply for special permission to complete shipment under such firm contracts without regard to the new ceiling, under the following rules and conditions:

(1) The permission, if granted, will allow completion of the contract within 60 days from the effective date of the action setting up the new ceilings.

(2) The existence of a "firm contract" must be shown by the seller's submitting a copy of formal contract or copies of written order and acceptance covering specific items, quantities, and prices.

(3) The application must show that the items covered by the contract were actually being produced and had not been shipped on the effective date of the amendment which changes the maximum price.

(4) The seller must state in his application—and the permission, if granted, will be so limited—that all prices shown in the contract will be adhered to, even though the maximum price on some items included therein may have been increased by the amendment.

(5) Applications must be sent to the Lumber Branch, Office of Price Administration, at Washington, D. C. The Lumber Branch may grant or deny such applications by letter or telegram.

Note that the seller must apply for the special permission covered in this paragraph, and he may not go ahead on the basis of the contract prices unless and until he has received the authorization to do so.

SEC. 2. Coverage of the regulation.

(a) This regulation covers all sales and purchases of wooden mine materials and industrial blocking produced in, or imported from Canada or Mexico into, that part of the United States east of a line approximating the 100th Meridian except North Dakota and South Dakota. Mine car lumber, mine shaft guides and brattice boards are not covered, but are subject to the appropriate lumber price regulations. Production zones are defined in the heading of each price table in section 14.

(b) *Definitions.* (1) "Wooden mine materials" means any ties, switch ties,

cross bars, cribbing, lagging, post caps, wedges or pit posts used in mines; and also includes all mine lumber and timbers used in underground mining, except the items excluded in paragraph (a) above.

[Paragraphs (a) and (b) (1) amended by Am. 2, 10 F.R. 11307, effective 9-10-45]

(2) "Industrial blocking" means mixed hardwoods that are sawn to specified sizes and of a grade meeting the requirements of steel mills and like users, for bracing and blocking their products in shipment.

(3) "Standard open pit mine ties" means ties 8' in length, manufactured from woods-run timber 8" or larger in top diameter. "Small" open pit mine ties are the same except that they are manufactured from timber 7" to 8" in top diameter.

(4) "Normal loading-out point" means the siding or point on a railroad at which wooden mine materials and industrial blocking may be sold and to which the forest products can be most cheaply transported from the point of production for shipment by rail.

SEC. 3. Basic maximum prices. The maximum prices for Eastern wooden mine materials and industrial blocking are set out in section 14.

SEC. 4. Transportation addition. The transportation charges set forth below may be added to the maximum "normal loading-out point" price when the seller makes delivery. Transportation from the mill or point of production to the "normal loading-out point" must, in every instance, be provided on the seller's account. Rail charges paid by the seller for transportation beyond the loading-out point may, in every case, be added, except that in the case of pit posts, props and split or round lagging, the only permissible addition is the amount by which the actual freight charges paid exceed the freight charges calculated at the freight rate specified in the applicable table.

[Above portion of sec. 4 amended by Am. 3, 10 F.R. 13638, effective 11-7-45]

(a) *Common or contract carrier.* When estimated weights are used, the appropriate published rate times the estimated weight is the proper transportation charge, even though the estimated weights may be higher than actual. Estimated weights higher than those set forth in section 14 may not be used.

The charge for transportation shall be evened out to the nearest quarter-dollar per M'BM, or quarter-cent per piece, whichever is applicable.

(b) *Private trucks.* (1) When shipment is by private truck owned or controlled by the seller, except in the case of pit posts, props and split or round lagging, the maximum permissible addition (on hauls involving any point outside a metropolitan area) shall be computed as follows:

(i) Distance from point of production to buyer's unloading point; less

(ii) Distance from production point to normal loading-out point of shipper; equals

(iii) Total distance for which shipper may charge. (i-ii).

When total mileage for which shipper may charge has been arrived at as indicated above, the maximum charge for the net total distance (item iii) shall be computed as follows:

Distance	Maximum price per 100 pounds
NET TOTAL DISTANCE OF 75 MILES OR LESS	
10 miles or less.....	\$0.05
More than 10 miles, not more than 20 miles.....	0.07
More than 20 miles, not more than 30 miles.....	0.09
For each mile over 30, but not more than 75 miles, add to the 30 mile charge.....	0.002

NET TOTAL DISTANCE OF MORE THAN 75 MILES

For truck hauls covered by this section, in excess of seventy-five (75) miles, the maximum permissible addition shall be either (A) or (B) below, at the option of the shipper.

(A) The maximum private trucking charge for a distance of seventy-five (75) miles, (18¢ per one hundredweight) determined in accordance with the above schedule, regardless of the net total distance travelled.

(B) Railroad freight arrived at by multiplying the estimated weight (determined from the tables of weights) of the material shipped, by the carload freight rate applicable on the railroad serving the buyer for a haul on that railroad to the buyer's unloading point, from a point on such railroad equal to the trucking distance from the seller's normal loading-out point to the buyer's unloading point.

No additions may be made for private truck shipments of pit posts, props and split or round lagging, regardless of the length of the haul.

[Subparagraph (1) amended by Am. 2, 10 F.R. 11307, effective 9-10-45 and Am. 3, 10 F.R. 13638, effective 11-7-45]

(2) A "metropolitan area" includes all territory within 10 miles of the city limits of any city having a population of 250,000 or more according to the census of 1940. On shipments by private truck entirely within a metropolitan area, the amount added for transportation may not be more than the published motor common carrier rate for such hauls times the estimated weights or other unit of measure used. If there is no published rate, then the actual cost of trucking may be added, that is, the seller's out-of-pocket expense in making delivery.

SEC. 5. *Treated products.* (a) The maximum prices for Eastern wooden mine materials and industrial blocking preservatively treated by pressure process are established by Maximum Price Regulation No. 491.⁸

(b) The maximum price for any Eastern wooden mine material and industrial blocking preservatively treated by non-pressure methods shall be the maximum price established by the General Maximum Price Regulation⁹ for each seller plus or minus an amount to cover any increased or decreased untreated cost resulting from the maximum prices established by this regulation. This amount shall be determined by each seller in the following manner:

Determine the difference between the highest untreated price f. o. b. loading-

out point, paid in March 1942 by this seller of treated products and the maximum price established in this regulation for the same size and grade of untreated product. If the buying price is increased by this regulation, add the difference to the seller's established price under the General Maximum Price Regulation for the treated product. If the buying price is decreased by this regulation, subtract the difference from the seller's established price under the General Maximum Price Regulation for the treated product. (If the seller of a treated product did not buy in March 1942, he should use his buying price in the first month prior to March 1942 in which he purchased the untreated product.)

SEC. 6. *Special pricing.* (a) If a seller wishes to sell a specification of Eastern Wooden Mine Materials and Industrial Blocking not specifically priced in this regulation, or wishes to make charges for extras not specifically provided for, he shall apply to the Lumber Branch, Office of Price Administration, Washington 25, D. C., for approval of a maximum price. He must provide the following information:

(1) The requested price;

(2) A complete description of the item for which price approval is desired;

(i) If a specification other than those provided by the regulation, he shall furnish a copy of the specification.

(ii) If any other extra is to be priced, he shall furnish a description of the extra for which an addition is requested.

(3) The price differential between the item to be priced and the most comparable item priced in the regulation, which existed in October 1941 or the first month preceding October 1941 in which both items were sold. The differential should be developed from the seller's own records, or if that is not possible, from the experience of other buyers and sellers.

(4) If no price differential exists, a detailed analysis of the comparative costs of supplying the two items shall be furnished.

(b) In the case of mines which purchase direct from producers or other sellers, a maximum price may be established by order under this paragraph, which shall be the maximum price for any producer selling to that mine at any point within the normal production area supplying that mine.

Any buyer applying for establishment of maximum prices under this paragraph shall provide the information required under subparagraph (a) which, in that subparagraph is required from the seller.

(c) As soon as the request has been filed, quotations and deliveries may be made at the requested price, but final payment may not be made until a price has been approved by the Office of Price Administration.

[Sec. 6 amended by Am. 1, 10 F.R. 3086, effective 3-26-45]

SEC. 7. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of shipment; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with ac-

tion taken by the Office of Price Administration after shipment. Such authorization may be given when a request for a change in the applicable maximum price is necessary to promote distribution or production and it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration having authority to act upon the pending request for a change in price or to give the authorization.

The authorization will be given by order except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 8. *Exports and imports—(a) Exports.* The maximum prices for export sales of Eastern wooden mine materials and industrial blocking are governed by Second Revised Maximum Export Price Regulation.⁴

Maximum prices for pit posts, props, and split or round lagging, regardless of the zone of production, when delivered f. o. b. cars port at Atlantic or Gulf coast ports, shall be the maximum prices in Table 2 when delivery is made to the port of Baltimore, Maryland and to all ports north of Baltimore, and shall be the maximum prices in Table 3 when delivery is made to all ports south of Baltimore, Maryland.

[Paragraph (a) amended by Am. 2, 10 F.R. 11307, effective 9-10-45]

(b) For wooden mine materials and industrial blocking produced in Canada or Mexico and imported at points in "Eastern" territory in the United States, the Maximum price is the price "f. o. b. normal loading-out point" established in this regulation for the zone in which the port of entry is located, and such port of entry shall be regarded as the "normal loading-out point". Wooden mine materials and industrial blocking of Canadian or Mexican origin entered at points in "Western" territory are subject to Maximum Price Regulation 556.⁵

SEC. 9. *Records.* All sellers of eastern wooden mine material and industrial blocking must keep records which will show a complete description of the item sold, the name and address of the buyer, the date of the sale, and the price. Buyers must keep similar records, including the names and addresses of the seller. These records must be kept for any month in which the seller or buyer sold or bought \$500.00 worth of eastern wooden mine material and industrial blocking. These records must be kept for inspection by the Office of Price Administration for the duration of the Price Control Act or for two years, whichever is the shorter.

SEC. 10. *Applications for adjustment and petitions for amendment—(a) Government contracts.* See Procedural Regulation No. 6⁷ for adjustment provisions on certain Government contracts or sub-contracts.

⁴ Third Revision: 11 F. R. 9069.

⁵ 9 F. R. 10996; 10 F. R. 12263, 13595; 11 F. R. 6186.

⁷ 9 F. R. 10628; 10 F. R. 1382, 9394.

⁸ 8 F. R. 15594; 9 F. R. 8182, 9955, 13857.

⁹ 9 F. R. 1385, 5169, 6106, 8150, 10193, 11274.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

SEC. 11. Prohibited practices—(a) General. Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollar-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, trade understandings, and the like. Sellers must maintain cash discounts and credit terms no less favorable to buyers than the cash discounts and credit terms they allowed on October 1, 1941, except that a discount larger than 2 percent is not regarded as a cash discount under this rule.

(b) *Specific practices.* The following are among the specific practices prohibited:

(1) Refusing to sell on a loading-out point basis and insisting on selling on a delivered basis.

(2) Quoting a gross price above the maximum price, even if accompanied by a discount the effect of which is to bring the net price below the maximum.

(3) Making the buyer take something he does not want in order to get what he does want.

(c) *Purchasing commissions.* It is unlawful for any person to charge, receive or pay a commission for the service of procuring, buying, selling, or locating Eastern wooden mine materials or industrial blocking.

SEC. 12. Enforcement. Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 13. Licensing. The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 14. Maximum prices for Eastern wooden mine materials and industrial blocking. The maximum prices, except for pit posts and round or split lagging, shown in this section, are f. o. b. cars at the railroad loading-out point which is the "normal loading-out point" as defined in section 2 (b) (4).

All diameters specified in the following tables in this section refer to measurement taken at the small end and under the bark.

ZONE 1—NORTHEASTERN AND NORTH CENTRAL STATES

Zone 1 shall include the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, and Pennsylvania; the counties of Mineral, Preston, Grant, Randolph, Upshur, Wetzel, Hampshire, Hardy, Tucker, Barbour, Monongalia, Taylor, Marion, Ohio, Marshall, Brooke, and Hancock in the State of West Virginia; the counties of Garrett and Allegany

in the State of Maryland; that part of the State of Michigan, lying between Lake Huron and Lake Michigan, south of the Straits of Mackinac (known as the Lower Peninsula of Michigan); that part of the States of Indiana and Ohio located on the north of the main line of the Pennsylvania Railroad between Pittsburgh, Pennsylvania, and St. Louis, Missouri; that part of the State of Illinois north of the northern and eastern boundaries of the following counties: Clark, Coles, Moultrie, Macon, Logan, Mason, Fulton, McDonough and Hancock; that part of the State of Iowa north of the northern boundaries of the following counties: Louisa, Washington, Keokuk, Mahaska, Marion, Warren, Madison, Adair, Cass, and Pottawattamie.

TABLE 1—MAXIMUM PRICES FOR UNPEELED PIT POSTS AND PROPS OF MIXED HARDWOOD SPECIES, PRODUCED IN ZONE 1 AND DELIVERED ON A 15 CENT FREIGHT RATE

[Weight in pounds and price per post]

Top diameters inside bark...	4 inches		4½ inches		5 and 5½ inches		6 and 6½ inches		7 and 7½ inches	
	Weight	Price	Weight	Price	Weight	Price	Weight	Price	Weight	Price
2'0" round.....	12	\$0.05	14.75	\$0.055	18	\$0.065				
2'2".....	13	.05	16	.055	19.5	.065				
2'4".....	14	.055	17.25	.06	21	.07				
2'6".....	14.75	.06	18.5	.065	22.5	.075				
2'8".....	15.75	.065	19.75	.07	24	.085				
2'10".....	16.75	.07	21	.075	25.5	.09				
3'0".....	17.75	.075	22	.085	27	.095				
3'2".....	18.75	.085	23.25	.09	28.5	.10				
3'4".....	19.5	.09	24.5	.095	30	.105				
3'6".....	20.5	.095	26	.10	31.5	.11				
3'8".....	21.5	.10	26.5	.105	33	.115				
3'10".....	22.5	.105	28	.11	34.5	.12				
4'0".....	23.5	.11	29.5	.115	36	.125	51	\$0.155		
4'2".....	24.5	.115	30.5	.12	37.5	.13	53	.16		
4'4".....	25.5	.12	32	.125	39	.14	55	.165		
4'6".....	26.5	.125	33	.13	40.5	.145	57.5	.175		
4'8".....	27.5	.13	34.5	.145	42	.155	58	.185		
4'10".....	28.5	.145	36	.155	43.5	.165	61	.20		
5'0".....	29.5	.155	37	.165	45	.175	64	.21		
5'2".....	30.5	.165	38.5	.175	46.5	.185	66	.22		
5'4".....	31.5	.175	40	.185	48	.20	68	.235		
5'6".....	32.5	.185	41	.20	49.5	.21	70.5	.255		
5'8".....	33.5	.20	42.5	.21	51	.22	73	.275		
5'10".....	34.5	.21	43.5	.22	52.5	.23	75	.295		
6'0".....	35.5	.22	44.5	.23	54	.24	77	.32		
6'2".....	36.5	.23	46	.24	55.5	.255	79	.33		
6'4".....	37.5	.24	47	.255	57	.265	81	.35		
6'6".....	38.5	.255	48	.265	58.5	.28	83	.385		
6'8".....	39.5	.265	49.5	.285	60	.295	85	.42		
6'10".....	40.5	.275	50.5	.31	61.5	.32	87	.45		
7'0".....	41.5	.285	52	.34	63	.365	89.5	.495	120	\$0.515
7'6".....	42.5	.32	55	.365	69.5	.43	99	.54	132	.585
8'0".....	43.5	.35	59	.405	77	.485	109	.585	144	.65
8'6".....			63	.44	84	.50	118	.625	156	.715
9'0".....			66.5	.475	89	.515	125	.67	166	.78
9'6".....			70	.515	94	.57	132	.715	175	.835
10'0".....			74	.55	99	.63	139	.76	184	.89
10'6".....					104	.66	146	.805	193	.945
11'0".....					109	.69	153	.825	202	1.00
11'6".....					114	.715	160	.87	211	1.055
12'0".....					119	.755	167	.925	220	1.12
12'6".....					124	.79	174	.98	229	1.175
13'0".....					129	.835	181	1.035	238	1.23
13'6".....					134	.925	188	1.135	247	1.285
14'0".....					139	1.03	195	1.21	256	1.34
14'6".....					144	1.12	202	1.285	265	1.395

NOTE: Peeled pit posts. For peeling 6" diameter and under, add \$0.01 per lineal foot. For peeling over 6" diameter, add \$0.015 per lineal foot.

TABLE 1 (A)—MAXIMUM PRICE FOR STANDARD PIT POSTS AND PROPS OF MIXED HARDWOOD SPECIES PRODUCED IN ZONE 1 AND DELIVERED ON A 15 CENT FREIGHT RATE

Length:	Price
2'0".....	\$0.055
2'2".....	.065
2'4".....	.07
2'6".....	.075
2'8".....	.0825
2'10".....	.09
3'0".....	.0925
3'2".....	.10
3'4".....	.105
3'6".....	.11
3'8".....	.1125
3'10".....	.115
4'0".....	.1175

Length:	Price
4'2".....	\$0.1275
4'4".....	.13
4'6".....	.1325
4'8".....	.1375
4'10".....	.1425
5'0".....	.17
5'6".....	.1875
6'0".....	.22
6'6".....	.23
7'0".....	.265
7'6".....	.285
8'0".....	.3075
9'0".....	.385

[Tables 1 and 1 (A) amended by Am. 5, effective 9-3-46]

* 9 F. R. 10476, 13715; 10 F. R. 11295.
 * 8 F. R. 13240.

TABLE 2—MAXIMUM PRICES FOR UNPEELED PIT POSTS AND PROFS OF MIXED HARDWOOD SPECIES, PRODUCED IN ZONE 2 AND DELIVERED ON A 15-CENT FREIGHT RATE
[Weight in pounds and price per post]

Top diameter inside bark	4 inches		4½ inches		5 and 5½ inches		6 and 6½ inches		7 and 7½ inches	
	Weight	Price	Weight	Price	Weight	Price	Weight	Price	Weight	Price
20"	12	\$0.065	14.75	\$0.07	18	\$0.085				
22"	13	.07	16	.075	19.5	.09				
24"	14	.075	17.25	.085	21	.095				
26"	15.75	.085	19.75	.095	22.5	.105				
28"	17.75	.095	21	.105	25.5	.115				
30"	18.75	.105	22.25	.115	28.5	.125				
32"	20.5	.115	24.5	.125	31.5	.135				
34"	21.5	.12	26.5	.13	34.5	.145				
36"	23.5	.13	28.5	.14	36.5	.155				
38"	25	.14	30.5	.15	38.5	.165				
40"	26.5	.145	32	.155	40.5	.175				
42"	28.5	.155	34.5	.165	42.5	.185				
44"	29.5	.16	36.5	.175	44.5	.195				
46"	31	.165	38.5	.185	46.5	.205				
48"	32.5	.17	40.5	.195	48.5	.215				
50"	34	.175	42.5	.205	50.5	.225				
52"	35.5	.18	44.5	.215	52.5	.235				
54"	37	.185	46.5	.225	54.5	.245				
56"	38.5	.19	48.5	.235	56.5	.255				
58"	40	.195	50.5	.245	58.5	.265				
60"	41.5	.2	52.5	.255	60.5	.275				
62"	43.5	.21	54.5	.265	62.5	.285				
64"	44.5	.215	56.5	.275	64.5	.295				
66"	46.5	.22	58.5	.285	66.5	.305				
68"	48.5	.225	60.5	.295	68.5	.315				
70"	50.5	.23	62.5	.305	70.5	.325				
72"	52.5	.235	64.5	.315	72.5	.335				
74"	54.5	.24	66.5	.325	74.5	.345				
76"	56.5	.245	68.5	.335	76.5	.355				
78"	58.5	.25	70.5	.345	78.5	.365				
80"	60.5	.255	72.5	.355	80.5	.375				
82"	62.5	.26	74.5	.365	82.5	.385				
84"	64.5	.265	76.5	.375	84.5	.395				
86"	66.5	.27	78.5	.385	86.5	.405				
88"	68.5	.275	80.5	.395	88.5	.415				
90"	70.5	.28	82.5	.405	90.5	.425				
92"	72.5	.285	84.5	.415	92.5	.435				
94"	74.5	.29	86.5	.425	94.5	.445				
96"	76.5	.295	88.5	.435	96.5	.455				
98"	78.5	.3	90.5	.445	98.5	.465				
100"	80.5	.305	92.5	.455	100.5	.475				
102"	82.5	.31	94.5	.465	102.5	.485				
104"	84.5	.315	96.5	.475	104.5	.495				
106"	86.5	.32	98.5	.485	106.5	.505				
108"	88.5	.325	100.5	.495	108.5	.515				
110"	90.5	.33	102.5	.505	110.5	.525				
112"	92.5	.335	104.5	.515	112.5	.535				
114"	94.5	.34	106.5	.525	114.5	.545				
116"	96.5	.345	108.5	.535	116.5	.555				
118"	98.5	.35	110.5	.545	118.5	.565				
120"	100.5	.355	112.5	.555	120.5	.575				
122"	102.5	.36	114.5	.565	122.5	.585				
124"	104.5	.365	116.5	.575	124.5	.595				
126"	106.5	.37	118.5	.585	126.5	.605				
128"	108.5	.375	120.5	.595	128.5	.615				
130"	110.5	.38	122.5	.605	130.5	.625				
132"	112.5	.385	124.5	.615	132.5	.635				
134"	114.5	.39	126.5	.625	134.5	.645				
136"	116.5	.395	128.5	.635	136.5	.655				
138"	118.5	.4	130.5	.645	138.5	.665				
140"	120.5	.405	132.5	.655	140.5	.675				
142"	122.5	.41	134.5	.665	142.5	.685				
144"	124.5	.415	136.5	.675	144.5	.695				
146"	126.5	.42	138.5	.685	146.5	.705				
148"	128.5	.425	140.5	.695	148.5	.715				
150"	130.5	.43	142.5	.705	150.5	.725				
152"	132.5	.435	144.5	.715	152.5	.735				
154"	134.5	.44	146.5	.725	154.5	.745				
156"	136.5	.445	148.5	.735	156.5	.755				
158"	138.5	.45	150.5	.745	158.5	.765				
160"	140.5	.455	152.5	.755	160.5	.775				
162"	142.5	.46	154.5	.765	162.5	.785				
164"	144.5	.465	156.5	.775	164.5	.795				
166"	146.5	.47	158.5	.785	166.5	.805				
168"	148.5	.475	160.5	.795	168.5	.815				
170"	150.5	.48	162.5	.805	170.5	.825				
172"	152.5	.485	164.5	.815	172.5	.835				
174"	154.5	.49	166.5	.825	174.5	.845				
176"	156.5	.495	168.5	.835	176.5	.855				
178"	158.5	.5	170.5	.845	178.5	.865				
180"	160.5	.505	172.5	.855	180.5	.875				
182"	162.5	.51	174.5	.865	182.5	.885				
184"	164.5	.515	176.5	.875	184.5	.895				
186"	166.5	.52	178.5	.885	186.5	.905				
188"	168.5	.525	180.5	.895	188.5	.915				
190"	170.5	.53	182.5	.905	190.5	.925				
192"	172.5	.535	184.5	.915	192.5	.935				
194"	174.5	.54	186.5	.925	194.5	.945				
196"	176.5	.545	188.5	.935	196.5	.955				
198"	178.5	.55	190.5	.945	198.5	.965				
200"	180.5	.555	192.5	.955	200.5	.975				
202"	182.5	.56	194.5	.965	202.5	.985				
204"	184.5	.565	196.5	.975	204.5	.995				
206"	186.5	.57	198.5	.985	206.5	1.005				
208"	188.5	.575	200.5	.995	208.5	1.015				
210"	190.5	.58	202.5	1.005	210.5	1.025				
212"	192.5	.585	204.5	1.015	212.5	1.035				
214"	194.5	.59	206.5	1.025	214.5	1.045				
216"	196.5	.595	208.5	1.035	216.5	1.055				
218"	198.5	.6	210.5	1.045	218.5	1.065				
220"	200.5	.605	212.5	1.055	220.5	1.075				
222"	202.5	.61	214.5	1.065	222.5	1.085				
224"	204.5	.615	216.5	1.075	224.5	1.095				
226"	206.5	.62	218.5	1.085	226.5	1.105				
228"	208.5	.625	220.5	1.095	228.5	1.115				
230"	210.5	.63	222.5	1.105	230.5	1.125				
232"	212.5	.635	224.5	1.115	232.5	1.135				
234"	214.5	.64	226.5	1.125	234.5	1.145				
236"	216.5	.645	228.5	1.135	236.5	1.155				
238"	218.5	.65	230.5	1.145	238.5	1.165				
240"	220.5	.655	232.5	1.155	240.5	1.175				
242"	222.5	.66	234.5	1.165	242.5	1.185				
244"	224.5	.665	236.5	1.175	244.5	1.195				
246"	226.5	.67	238.5	1.185	246.5	1.205				
248"	228.5	.675	240.5	1.195	248.5	1.215				
250"	230.5	.68	242.5	1.205	250.5	1.225				
252"	232.5	.685	244.5	1.215	252.5	1.235				
254"	234.5	.69	246.5	1.225	254.5	1.245				
256"	236.5	.695	248.5	1.235	256.5	1.255				
258"	238.5	.7	250.5	1.245	258.5	1.265				
260"	240.5	.705	252.5	1.255	260.5	1.275				
262"	242.5	.71	254.5	1.265	262.5	1.285				
264"	244.5	.715	256.5	1.275	264.5	1.295				
266"	246.5	.72	258.5	1.285	266.5	1.305				
268"	248.5	.725	260.5	1.295	268.5	1.315				
270"	250.5	.73	262.5	1.305	270.5	1.325				
272"	252.5	.735	264.5	1.315	272.5	1.335				
274"	254.5	.74	266.5	1.325	274.5	1.345				
276"	256.5	.745	268.5	1.335	276.5	1.355				
278"	258.5	.75	270.5	1.345	278.5	1.365				
280"	260.5	.755	272.5	1.355	280.5	1.375				
282"	262.5	.76	274.5	1.365	282.5	1.385				
284"	264.5	.765	276.5	1.375	284.5	1.395				
286"	266.5	.77	278.5	1.385	286.5	1.405				
288"	268.5	.775	280.5	1.395	288.5	1.415				
290"	270.5	.78	282.5	1.405	290.5	1.425				
292"	272.5	.785	284.5	1.415	292.5	1.435				
294"	274.5	.79	286.5	1.425	294.5	1.445				
296"	276.5	.795	288.5	1.435	296.5	1.455				
298"	278.5	.8	290.5	1.445	298.5	1.465				
300"	280.5	.805	292.5	1.455	300.5	1.475				

Note: Peeled pit posts. For peeling 6" in diameter and under, add \$0.01 per lineal foot. For peeling over 6" in diameter, add \$0.015 per lineal foot.
Split halves—7" face split halves same price as 6" round. 10" face split halves same price as 7" round.
Split quarters—5" face split quarters same price as 3" round. 6" face split quarters same price as 5" round. 7" face split quarters same price as 4" round. 6" face 3 sides same price as 5" round. 7" face 3 sides same price as 6" round. 8" face 3 sides same price as 7" round.
Triangular split posts—5" face 3 sides same price as 7" round. 6" face 3 sides same price as 8" round. 7" face 3 sides same price as 9" round. 8" face 3 sides same price as 10" round.

[Table 2 amended by Am. 3, 10 F. R. 13698, effective 11-7-45 and Am. 5, effective 9-3

TABLE 2 (A)—MAXIMUM PRICES FOR SAWN MINE MATERIAL PRODUCED IN ZONE 2
F. O. B. LOADING-OUT POINTS

Mixed hardwoods	Per M'BM		
	Price	Weight	
		Green	Dry
Mine ties and mine switch ties— all sizes.....	\$36.50	5,400	3,900
Cross bars (collars): All sizes up to and including 6" x 7".....	39.00	5,400	3,900
All sizes over 6" x 7".....	41.00	5,400	3,900
For specified lengths 18' and longer, add.....	3.00		
Post caps (headers)—all sizes.....	36.50	5,400	3,900
Sawed cribbing blocks (lagging)— all sizes.....	36.50	5,400	3,900
All other mine lumber and tim- bers—all sizes.....	36.50	5,400	3,900

NOTE: For all lengths shorter than 6' and fractional lengths shorter than 7', add \$3 per M'BM.

[Table 2 (A) amended by Am. 2, 10 F. R. 11307, effective 9-10-45, Am. 3, 10 F. R. 13638, effective 11-7-45 and Am. 5, effective 9-3-46]

TABLE 2 (B)—MAXIMUM PRICES FOR INDUSTRIAL BLOCKING PRODUCED IN ZONE 2
F. O. B. LOADING-OUT POINTS

Mixed hardwoods	Per M'BM		
	Price	Weight	
		Green	Dry
All sizes up to and including 6" x 7".....	\$36.50	5,400	3,900
All sizes over 6" x 7".....	39.00	5,400	3,900

NOTE: For all lengths shorter than 6' and fractional lengths shorter than 7', add \$3 per M'BM.

[Table 2 (B) amended by Am. 3, 10 F. R. 13638, effective 11-7-45 and Am. 5, effective 9-3-46]

TABLE 2 (C)—MAXIMUM PRICES FOR SAWN WEDGES PRODUCED IN ZONE 2
F. O. B. LOADING-OUT POINTS

	Per 1,000 wedges		
	Price	Weight	
		Green	Dry
0' x 1 1/2" x 4" x 14".....	\$20.00	1,840	1,320
0' x 1" x 6" x 14".....	20.00	1,960	1,420
1/4" x 3/4" x 1" x 4".....	8.50	790	570
1/4" x 1" x 1" x 4".....	8.50	980	710
1/4" x 1" x 4" x 12".....	14.40	1,230	890
1/4" x 1" x 5" x 12".....	18.00	1,540	1,110
1/4" x 1 1/2" x 4 1/2" x 12".....	20.25	1,900	1,360
1/4" x 1 1/2" x 5" x 12".....	22.50	2,110	1,520
1/4" x 1" x 4" x 12".....	14.40	1,350	970
1/4" x 1" x 5" x 12".....	18.00	1,680	1,210
1/4" x 1" x 4" x 14".....	16.80	1,570	1,130
1/4" x 1" x 6" x 14".....	25.20	2,360	1,700
1/4" x 1 1/4" x 4" x 12".....	16.00	1,570	1,130
1/4" x 1 1/4" x 5" x 12".....	21.00	1,960	1,420
1/4" x 2" x 5" x 12".....	28.00	2,810	2,030
1/4" x 3" x 5" x 18".....	41.00	5,900	4,260

[Table 2 (C) added by Am. 2]

ZONE 3—SOUTH EASTERN STATES

Zone 3 shall include all of the State of Virginia, except the 10 Virginia counties included in Zone 2; the States of Kentucky; North Carolina; South Carolina; Georgia and Tennessee and that part of the State of Florida on the east bank of and east of the Apalachicola River.

TABLE 3—MAXIMUM PRICES FOR UNPEELED PIT POSTS AND PROPS OF MIXED SPECIES OR PINE, PRODUCED IN ZONE 3 AND DELIVERED ON A 15 CENT FREIGHT RATE
(Weight in pounds and price per post)

Top diameter inside bark.....	4 inches		5 inches		6 inches		7 inches		8 inches		
	Length	Weight	Price	Weight	Price	Weight	Price	Weight	Price	Weight	Price
2'0".....	11	\$0.06	16.5	\$0.065							
2'2".....	12	.06	17.5	.065							
2'4".....	13	.065	19	.07							
2'6".....	14	.065	20.5	.07							
2'8".....	15	.07	21.5	.075							
2'10".....	15.5	.075	23	.085							
3'0".....	16	.075	25	.095							
3'2".....	17	.09	26	.10							
3'4".....	18	.095	27.5	.10							
3'6".....	19	.095	29	.105							
3'8".....	20	.10	30.5	.11	43	\$0.13					
3'10".....	21	.105	31.5	.115	44.5	.14					
4'0".....	22	.11	33	.115	46	.145	58	\$0.20	88	\$0.265	
4'2".....	23	.11	34.5	.12	47.5	.15	61	.21	92	.275	
4'4".....	24	.115	35.5	.13	49.5	.155	64	.225	96	.285	
4'6".....	25	.12	37	.145	52	.16	67	.24	99	.295	
4'8".....	26	.125	38.5	.15	53	.165	70	.25	103	.31	
4'10".....	27	.13	39.5	.155	55	.175	73	.255	107	.32	
5'0".....	28	.145	41	.165	57.5	.185	76	.265	110	.33	
5'2".....			43	.175	59	.20	79	.275	114	.34	
5'4".....			44	.18	61	.205	82	.28	118	.35	
5'6".....			45.5	.185	63	.21	85	.285	121	.365	
5'8".....			47	.195	65	.215	88	.29	125	.375	
5'10".....			48	.20	67	.22	91	.295	129	.385	
6'0".....			49.5	.205	69	.225	94	.31	132	.395	
6'2".....			51	.21	71	.23	97	.32	136	.42	
6'4".....			52	.22	72.5	.24	100	.34	140	.44	
6'6".....			53.5	.23	75	.255	102	.365	143	.475	
6'8".....			55	.24	76.5	.275	105	.385	147	.505	
6'10".....			56	.255	78.5	.295	108	.42	151	.54	
7'0".....			58	.275	80.5	.33	110	.44	154	.57	
7'6".....			86	.365	118	.475	156	.505	176	.64	
8'0".....			96	.385	126	.505	176	.55	187	.68	
8'6".....			106	.42	138	.55	198	.615	209	.75	
9'0".....			112	.45	150	.585	216	.66	220	.79	
9'6".....			118	.485	159	.615	225	.695	231	.825	
10'0".....			124	.515	168	.66	240	.725	242	.86	
10'6".....			130	.57	176	.695	252	.76	253	.89	
11'0".....			136	.605	184	.725	264	.79	264	.925	
11'6".....			142	.64	193	.76	276	.825	275	.955	
12'0".....			148	.66	201	.79	288	.86	286	1.01	
12'6".....			154	.68	209	.825	297	.89	297	1.055	
13'0".....					217	.86	308	.925	308	1.10	
13'6".....					225	.89	319	.945	319	1.145	
14'0".....					233	.925					
14'6".....					241	.945					

NOTE: Peeled pit posts. For peeling 6" in diameter and under, add \$0.01 per lineal foot. For peeling over 6" in diameter, add \$0.015 per lineal foot.
Split halves.—7" face split halves same price as 5" round. 9" face split halves same price as 6" round. 10" face split halves same price as 7" round. 12" face split halves same price as 8" round.
Split quarters.—5" face split quarters same price as 5" round. 6" face split quarters same price as 6" round. 7" face split quarters same price as 7" round. 8" face split quarters same price as 8" round.
Triangular split props.—5" face 3 sides same price as 4" round. 6" face 3 sides same price as 5" round. 7" face 3 sides same price as 6" round. 8" face 3 sides same price as 7" round. 9" face 3 sides same price as 8" round.

[Table 3 amended by Am. 3, 10 F. R. 13638, effective 11-7-45 and Am. 5, effective 9-3-46]

TABLE 3 (A)—MAXIMUM PRICES PER POST FOR UNPEELED PIT POSTS AND PROPS OF MIXED SPECIES OR PINE

[F. o. b. cars railroad loading-out point in the Counties of Bedford, Franklin, Campbell, Amherst, Appomattox, Prince Edward, and Charlotte, in the State of Virginia]

Length	Diameters			
	5"	6"	7"	8"
6'0".....	\$0.20	\$0.22	\$0.265	\$0.295
6'2".....	.205	.23	.27	.305
6'4".....	.21	.23	.275	.31
6'6".....	.215	.24	.28	.315
6'8".....	.22	.255	.285	.32
6'10".....	.225	.265	.295	.33
7'0".....	.23	.27	.31	.34
7'6".....	.25	.285	.33	.37
8'0".....	.265	.31	.35	.395
8'6".....	.28	.33	.375	.42
9'0".....	.295	.345	.395	.44
9'6".....	.315	.365	.42	.47
10'0".....	.33	.385	.44	.495
10'6".....	.375	.43	.485	.55
11'0".....	.425	.485	.54	.605
11'6".....	.44	.505	.56	.635
12'0".....	.46	.53	.595	.66
12'6".....	.48	.55	.615	.69
13'0".....	.50	.57	.64	.715
13'6".....	.515	.595	.66	.745
14'0".....	.54	.615	.695	.77
14'6".....	.56	.64	.715	.80

NOTE: Lengths shorter than 6'0" shall be governed by the maximum prices and provisions of Table 3.

[Table 3 (A) amended by Am. 5, effective 9-3-46]

TABLE 3 (B)—MAXIMUM PRICES FOR SAWN MINE MATERIAL PRODUCED IN ZONE 3

F. O. B. LOADING-OUT POINTS

Mixed hardwoods	Per M'BM		
	Price	Weight	
		Green	Dry
Mine ties and mine switch ties— all sizes.....	\$35.00	5,400	3,900
Cross bars (collars): All sizes up to and including 6" x 7".....	37.50	5,400	3,900
All sizes over 6" x 7".....	39.50	5,400	3,900
For specified lengths 18' and long- er, add.....	3.00		
Post caps (headers)—all sizes.....	35.00	5,400	3,900
Cribbing (sawn lagging)—all sizes.....	35.00	5,400	3,900
All other mine lumber and tim- bers—all sizes.....	35.00	5,400	3,900

NOTE: For all lengths shorter than 6' and fractional lengths shorter than 7', add \$3 per M'BM.

[Table 3 (B) amended by Am. 2, 10 F. R. 11307, effective 9-10-45; Am. 3, 10 F. R. 13638, effective 11-7-45 and Am. 5, effective 9-3-46]

TABLE 5 (A)—MAXIMUM PRICES FOR ROUND UNPEELED PIT POSTS, PROPS, POLE TIMBER AND CRIBBING PRODUCED IN WISCONSIN AND THE UPPER PENINSULA OF MICHIGAN DELIVERED ON A 15-CENT FREIGHT RATE
(Weight in pounds and price per lineal foot)

Top diameter inside bark (inches)	Mixed hardwoods including hemlock				Tamarack				Jack Pine, Norway Pine, White Pine or Spruce			
	All lengths 8' and under		All lengths over 8'		All lengths 8' and under		All lengths over 8'		All lengths 8' and under		All lengths over 8'	
	Weight	Price	Weight	Price	Weight	Price	Weight	Price	Weight	Price	Weight	Price
3 to 5	10	\$0.03	11	\$0.035	7.5	\$0.035	8.5	\$0.04	7.5	\$0.02	8.5	\$0.03
5 to 7	18	.055	19	.06	9.5	.05	10.5	.06	11	.045	12	.05
7 to 9	29	.10	31	.11	16	.085	17	.095	14.5	.045	15.5	.055
9 to 11	43	.135	45	.145	21	.115	22	.125	18.5	.07	19.5	.085
11 to 13	59	.18	62	.19	26	.15	27	.16	23	.10	24	.11
13 to 15	78	.21	81	.22	31	.19	33	.20	28	.135	29.5	.145
15 to 17	97	.26	100	.27	37	.23	39	.24	34	.155	35.5	.165
3 to 4					44	.265	46	.275	40	.19	42	.20
4 to 5									46	.235	48	.245
5 to 6									53	.265	55	.275
6 to 7									61	.32	63	.335
7 to 8												
8 to 9												
9 to 10												
10 to 11												
11 to 12												
12 to 13												
13 to 14												
14 to 15												

NOTE: Peeled pit posts. For peeling pit posts 6" in diameter and under, add \$0.01 per lineal foot. For peeling pit posts over 6" in diameter, add \$0.015 per lineal foot.

[Box headings of Tables 5 and 5A amended by Am. 5, effective 9-3-46]

TABLE 5 (B)—MAXIMUM PRICE FOR ROUND OR SPLIT LOGGING PRODUCED IN ZONE 5 DELIVERED ON A 15-CENT FREIGHT RATE

Top diameter inside bark (inches)	[192-cubic-foot cord]		Weight in pounds per cord
	Price per cord	Weight in pounds per cord	
3 to 5			3,200
5 to 7			5,000
7 to 9			
9 to 11			
11 to 13			
13 to 14			
14 to 15			

NOTE: To figure delivered prices in Zone 5 instead of using the provisions of section 4, the following amounts may be added to above prices regardless of the production point.

Each	Per M ³ BM
8' Standard white oak mine cross ties (manufactured from 8" and larger timber)	\$1.53
8' Small white oak mine cross ties (manufactured from 7" to 8" timber)	.83
Tamarack mine switch ties	Per M ³ BM \$42.00
White oak mine switch ties	Per M ³ BM 45.00
FOR MINE SWITCH TIES SOLD AND LOADED IN SETS IN ACCORDANCE WITH THE REQUIREMENTS OF THE PURCHASERS, ADD \$2.50 PER M ³ BM	
Standard tamarack mine cross ties	Each \$0.15
Small tamarack mine cross ties	Each .10
Standard white oak mine cross ties	Each .20
Small white oak mine cross ties	Each .15
White oak and tamarack mine switch ties	Per M ³ BM \$7.50

TABLE 4 (C)—MAXIMUM PRICES FOR SAWN WEDGES PRODUCED IN ZONE 4

F. O. B. LOADING-OUT POINTS

Size	Per 1,000 wedges		
	Price	Weight	
		Green	Dry
1" x 1 1/2" x 4" x 12"	\$7.50	1,350	970
1" x 1 1/2" x 6" x 12"	9.37	1,650	1,230
1" x 1 1/2" x 8" x 12"	11.25	2,020	1,460
1" x 1 1/2" x 10" x 12"	13.12	2,390	1,650
1" x 1 1/2" x 12" x 12"	15.00	2,760	1,840
1" x 1 1/2" x 14" x 12"	16.87	3,130	2,030
1" x 1 1/2" x 16" x 12"	18.75	3,500	2,220
1" x 1 1/2" x 18" x 12"	20.62	3,870	2,410
1" x 1 1/2" x 20" x 12"	22.50	4,240	2,600
1" x 1 1/2" x 22" x 12"	24.37	4,610	2,790
1" x 1 1/2" x 24" x 12"	26.25	4,980	2,980
1" x 1 1/2" x 26" x 12"	28.12	5,350	3,170
1" x 1 1/2" x 28" x 12"	30.00	5,720	3,360
1" x 1 1/2" x 30" x 12"	31.87	6,090	3,550
1" x 1 1/2" x 32" x 12"	33.75	6,460	3,740
1" x 1 1/2" x 34" x 12"	35.62	6,830	3,930
1" x 1 1/2" x 36" x 12"	37.50	7,200	4,120
1" x 1 1/2" x 38" x 12"	39.37	7,570	4,310
1" x 1 1/2" x 40" x 12"	41.25	7,940	4,500
1" x 1 1/2" x 42" x 12"	43.12	8,310	4,690
1" x 1 1/2" x 44" x 12"	45.00	8,680	4,880
1" x 1 1/2" x 46" x 12"	46.87	9,050	5,070
1" x 1 1/2" x 48" x 12"	48.75	9,420	5,260
1" x 1 1/2" x 50" x 12"	50.62	9,790	5,450
1" x 1 1/2" x 52" x 12"	52.50	10,160	5,640
1" x 1 1/2" x 54" x 12"	54.37	10,530	5,830
1" x 1 1/2" x 56" x 12"	56.25	10,900	6,020
1" x 1 1/2" x 58" x 12"	58.12	11,270	6,210
1" x 1 1/2" x 60" x 12"	60.00	11,640	6,400
1" x 1 1/2" x 62" x 12"	61.87	12,010	6,590
1" x 1 1/2" x 64" x 12"	63.75	12,380	6,780
1" x 1 1/2" x 66" x 12"	65.62	12,750	6,970
1" x 1 1/2" x 68" x 12"	67.50	13,120	7,160
1" x 1 1/2" x 70" x 12"	69.37	13,490	7,350
1" x 1 1/2" x 72" x 12"	71.25	13,860	7,540
1" x 1 1/2" x 74" x 12"	73.12	14,230	7,730
1" x 1 1/2" x 76" x 12"	75.00	14,600	7,920
1" x 1 1/2" x 78" x 12"	76.87	14,970	8,110
1" x 1 1/2" x 80" x 12"	78.75	15,340	8,300
1" x 1 1/2" x 82" x 12"	80.62	15,710	8,490
1" x 1 1/2" x 84" x 12"	82.50	16,080	8,680
1" x 1 1/2" x 86" x 12"	84.37	16,450	8,870
1" x 1 1/2" x 88" x 12"	86.25	16,820	9,060
1" x 1 1/2" x 90" x 12"	88.12	17,190	9,250
1" x 1 1/2" x 92" x 12"	90.00	17,560	9,440
1" x 1 1/2" x 94" x 12"	91.87	17,930	9,630
1" x 1 1/2" x 96" x 12"	93.75	18,300	9,820
1" x 1 1/2" x 98" x 12"	95.62	18,670	10,010
1" x 1 1/2" x 100" x 12"	97.50	19,040	10,200

[Table 4 (C) added by Am. 2]

ZONE 5—LAKE STATES

Zone 5 shall include the States of Minnesota and Wisconsin and that part of the State of Michigan between Lake Superior and Lake Michigan lying north of the Straits of Mackinac (known as the Upper Peninsula).

TABLE 5—MAXIMUM PRICES FOR ROUND UNPEELED PIT POSTS, PROPS, POLE TIMBER AND CRIBBING PRODUCED IN MINNESOTA AND DELIVERED ON A 15-CENT FREIGHT RATE

Top diameter inside bark (inches)	Mixed hardwoods including hemlock				Tamarack				Jack Pine, Norway Pine, White Pine or Spruce			
	All lengths 8' and under		All lengths over 8'		All lengths 8' and under		All lengths over 8'		All lengths 8' and under		All lengths over 8'	
	Weight	Price	Weight	Price	Weight	Price	Weight	Price	Weight	Price	Weight	Price
3 to 5	10	\$0.03	11	\$0.035	7.5	\$0.02	8.5	\$0.03	7.5	\$0.02	8.5	\$0.03
5 to 7	18	.055	19	.06	9.5	.05	10.5	.06	11	.045	12	.05
7 to 9	29	.10	31	.11	16	.085	17	.095	14.5	.045	15.5	.055
9 to 11	43	.135	45	.145	21	.115	22	.125	18.5	.07	19.5	.085
11 to 13	59	.18	62	.19	26	.15	27	.16	23	.10	24	.11
13 to 15	78	.21	81	.22	31	.19	33	.20	28	.135	29.5	.145
15 to 17	97	.26	100	.27	37	.23	39	.24	34	.155	35.5	.165
3 to 4					44	.265	46	.275	40	.19	42	.20
4 to 5									46	.235	48	.245
5 to 6									53	.265	55	.275
6 to 7									61	.32	63	.335
7 to 8												
8 to 9												
9 to 10												
10 to 11												
11 to 12												
12 to 13												
13 to 14												
14 to 15												

(Weight in pounds and price per lineal foot)

TABLE 5 (D)—MAXIMUM PRICES FOR SAWN MINE MATERIAL PRODUCED IN ZONE 5

F. O. B. LOADING-OUT POINTS

Mixed hardwoods	Per M'BM		
	Price	Weight	
		Green	Dry
Underground mine ties and mine switch ties—all sizes.....	\$36.50	5,400	3,900
Cross bars (collars): All sizes up to and including 6' x 7".....	39.00	5,400	3,900
All sizes over 6' x 7".....	41.00	5,400	3,900
For specified lengths 18' and longer, add.....	3.00		
Post caps (headers)—all sizes.....	36.50	5,400	3,900
All other mine lumber and timbers—all sizes.....	36.50	5,400	3,900

NOTE: For all lengths shorter than 6' and fractional lengths shorter than 7', add \$3 per M'BM.

[Table 5 (D) corrected, 9 F. R. 14437; amended by Am. 5, effective 9-3-46]

TABLE 5 (E)—MAXIMUM PRICES FOR INDUSTRIAL BLOCKING PRODUCED IN ZONE 5

F. O. B. LOADING-OUT POINTS

Mixed hardwoods	Per M'BM		
	Price	Weight	
		Green	Dry
All sizes up to and including 6' x 7".....	\$36.50	5,400	3,900
All sizes over 6' x 7".....	39.00	5,400	3,900

NOTE: For all lengths shorter than 6' and fractional lengths shorter than 7', add \$3 per M'BM.

[Table 5 (E) amended by Am. 5, effective 9-3-46]

TABLE 5 (F)—MAXIMUM PRICES FOR SAWN WEDGES PRODUCED IN ZONE 5

F. O. B. LOADING-OUT POINTS

Wedges (inches)	Per 1,000 wedges		
	Price	Weight	
		Green	Dry
1/4 x 1 1/2 x 4 x 12.....	\$10.40	1,350	970
1/4 x 1 1/2 x 5 x 12.....	13.00	1,680	1,220
1/4 x 1 1/2 x 6 x 12.....	15.60	2,020	1,460
1/4 x 1 1/2 x 4 x 12.....	11.25	1,460	1,050
1/4 x 1 1/2 x 5 x 12.....	14.10	1,830	1,320
1/4 x 1 1/2 x 6 x 12.....	16.90	2,190	1,580
1/4 x 1 1/2 x 5 x 14.....	15.15	1,960	1,420
1/4 x 1 1/2 x 6 x 14.....	18.20	2,360	1,700
1/4 x 1 1/2 x 5 x 14.....	16.45	2,130	1,540
1/4 x 1 1/2 x 6 x 14.....	19.70	2,560	1,840
1/4 x 1 1/2 x 4 x 12.....	11.25	1,460	1,050
1/4 x 1 1/2 x 5 x 12.....	14.10	1,820	1,320
1/4 x 1 1/2 x 6 x 12.....	16.90	2,190	1,580
1/4 x 1 1/2 x 4 x 12.....	12.15	1,570	1,130
1/4 x 1 1/2 x 5 x 12.....	15.15	1,960	1,420
1/4 x 1 1/2 x 6 x 12.....	18.20	2,360	1,700
1/4 x 1 1/2 x 5 x 14.....	16.45	2,130	1,540
1/4 x 1 1/2 x 6 x 14.....	19.70	2,560	1,840
1/4 x 1 1/2 x 5 x 14.....	17.70	2,290	1,650
1/4 x 1 1/2 x 6 x 14.....	21.25	2,750	1,990

[Zone 5 tables amended by Am. 2, 10 F. R. 11307, effective 9-10-45; Am. 3, 10 F. R. 13638, effective 11-7-45 and Am. 4, 11 F. R. 1044, effective 2-2-46]

This regulation shall become effective September 26, 1944. [MPR 558 originally issued September 21, 1944.]

[Effective dates of amendment are shown in notes following the parts affected.]

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 29th day of August 1946.

PAUL A. PORTER,
[F. R. Doc. 46-15478; Filed, Aug. 29, 1946; 11:27 a. m.]

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

[MPR 265, Amdt. 5]

SALES BY CANNERS OF SALMON

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. 265 is amended as follows:

1. The table of prices in § 1364.562 is amended to read as follows:

Variety and style of container:	Price per case
Alaska King, 1-lb. talls.....	\$17.32
Alaska Chinook:	
1-lb. flats.....	21.78
1/2-lb. flats.....	12.38
Alaska Red:	
1-lb. talls.....	18.56
1-lb. flats.....	19.18
1/2-lb. flats.....	12.38
Coho:	
1-lb. talls.....	14.36
1-lb. flats.....	15.22
1/2-lb. flats.....	9.90
1/4-lb. flats.....	6.44
Pink:	
1-lb. talls.....	9.90
1-lb. flats.....	9.90
1/2-lb. flats.....	6.93
1/4-lb. flats.....	4.83
Chum:	
1-lb. talls.....	9.40
1/2-lb. flats.....	6.68
Copper River Sockeye:	
1-lb. talls.....	18.56
1-lb. flats.....	19.80
1/2-lb. flats.....	13.61
Puget Sound Sockeye:	
1-lb. talls.....	22.28
1-lb. flats.....	23.51
1/2-lb. flats.....	14.11

COLUMBIA RIVER

Chinook, Fancy:	
1-lb. talls.....	23.51
1-lb. flats.....	25.49
1-lb. ovals, C. R.....	29.70
1/2-lb. flats, C. R.....	16.09
1/2-lb. ovals, C. R.....	19.80
1/4-lb. flats, C. R.....	8.17
Chinook, Choice:	
1-lb. talls.....	19.80
1-lb. flats.....	21.78
1/2-lb. flats, C. R.....	12.38
1/4-lb. flats, C. R.....	6.44
Chinook, Standard:	
1-lb. talls.....	16.09
1-lb. flats.....	17.32
1/2-lb. flats, C. R.....	9.90
1/4-lb. flats, C. R.....	5.94
Chinook, unclassified:	
1-lb. talls.....	12.38
1-lb. flats.....	13.61
1/2-lb. flats, C. R.....	7.92
Silverside:	
1-lb. talls.....	14.60
1-lb. flats.....	17.32
1/2-lb. flats, C. R.....	9.90
1/4-lb. flats, C. R.....	6.44
Steelheads:	
1-lb. talls.....	19.80
1-lb. flats.....	21.78
1/2-lb. flats, C. R.....	12.38
1/2-lb. ovals, C. R.....	14.85
1/4-lb. flats, C. R.....	6.44

	Price per case
Bluebacks:	
1/2-lb. flats, C. R.....	\$14.74
Chums:	
1-lb. talls.....	9.40
1-lb. flats.....	11.14
1/2-lb. flats, C. R.....	6.19

This amendment shall become effective August 30, 1946.

Issued this 28th day of August 1946.

GEOFFREY BAKER,
Acting Administrator.

Approved: August 27, 1946.

CHARLES F. BRANNAN,
Acting Secretary of Agriculture.
[F. R. Doc. 46-15382; Filed, Aug. 28, 1946; 4:26 p. m.]

Chapter XIV—War Contracts Price Adjustment Board

RENEGOTIATION REGULATIONS

The changes and additions to Parts 1601, 1602, 1603, 1607 and 1608 set forth below are also contained in Revision 26 of the Renegotiation Regulations dated August 16, 1946.

MAURICE HIRSCH,
Colonel, General
Staff Corps, Chairman.

PART 160—AUTHORITY AND ORGANIZATION FOR RENEGOTIATION

SUBPART C—ORGANIZATION AND FUNCTIONS OF THE PRICE ADJUSTMENT BOARDS AND SECTIONS

1. Section 1601.133 is amended to read as follows:

§ 1601.133 *Navy Department Organization.* The Secretary of the Navy has established the Navy Price Adjustment Board to conduct renegotiation under the supervision of the Chairman of the Board. The Board has a division located in New York. The former Chicago and San Francisco Divisions have been abolished and their uncompleted proceedings transferred to the Washington Division. The former Services and Sales Renegotiation Section has been consolidated with the Navy Price Adjustment Board. [RR 133]

2. Sections 1601.133-1 and 1601.133-2 are revoked, as follows:

§ 1601.133-1 *Navy Price Adjustment Board.* [Revoked]

§ 1601.133-2 *Services and Sales Renegotiation Section.* [Revoked]

PART 1602—PROCEDURE FOR RENEGOTIATION

SUBPART A—ASSIGNMENTS FOR RENEGOTIATION AND CANCELLATIONS

1. Section 1602.202-3 is amended to read as follows:

§ 1602.202-3 *Brokers and agents.* Brokers and agents subject to renegotiation by virtue of subsection (a) (5) (B) of the 1943 Act and machine tool dealers will ordinarily be assigned to the Services and Sales Renegotiation Section Navy Price Adjustment Board, with the

exception of those engaged in the sale of textiles and food stuffs, who will ordinarily be assigned to the Price Adjustment Section of The Quartermaster General. [RR 202.3]

2. Section 1602.203-4 is amended to read as follows:

§ 1602.203-4 *Reports as to brokers and agents.* Information coming to the attention of a Department or Service indicating that commissions or other compensation may have been or might be paid or accrued to a broker or agent subject to renegotiation under subsection (a) (5) (B) of the 1943 Act or (a) (5) (ii) of the 1942 Act will be reported to the Services and Sales Renegotiation Section, Navy Price Adjustment Board, Navy Department, Washington 25, D. C., and to the War Contracts Price Adjustment Board, Assignments and Statistics Branch, Room 3D 573, The Pentagon, Washington 25, D. C. (see § 1602.202-3). [RR 203.4]

SUBPART F—CONTROL OF RENEGOTIATION RECORDS AND INFORMATION CONTAINED THEREIN

1. Sections 1602.262, 1602.262-5 and 1602.266 are added, and former §§ 1602.-262 through 1602.265, 1602.266 through 1602.268 are redesignated §§ 1602.262-1 through 1602.262-4 and 1602.263 through 1602.265, respectively, as follows:

§ 1602.262 *Persons having access to renegotiation records.* [RR 262]

§ 1602.262-1 *Renegotiation personnel.* Notwithstanding any other provision of this subpart, all personnel engaged in the administration or enforcement of the Renegotiation Act will be afforded access, in the course of their official duties, to any documents in the custody of the War Contracts Board. [RR 262.1]

§ 1602.262-2 *Departmental personnel.* All personnel on duty in or employed by any of the "Departments" within the Renegotiation Act may, without specific approval of the War Contracts Board, be afforded access to any documents in the custody of the War Contracts Board, notwithstanding that such personnel are not engaged in the administration of the Renegotiation Act, if in the opinion of the Chairman of the Price Adjustment Board of the Department having physical possession of such documents, such access is necessary to or will facilitate the discharge of any official duty of such personnel and is not against the public interest. [RR 262.2]

§ 1602.262-3 *Other personnel in the executive branch of the Government.* Subject to the exceptions hereinafter provided, personnel on duty in or employed by any agency or department of the executive branch of the Government, other than one of the "Departments" within the meaning of the Renegotiation Act, may, without specific approval of the War Contracts Board, be afforded access to any documents in the custody of the War Contracts Board only if such access has been directed by the President of the United States or any official of the United States to whom authority over the War Contracts Board has been given

by statute or executive action. There are excepted from the provisions of the preceding sentence personnel employed by the Department of Justice or the General Accounting Office, to whom access to documents in the custody of the War Contracts Board may, without specific approval of the War Contracts Board, be afforded if, in the opinion of the Chairman of the Price Adjustment Board of the Department having physical possession of such documents, such access is necessary to or will facilitate the discharge of any official duty of such personnel and is not against the public interest. [RR 262.3]

§ 1602.262-4 *The legislative branch of the Government.* The War Contracts Board will afford access to any documents in its custody to the Congress, or to any duly authorized committee of the Congress upon request of the Congress or such committee made in writing and submitted to the Chairman or the Secretary of the War Contracts Board. [RR 262.4]

§ 1602.262-5 *Persons properly and directly concerned in renegotiation.* Persons properly and directly concerned in any renegotiation proceeding, or their duly authorized representatives may apply in writing to the Chairman of the Board of the Department or Service which conducted the proceeding for access to records of such proceeding. Access will be granted at times and places which are convenient in the light of the physical location of the records to which access is sought. Access is subject to § 1602.261 (b), and to the requirements of the Department or Service, for the security of classified material, and access will not be furnished under this section to memoranda and reports prepared by government employees for use within the agency, or to any other material which in the opinion of the Chairman should be held confidential for good cause shown. A person shall not be deemed properly and directly concerned in any renegotiation record unless it relates to renegotiation of the war contracts and subcontracts of such person, or of a partnership or joint venturer in which he was a partner or joint venturer during the period renegotiated, or unless the person has some other pecuniary interest in the result of a renegotiation proceeding such that, in the opinion of the Chairman, he would be caused unreasonable hardship by being denied access to records relating thereto. [RR 262.5]

§ 1602.263 *Affording access to documents pursuant to subpoena or other judicial process.* Subpoenas duces tecum, or other judicial process constituting a demand for access to or the production of documents in the custody of the War Contracts Board, are properly to be served upon the Chairman of the War Contracts Board. No person, notwithstanding that he may have physical possession of such documents, is authorized to afford access thereto or to produce the same pursuant to subpoena duces tecum or other judicial process except upon authorization or direction from the Chairman of the War Contracts Board.

Whenever a subpoena or other process demanding the production of documents

which are in the custody of the War Contracts Board, whether issued by a federal court, state court, or administrative tribunal (such as The Tax Court of the United States), is served upon any person, other than said Chairman, having possession of such documents, such person will appear in such court and respectfully decline to present such documents, basing his refusal upon this part and pointing out that the War Contracts Board's administrative process makes provision for the serving of such subpoenas upon its Chairman. [RR 263]

§ 1602.264 *Disclosure of information acquired in the performance of duties in connection with renegotiation.* Disclosure of facts, knowledge of which was acquired in the course of official duty in connection with any renegotiation proceeding conducted by or under the authority of the War Contracts Board, is to be made only to such persons or bodies and subject to the same restrictions as are provided in the regulations in this chapter with respect to access to documents in the custody of the War Contracts Board. [RR 264]

§ 1602.265 *Control of physical possession of documents.* Any person transferred or separated from duty or employment in connection with renegotiation, or transferred or separated from duty or employment in any other connection in which possession of documents in the custody of the War Contracts Board is authorized, shall, upon such transfer or separation, deliver all such documents in his possession into the possession of a responsible official. [RR 265]

§ 1602.266 *Opinions and orders.* Except as authorized in §§ 1602.260 to 1602.-269, inclusive, opinions and orders will not be published or made available to the public, pursuant to sec. 3 (b) of the Administrative Procedure Act, inasmuch as they are regarded as confidential for good cause shown, by reason of the confidential data relating to contractor's business, furnished by contractors, and included therein. For the purposes of this section, the term "opinion" includes a statement furnished pursuant to §§ 1605.520 to 1605.525-2, inclusive, of this chapter, and the term "order" includes an agreement to eliminate excessive profits, as well as a unilateral determination. Opinions and orders are not cited as precedents in any renegotiation proceedings. [RR 266]

PART 1603—DETERMINATION OF RENEGOTIABLE BUSINESS AND COSTS

SUBPART H—COSTS ALLOCABLE AND ALLOWABLE AGAINST RENEGOTIABLE BUSINESS

1. In § 1603.382-5 the third sentence is amended to read as follows:

§ 1603.382-5 *Brokers' commissions.*
* * * If it appears that the payment of the commissions might violate the provision in the contracts of any Department against contingent fees other than those paid to "bona fide established commission or selling agencies maintained by the contractor for the purpose of securing business", the question ordinarily will be taken up with the Purchases Di-

vision, Army Service Forces, the Services and Sales Renegotiation Section, Navy Price Adjustment Board, Navy Department, or the appropriate division of the other Departments, and subject to the provisions of § 1603.381-4 (b), the commissions may be disallowed.

2. Paragraph (c) of § 1603.383-3 is amended to read as follows:

§ 1603.383-3 *Renegotiation rebate.*

(c) *Procedure for obtaining renegotiation rebate.* (1) After a recomputation of the amortization deduction for any fiscal year pursuant to section 124 (d) of the Internal Revenue Code has been made in connection with the determination of the contractor's taxes for such fiscal year, a contractor may apply for a net renegotiation rebate with respect to excessive profits determined and eliminated for such fiscal year by filing a claim in the form set forth at §§ 1607.736-1 and 1607.736-2 of this chapter, together with the information and documents referred to in such form. Such form, together with such information and documents, must be filed with the War Contracts Board at the address specified in § 1607.791-5 of this chapter. A separate application must be filed with respect to each fiscal year for which the contractor claims a net renegotiation rebate. See also Bureau of Internal Revenue Mimeograph No. 6023, reproduced herein at § 1608.852-9 of this chapter.

(2) In those cases in which the contractor is a partnership, the proper claimant is the partnership entity, not the individual members of the partnership. A partnership claim for a net renegotiation rebate must be filed on behalf of the partnership entity as it existed for the fiscal year or period to which the claim relates and in the partnership name under which the entity was renegotiated. The forms set forth at §§ 1607.736-1 and 1607.736-2 of this chapter are to be prepared on the basis of such partnership entity being the claimant. The claim itself must be signed on behalf of the partnership by each of the partners (or their legal representative in the event of the death or incapacity of a partner) constituting the partnership for the renegotiated period to which the claim relates and must be certified to by at least one general partner having knowledge of the facts. In the event of a legal representative signing on behalf of a partner, proof of such representative capacity must accompany the claim. If the printed claim forms do not provide adequate space for the signature of all partners, typed copies of the form should be prepared with the allowance for necessary space.

(3) The contractor may be required to furnish such additional documents and information as the War Contracts Board (or any duly authorized representative of the War Contracts Board) may require in order to determine the amount of the net renegotiation rebate, if any, to which the contractor may be entitled.

(4) The War Contracts Board will certify to the Secretary of the Treasury, pursuant to the provisions of the Third Deficiency Appropriation Act, 1946, the

net renegotiation rebate to which the contractor is entitled.

PART 1607—FORMS FOR RENEGOTIATION
SUBPART C—FORMS RELATING TO TAX CREDIT

1. A footnote is added to § 1607.736-1 as follows:

§ 1607.736-1 *Forms for claim of net renegotiation rebate.*¹

¹See § 1603.383-3 (c) (2) of this chapter for procedure for the filing of claims by partnerships.

2. Section 1607.736-3 is amended to read as follows:

§ 1607.736-3 *Letter from contractor to Internal Revenue Agent in Charge.*¹
Internal Revenue Agent in Charge

Subject: Renegotiation Rebate
DEAR SIR: The undersigned desires to submit its claim under subsection (a) (4) (D) of the Renegotiation Act for a net renegotiation rebate with respect to excessive profits eliminated. Your office, pursuant to section 124 (d) of the Internal Revenue Code, has recomputed the amortization deduction for the taxable year ended _____. It is, therefore, respectfully requested that the undersigned be furnished two (2) copies of a statement showing such recomputation for the above identified year in order that such claim may be filed.

(Claimant)

[RR 736.3]

SUBPART D—FORMS RELATING TO AGREEMENTS
AND UNILATERAL DETERMINATIONS

Paragraph (8) (a) of § 1607.741-2 is amended to read as follows:

§ 1607.741-2 *Variations in the standard form.*

(8) *Clause relating to additional amortization allowance.* (a) The following clause may be used when appropriate (see § 1603.382-2 (c) of this chapter. When used Article 9 of the Standard Form of Agreement will be deleted.

Additional amortization allowance. The Contractor represents that pursuant to section 124 (d) of the Internal Revenue Code, it has elected to compute its amortization deduction with respect to the facilities described in Necessity Certificate No. _____, dated _____ based on an amortization period of less than sixty (60) months, and that the amortization deduction with respect to such facilities which the Contractor estimates will be allowed in connection with the determination of the taxes imposed by Chapters 1, 2A, 2B, 2D and 2E of the Internal Revenue Code with respect to said fiscal year, based on said period of less than sixty (60) months is \$____ (____) (hereinafter referred

¹In the case of a partnership, the request to the Internal Revenue Agent in Charge should be made on behalf of and in the name of the partnership entity as it existed for the fiscal year or period involved.

²Address request to the Internal Revenue Agent in Charge having jurisdiction of claimant's tax returns.

³Insert here the aggregate of the accelerated amortization (with respect to the period under review) on the 60 months basis plus the additional amortization estimated to be allowable by the Bureau of Internal Revenue with respect to such period. This, of course, will be before any allocation between negotiable and nonnegotiable business.

to in this article as "said amount"). The Contractor further represents that ____% (hereinafter called the "allocable percentage") of said amount is properly allocable to said contracts and subcontracts. Based upon the foregoing, there has been applied in reduction of the amount of profits which would otherwise be determined and agreed in Article 1 to be eliminated, the allocable percentage of excess of said amount over amortization calculated on the basis of an amortization period of sixty (60) months. The Contractor agrees, however, that if the amortization deduction finally allowed with respect to such facilities in connection with the determination of the taxes imposed by Chapters 1, 2A, 2B, 2D and 2E of the Internal Revenue Code with respect to said fiscal year shall be less than said amount, the Contractor will, within thirty days thereafter, pay to the Government as additional profits for said fiscal year which should be eliminated, a sum equal to the allocable percentage of the difference between said amount and the amortization deduction so finally allowed plus interest the rate of 6 per centum per annum upon such additional profits from and after the date two years following the close of said fiscal year.

In the elimination of said additional profits, the Contractor shall be allowed the tax credit, if any, provided by section 3806 of the Internal Revenue Code.

The Contractor hereby waives all right to a renegotiation rebate under subsection (a) (4) (D) of the Renegotiation Act on account of any recomputation of the amortization deduction with respect to such facilities for said fiscal year except to the extent by which the allocable percentage of the amount of such recomputed amortization deduction finally allowed with respect to such facilities in connection with the determination of the taxes imposed by Chapters 1, 2A, 2B, 2D and 2E of the Internal Revenue Code with respect to said fiscal year exceeds the allocable percentage of said amount.

SUBPART I—ADDRESSES

1. In § 1607.791-2 the fifth paragraph is amended to read as follows:

§ 1607.791-2 *Members.*

Mr. George P. Luce, (Reconstruction Finance Corporation), Room 613, Commonwealth Building, 1625 K Street NW., Washington 25, D. C., Tel. Executive 3111, Ext. 283.

2. In § 1607.792 the third paragraph, which sets forth the address of the Services and Sales Renegotiation Section, is revoked.

3. The fourth paragraph of § 1607.793-1 is amended to read as follows:

§ 1607.793-1 *Headquarters.*

The Chief of Engineers,
Attention: Mr. John B. Heroman, Jr.,
Price Adjustment Section,
Room 3272, New War Department Bldg.,
Washington 25, D. C., Tel. Republic 6700,
Ext. 76217.

4. In § 1607.793-2 paragraph (d) is amended to read as follows:

§ 1607.793-2 *Field offices of Price Adjustment Sections.*

(d) *The Quartermaster General.*
1 State Street, Boston 9, Massachusetts, Tel. Lafayette 3712.
333 North Michigan Avenue, Chicago, Illinois, Tel. Franklin 5910.
111 East 16th Street, New York 3, New York, Tel. Gramercy 7-4700.

⁴Insert here the percentage of amortization allocable to renegotiable business.

5. Paragraphs (c) and (d) of § 1607.794-1 are amended to read as follows:

§ 1607.794-1 *Navy Price Adjustment Board.*

(c) Services and Sales Renegotiation Section, Room 3350, Main Navy Building, 18th & Constitution Avenue, Washington 25, D. C., Tel. Republic 7400, Ext. 3467.

(d) Services and Sales Renegotiation Section (New York Division), 111 East 16th Street, New York 3, New York, Tel. Gramercy 7-4700.

[RR 794.1]

6. Sections 1607.794-2 and 1607.794-3 are revoked as follows:

§ 1607.794-2 *Services and Sales Renegotiation Section.* [Revoked]

§ 1607.794-3 *Price Revision Division.* [Revoked]

7. In § 1607.795-1 the second paragraph is amended to read as follows:

§ 1607.795-1 *Departmental liaison agents; interdepartmental withholding.*

Navy Department: Officer in Charge, Disbursing Division, Bureau of Supplies and Accounts, Room 2004, J Building, Navy Department, Washington 25, D. C., Tel. Republic 7400, Ext. 61139.

8. Section 1607.796-2 is amended to read as follows:

§ 1607.796-2 *Navy Department, Patent Royalty Adjustment Office.*

Contracts and Royalty Negotiation Section, Patents Division, Office of Research and Inventions, Navy Department, Washington 25, D. C., Tel. Republic 7400, Ext. 2216.

[RR 796.2]

PART 1608—TEXT OF STATUTES, ORDERS, JOINT REGULATIONS AND DIRECTIVES

SUBPART E—OTHER ORDERS AND DIRECTIVES

Section 1608.852-9 is added, as follows:

§ 1608.852-9 *Mimeograph 6023.*

June 10, 1946

Com.-Mimeograph
Coll. No. 6023
R. A. No. 1516
T. S. No. 441

Renegotiation Rebates

Collectors of Internal Revenue, Internal Revenue Agents in Charge, Heads of Field Divisions of the Technical Staff, and Others Concerned:

1. Reference is made to section 701 of the Revenue Act of 1943 amending section 403, as amended, of the Sixth Supplemental National Defense Appropriation Act, 1942, relating to renegotiation of war contracts and referred to as the "Renegotiation Act." In the case of a renegotiation which is made prior to a recommendation of an amortization deduction pursuant to section 124 (d) of the Internal Revenue Code in connection with the determination of taxes imposed by Chapters 1, 2A, 2B, 2D and 2E of the Internal Revenue Code for the fiscal year to which the excessive profits determined by the renegotiation are attributable, the Renegotiation Act provides that there shall be repaid by the United States (without interest) to a contractor or subcontractor after such recomputation the amount of a net renegotiation rebate, notwithstanding any of the provisions

of subsection (c) (4) of the Renegotiation Act to the contrary.

2. The refund of a net renegotiation rebate is intended to restore to the contractor the excessive profits determined and eliminated for the renegotiated year to the extent of the gross renegotiation rebate less the Federal tax benefit thereon. The terms "gross renegotiation rebate," "Federal tax benefit" and "net renegotiation rebate" are defined in subsection (a) (4) (D) of the Renegotiation Act as follows:

(a) A gross renegotiation rebate for a renegotiated year "shall be an allocable part of the additional amortization deduction which is allowed for the renegotiated year upon the recomputation made pursuant to section 124 (d) of the Internal Revenue Code in connection with the determination of the taxes for such year and which is attributable to contracts with the Departments and subcontracts, except that the amount of the gross renegotiation rebate shall not exceed the amount of excessive profits eliminated for the renegotiated year pursuant to the renegotiation."

(b) The Federal tax benefit from the renegotiation for the renegotiated year "shall be the amount by which the taxes for the renegotiated year under Chapters 1, 2A, 2B, 2D and 2E of the Internal Revenue Code were decreased by reason of omitting from gross income (or by reason of the application of the provisions of section 3806 (a) of the Internal Revenue Code with respect to) that portion of the excessive profits for the renegotiated year which is equal to the amount of the gross renegotiation rebate."

(c) Net renegotiation rebate is "The amount by which the gross renegotiation rebate for the renegotiated year exceeds the amount of the contractor's or subcontractor's Federal tax benefit from the renegotiation for such year."

3. Under the provisions of subsection (a) (4) (D) of the Renegotiation Act and regulations prescribed by the War Contracts Price Adjustment Board (hereinafter referred to as the "Board"), a contractor may apply for a net renegotiation rebate with respect to excessive profits determined and eliminated for a renegotiated year, by filing a claim with the Board if for such year an additional amortization deduction has been allowed pursuant to section 124 (d) of the Code and the renegotiation was made prior to the recomputation on the basis of which the additional amortization deduction was allowed. In view of the fact that a gross renegotiation rebate is based on the additional amortization allowed pursuant to section 124 (d) of the Code, a taxpayer who desired to file a claim with the Board for a net renegotiation rebate is required, under regulations prescribed by the Board, to attach to its claim a statement by the Office of the Commissioner of Internal Revenue showing the total amortization deduction which is allowed for the renegotiated year.

4. A request for copies of a statement showing the amortization deduction allowed for a renegotiated year should be addressed by the taxpayer to the internal revenue agent in charge having jurisdiction of the taxpayer's returns and should make reference to the fact that it is desired to file a claim under subsection (a) (4) (D) of the Renegotiation Act for a net renegotiation rebate with respect to excessive profits eliminated, as well as the fact that additional amortization is allowable pursuant to section 124 (d) of the Code. Copies of such a statement will be furnished a taxpayer upon request after there has been a recomputation of the amortization deduction in connection with a determination¹ of income and excess

¹ An adjustment of taxes for a renegotiated year as a result of the filing by the taxpayer of an application (Form 1046 or Form 1140) for tentative adjustment with respect to amortization deduction under section 124 (j) of the Code is not such a determination.

profits tax liability for the renegotiated year, giving effect to an election under the provisions of section 124 (d) of the Code, to use the shortened amortization period. The statements will be furnished by the internal revenue agent in charge or, if a field division of the Technical Staff has taken jurisdiction of the case, by the Head of such division.

5. Upon determination by the Board of the amount of a gross renegotiation rebate the Board will inform the internal revenue agent in charge or the Head of the field division of the Technical Staff, as the case may be, of such determination and request the computation of the Federal tax benefit thereon.

6. The Federal tax benefit will be computed on the basis of the taxpayer's taxable income as adjusted and the amount thereof will be furnished the Board by the Bureau after there has been a determination of the tax liability for the renegotiated year. The computation of the Federal tax benefit is made by adding to income on which the last determined tax liability is based (excluding the excessive profits) the amount of the gross renegotiation rebate and determining the taxes that would have been payable if the amount of the gross renegotiation rebate had not been included in the excessive profits omitted from the return or eliminated under the provisions of section 3806 (a) of the Code. The excess of the taxes so computed over the taxes determined before the inclusion in income of the amount of the gross renegotiation rebate represents the Federal tax benefit.

7. A gross renegotiation rebate has the effect of reducing the amount of the excessive profits for the renegotiated year, as determined by the renegotiation. Accordingly, since the excessive profits were omitted from the income reported by the taxpayer or, if reported, were eliminated from gross income under the provisions of section 3806 (a) of the Code, income for a renegotiated year (from which the excessive profits as determined by the renegotiation have been so omitted or eliminated) will be increased by the amount of the gross renegotiation rebate determined for such year. The Federal tax benefit will not be assessed as a deficiency but will be deducted from the gross renegotiation rebate in the determination of the net renegotiation rebate.

8. Correspondence from the following regarding the contents of this Mimeograph should refer to the appropriate number and to the symbols indicated: Collectors of Internal Revenue, A&C:Col; Internal Revenue Agents in Charge, IT:F; Heads of Field Divisions of the Technical Staff, TS:ARM.

JOSEPH D. NUNAN, Jr.,
Commissioner.

[F. R. Doc. 46-14963; Filed, Aug. 26, 1946; 9:52 a. m.]

Chapter XVIII—Office of War Mobilization and Reconversion, Office of Economic Stabilization

[Directive 133]

PART 4003—SUBSIDIES: SUPPORT PRICES STRIPPER OIL WELLS SUBSIDY PAYMENTS PROGRAM¹

The Congress, in enacting the Price Control Extension Act of 1946, provided that subsidies with respect to petroleum produced from stripper wells shall be continued at not to exceed the rates existing in June of this year.

Since the suspension of price control on petroleum and its products the petroleum industry has announced price in-

¹ 32 CFR, 1946 Supp., 4003.80.

creases on petroleum which, on a national average, have increased the return to producers by 25 cents per barrel over the amount (exclusive of subsidy) which they received for such petroleum as of June 30, 1946.

The policy of the Congress has been that of replacing subsidies by price increases. The increase in crude oil prices has added to the producers' income from that source and enabled them to meet a larger share of their costs out of prices received and to rely to a lesser extent on subsidies.

In a few cases, the increase in price has exceeded 25 cents a barrel and in some pools the price has advanced by less than 25 cents. In a very few areas no price increase has occurred although there has been a nation-wide advance in the prices of the principal petroleum products. In the administration of this program it has been the practice to reduce the amount of reimbursement made to any purchaser of stripper crude on account of subsidy paid to the producer by the amount by which he failed to pay the ceiling price. Now that price control on petroleum and petroleum products has been removed it seems proper to use the general level of market price increases as the guide to what the purchaser should pay for oil if he is to receive the full applicable subsidy rate.

Accordingly, pursuant to the authority vested in me by the Stabilization Act of 1942, as amended, and by Executive Order 9250 of October 3, 1942 (7 F. R. 7871), Executive Order 9328 of April 8, 1943 (8 F. R. 4681), Executive Order 9599 of August 18, 1945 (10 F. R. 10155), Executive Order 9651 of October 30, 1945 (10 F. R. 13487), Executive Order 9697 of February 14, 1946 (11 F. R. 1691), Executive Order 9699 of February 21, 1946 (11 F. R. 1929), and Executive Order 9762 of July 25, 1946 (11 F. R. 8073), *It is hereby ordered:*

1. The Reconstruction Finance Corporation is directed to continue to make premium payments pursuant to Stripper Well Compensatory Adjustments Regulation No. 7, after amending said regulation effective as of August 1, 1946, to accomplish the following:

(a) To reduce the per barrel rate of premium payable to any applicant with respect to crude oil produced from any pool listed in Schedule A of Stripper Well Compensatory Adjustments Regulation No. 7, as amended through June 30, 1946, by the larger of the following two amounts:

(1) 25 cents, or

(2) The amount by which the applicant's highest posted purchase price in effect on or after August 20, 1946, for crude oil produced from such pool is in excess of the OPA maximum price (exclusive of premium) applicable to such crude oil as of June 30, 1946, except that for the period August 1 through August 19, 1946, the amount under this section 1 (a) (ii) shall be the amount by which the applicant's posted purchase price, in effect on the date of purchase, for crude oil produced from such pool is in excess of the OPA maximum price (exclusive of premium) applicable to such crude oil as of June 30, 1946;

(b) To reimburse a purchaser of crude oil produced from any pool listed in Schedule A of said Regulation No. 7 for the excess of the amount expended for such crude oil over the larger of the following:

(1) The OPA maximum price (exclusive of premium) applicable to such crude oil as of June 30, 1946, plus 25 cents, or

(2) The purchaser's highest posted purchase in effect on or after August 20, 1946, for crude oil produced from such pool;

Provided, That such reimbursement shall in no case exceed an amount equal to the purchaser's rate of premium, calculated in accordance with subparagraph (a) above, for such crude oil multiplied by the number of barrels purchased; and

(c) To make premium payments to a producer of crude oil from any pool listed in Schedule A of said Regulation No. 7 of an amount equal to such producer's rate of premium for such crude oil, calculated in accordance with subparagraph (a) above, multiplied by the number of barrels produced and not sold but refined, consumed or otherwise utilized by such producer.

2. The Price Administrator shall certify to Reconstruction Finance Corporation for addition to Schedule A of said Regulation No. 7 such additional pools as he shall find have produced an average of less than five barrels of crude oil per well per day for a period of one year preceding the date of application for such determination. Such additional pools shall be added to said Schedule A as of the first of the month following the month in which such certifications are made and the crude oil produced therefrom shall become eligible for premium payments in the same manner as all other pools with production of less than five barrels per day.

3. The Price Administrator shall also certify to Reconstruction Finance Corporation for addition to Schedule A of said Regulation No. 7 such additional pools as have produced an average of more than nine barrels of crude oil per well per day for a period of one year preceding the date of application for such determination if it is found (a) because of high cost factors the sum of the June 30, 1946 OPA maximum price applicable to crude oil produced from any such pool (excluding premium) plus 25 cents is below the average cost of production and (b) the cost of production is not out of proportion to the output obtainable. The premium rate per barrel for crude oil produced from such pools shall be determined in accordance with the standards established in the directive of the Economic Stabilizer dated June 28, 1944, shall be in such amounts as may be determined by the Price Administrator, and shall become effective as of the first of the month following the month in which such certifications are made.

4. The premium rate per barrel for crude oil produced from any pool listed in Schedule A of said Regulation No. 7 authorized by this Directive may be further reduced upon the direction of this Office upon 30 days' notice or in the event

it is determined that there has been any additional general price increase by the petroleum industry.

Issued and effective this 28th day of August 1946.

JOHN R. STEELMAN,
Director of Economic Stabilization.

[F. R. Doc. 46-15443; Filed, Aug. 29, 1946; 9:38 a. m.]

PART 4003—SUBSIDIES: SUPPORT PRICES
[Directive 104, Amdt. 1]

COMPENSATORY WAGE ADJUSTMENT SUBSIDY
FOR SLAUGHTERERS¹

Pursuant to the authority vested in me by the Stabilization Act of 1942, as amended, and by Executive Order 9250 of October 3, 1942 (7 F. R. 7871), Executive Order 9328 of April 8, 1943 (8 F. R. 4681), Executive Order 9599 of August 18, 1945 (10 F. R. 10155), Executive Order 9651 of October 30, 1945 (10 F. R. 13487), Executive Order 9697 of February 14, 1946 (11 F. R. 1691), Executive Order 9699 of February 21, 1946 (11 F. R. 1929), and Executive Order 9762 of July 25, 1946 (11 F. R. 8073), *It is hereby ordered:*

Directive No. 104 is hereby amended by deleting the date "May 25, 1946" appearing in paragraph 3, and substituting in lieu thereof the date "September 30, 1946."

Issued and effective this 28th day of August 1946.

JOHN R. STEELMAN,
Director of Economic Stabilization.

[F. R. Doc. 46-15470; Filed, Aug. 29, 1946; 10:52 a. m.]

Chapter XXIII—War Assets Administration

[Reg. 1,² Amdt. 1 to Order 3]

PART 8301—DESIGNATION OF DISPOSAL AGENCIES AND PROCEDURES FOR REPORTING SURPLUS PROPERTY LOCATED WITHIN THE CONTINENTAL UNITED STATES, ITS TERRITORIES AND POSSESSIONS

FORMS FOR DECLARATION OF SURPLUS

War Assets Administration Regulation 1, Order 3, June 13, 1946, entitled "Forms for Declaration of Surplus" (11 F. R. 6774) is hereby amended by adding a new paragraph, as follows:

11. In making declarations of strategic property to the War Assets Administration in behalf of an owning agency, the Reconstruction Finance Corporation is authorized to use the reporting form submitted by the owning agency, WAA Form 1003,³ "Report or Adjustment of Previous Report of Strategic Materials to Reconstruction Finance Corporation," *Provided*, That a WAA Form 1001, WAA Form 1001.1, or WAA Form 1001.2 is used as a cover sheet and *Provided further*, That all of the information required by the WAA Form 1001, WAA Form 1001.1, or WAA Form 1001.2 is shown either on the WAA Form 1001,

¹ 32 CFR, 1946 Supp., 4003.51, 4004.1.

² 11 F. R. 7970.

³ Reg. 17, Order 5, issued August 21, 1946.

WAA Form 1001.1, or WAA Form 1001.2 or on the WAA Form 1003. In each such case, the Reconstruction Finance Corporation shall notify the owning agency concerned that a declaration of surplus has been accomplished by directing a copy thereof to the particular owning agency concerned.

This amendment shall become effective August 27, 1946.

ROBERT M. LITTLEJOHN,
Administrator.

AUGUST 21, 1946.

[F. R. Doc. 46-15504; Filed, Aug. 29, 1946;
11:44 a. m.]

[Reg. 17]

PART 8317—STOCK PILING OF STRATEGIC
AND CRITICAL MATERIALS

This part contains War Assets Administration Regulation 17, issued in furtherance of, and pursuant to the provisions of Public Law 520, July 23, 1946, entitled the "Strategic and Critical Materials Stock Piling Act."

Public Law 520, July 23, 1946, expressly repealed section 22 of the Surplus Property Act of 1944, pursuant to which Surplus Property Administration Regulation 17, as amended through July 19, 1946, entitled "Stock Piling of Strategic Minerals, Metals, and Materials" (10 F.R. 14207, 15218; 11 F.R. 3483, 7618, 8225, 8361) was issued. By its express terms, Surplus Property Administration Regulation 17 expired on August 1, 1946. Revised Order 1, January 4, 1946 (11 F.R. 353), and Order 2, December 11, 1945 (10 F.R. 15072) are hereby revoked and rescinded. Order 4, July 19, 1946, (11 F.R. 8225) continues in full force and effect.

Sec.	
8317.1	Definitions.
8317.2	Scope.
8317.3	Basic policy.
8317.4	Central control of stock-piling.
8317.5	Reports to Reconstruction Finance Corporation.
8317.6	Functions of Reconstruction Finance Corporation.
8317.7	Functions of Army and Navy Munitions Board.
8317.8	Functions of Civilian Production Administration.
8317.9	Disposition of strategic materials.
8317.10	Limitation on transfers to stock pile.
8317.11	Minimum quantities of strategic materials.
8317.12	Unsuitable items.
8317.13	Regulations and reports by affected agencies.
8317.14	Records and reports.

Exhibit A: List of strategic and critical materials.

AUTHORITY: §§ 8317.1 to 8317.14, inclusive, issued under Surplus Property Act of 1944 (58 Stat. 765; 50 U.S.C. App. Sup. 1611), Public Law 181, 79th Congress, 1st Session (59 Stat. 533), Executive Order 9689 (11 F.R. 1265), Public Law 375, 79th Cong., 2d Session, and Public Law 520, 79th Cong., 2d Session.

§ 8317.1 *Definitions.* (a) "Act" means the Strategic and Critical Materials Stock Piling Act (Public Law 520), July 23, 1946.

(b) "Administrator" means the War Assets Administrator.

(c) "Strategic materials" means materials determined to be strategic and

critical by the Army and Navy Munitions Board pursuant to the act, a list of such materials being appended hereto as Exhibit A.

(d) "Transfer to the stock pile" means a transfer of Government-owned accumulations of strategic materials, when determined to be surplus, to the account of the Treasury Procurement Division, to be added to the stock pile authorized by the act and subject to the provisions of such act.

(e) "Owning agency" means the Executive Department, the independent agency in the Executive Branch of the Federal Government, or the corporation (if a Government agency), having control of such property otherwise than solely as a disposal agency.

(f) "Current requirements of industry" means the quantity of the material required to meet the estimated needs of industry as determined by the Civilian Production Administration.

(g) "Deficiency of the supply" means the difference between the current requirements of industry and the estimated domestic industrial production plus industrial imports of the material for the period covered by the current requirements. Determinations of the deficiencies of supply may be revised from time to time by the Civilian Production Administration.

§ 8317.2 *Scope.* This part applies to stock piling of strategic materials under the act, wherever located, when determined to be surplus by the owning agency. This part does not apply to contractor inventory if the owning agency shall not have taken possession of such inventory.

§ 8317.3 *Basic policy.* In general, the Strategic and Critical Materials Stock Piling Act directs that every material determined to be strategic and critical as listed in Exhibit A, which is owned or contracted for by the United States or any agency thereof, including any material received from a foreign government under an agreement made pursuant to the act of March 11, 1941, (55 Stat. 31), as amended, or any other authority, shall be transferred by the owning agency, when determined by such agency to be surplus to its needs and responsibilities, to the stock pile. There is exempt from this requirement such amount of any material as is necessary to make up any deficiency of the supply of such material for the current requirements of industry as determined by the Civilian Production Administration, or its successor. There is also exempt from this requirement (a) any material which constitutes contractor inventory if the owning agency shall not have taken possession of such inventory, (b) such amount of any material as the Army and Navy Munitions Board determines (1) are held in lots so small as to make the transfer thereof economically impractical or (2) do not meet or cannot economically be converted to meet the stock pile requirements as determined by the Army and Navy Munitions Board.

§ 8317.4 *Central control of stock piling.* In order to centralize procedures for determining the classification of surplus property as strategic or non-strategic,

and to establish a central control point for (a) the disposition of strategic materials for the purpose of supplying current industrial deficiencies as determined by the Civilian Production Administration, and (b) the determination of whether strategic materials meet Army and Navy Munitions Board specifications, the Reconstruction Finance Corporation (on behalf of the owning agencies) and the Army and Navy Munitions Board are empowered and directed to exercise the functions prescribed for them under this part.

§ 8317.5 *Reports to Reconstruction Finance Corporation.*—(a) *Purpose of reports.* All strategic materials shall, when determined to be surplus, be reported by the owning agency to the Reconstruction Finance Corporation for the purpose of determining dispositions, for and on behalf of the owning agencies, either by transfer to stock pile, by sale to satisfy current industrial deficiencies or by declaration as surplus to the disposal agency as provided for in this part. Unless, otherwise directed by the Reconstruction Finance Corporation in specific cases, owning agencies shall report all surplus strategic materials listed in Exhibit A to the Reconstruction Finance Corporation and shall not be required to determine prior to such report whether such strategic materials meet Army and Navy Munitions Board specifications.

(b) *Form of reports.* Owning agencies shall file reports of strategic materials with the Reconstruction Finance Corporation on forms prescribed by order published under this part.

(c) *Exemptions from reporting.* Owning agencies shall not report strategic materials in lots less than the minimum quantities of strategic property determined to be suitable for the stock pile as provided in § 8317.11, and listed in Exhibit A. Such lots shall be disposed of or declared surplus by the owning agencies in accordance with the applicable regulations of the Administrator.

§ 8317.6 *Functions of Reconstruction Finance Corporation.* (a) The Reconstruction Finance Corporation will act for and on behalf of the owning agencies and shall furnish a central control of all strategic materials reported to it by the owning agencies as provided by § 8317.5 (a). Such central control shall have for its purpose the determination of dispositions of strategic materials, for and on behalf of the owning agencies, either by transfer to stock pile, by sale to satisfy deficiencies for current industrial requirements, or by declaration to the disposal agency as provided for in this part.

(b) The Reconstruction Finance Corporation shall pursuant to any order published under this part report all strategic materials which are to be transferred to the stock pile as provided in this part to the owning agency, to the Treasury Procurement Division and on or after July 1, 1948, to the Secretary of the Treasury; and the Treasury Procurement Division shall promptly issue shipping instructions to the owning agency, which shall comply with such instructions. In connection with transfers to stock pile, all expense of preparation for shipment, all shipping and conversion expenses, and all expenses after the date

of shipment (including transportation, maintenance, and storage) may be paid from funds appropriated pursuant to the act unless the owning agency elects to bear such expenses.

§ 8317.7 *Functions of Army and Navy Munitions Board.* The Army and Navy Munitions Board, as the agency for the War, Navy, and Interior Departments shall:

(a) Determine whether (and in what quantities) any materials shall be added to the list of strategic and critical materials enumerated in Exhibit A;

(b) Determine which materials are suitable for Army and Navy requirements;

(c) Be responsible for all necessary amendments, deletions, and additions to the strategic materials listed in Exhibit A, and for all specifications and requirements for such materials;

(d) Make such inspections as may be necessary to carry out its functions under this part;

(e) Advise the Administrator under §§ 8317.11 and 8317.12 as to minimum quantities and unsuitable items of strategic materials which are not to be transferred to the stock pile;

(f) Establish liaison with, and promptly furnish the Reconstruction Finance Corporation and the War Assets Administrator and any other interested Government agency designated by the Reconstruction Finance Corporation, with copies of the Army and Navy Munitions Board specifications for strategic materials, all amendments, deletions, and additions to the list of materials on Exhibit A, and all other determinations, requests, and recommendations which the Army and Navy Munitions Board is required to make pursuant to this part; and

(g) The Army and Navy Munitions Board may authorize the Reconstruction Finance Corporation (directly or through the appropriate owning agency) to make such inspections as the Army and Navy Munitions Board may desire, but all final determinations under those paragraphs as to whether any materials meet the specifications and requirements for stock piling shall be made by the Army and Navy Munitions Board.

§ 8317.8 *Functions of Civilian Production Administration.* The Civilian Production Administration will, from time to time, determine the amount of any strategic material as is necessary to make up any deficiency of the supply of such material for the current requirements of industry. Upon the request or direction of the Civilian Production Administration, the Reconstruction Finance Corporation shall sell sufficient quantities of strategic materials in its reserve supply established under § 8317.9 (a) to meet such industrial deficiencies. The Civilian Production Administration will make appropriate revisions in its determination of industrial deficiencies, to the extent that the supply of, or the industrial requirements for, strategic materials may increase or decrease from time to time. The Civilian Production Administration will promptly notify the Reconstruction Finance Corporation and the Army and Navy Munitions Board of

any revision in its determination, and the Reconstruction Finance Corporation will adjust its reserves accordingly.

§ 8317.9 *Disposition of strategic materials—(a) Reserves and sales for industrial deficiencies.* Upon receipt of a determination from the Civilian Production Administration that a deficiency exists in the supply of any strategic material for the current requirements of industry, the Reconstruction Finance Corporation shall withhold from transfer to the stock pile such amount of strategic materials reported to it by the owning agencies, pursuant to § 8317.5, as is necessary to satisfy such industrial deficiency. Reconstruction Finance Corporation shall sell for, and on behalf of, the owning agencies such strategic materials so withheld in quantities sufficient to satisfy the industrial deficiencies in accordance with such directions as may be issued by the Civilian Production Administration. If the Reconstruction Finance Corporation is engaged in satisfying such industrial deficiencies from its own stocks under direction of the Civilian Production Administration, a purchase by the Reconstruction Finance Corporation from the owning agency shall be deemed to be a sale to satisfy industrial deficiencies hereunder. In all cases adequate shipping instructions shall be made available to the owning agency concerned by the Reconstruction Finance Corporation.

(b) *Reserves and sales for industrial deficiencies of strategic metals as mill forms or scrap.* Sales of reserves of mill forms or scrap to meet deficiencies in the supply of current industrial requirements shall be made by the Reconstruction Finance Corporation for and on behalf of the owning agency to the extent that it is directed to do so by the Civilian Production Administration, *Provided however*, That the Reconstruction Finance Corporation shall utilize the services of War Assets Administration in effecting such sales of mill forms or scrap, and the War Assets Administration shall make available adequate shipping instructions to the owning agencies concerned.

(c) *Balance to stock pile.* All remaining strategic materials shall be transferred to the stock pile as provided by § 8317.6 (b), subject to the following:

(1) Strategic materials reported by the owning agencies and listed on Exhibit A shall be held for determination by the Army and Navy Munitions Board which shall promptly determine whether such materials meet Army and Navy Munitions Board specifications for stock piling, or can economically be converted to meet stock piling requirements, or exceed the amounts required by the Army and Navy Munitions Board.

(2) Strategic materials which meet such requirements for stock piling as determined by the Army and Navy Munitions Board shall be transferred to the stock pile as provided in this part.

(d) *Declaration of surplus.* The Reconstruction Finance Corporation shall, on behalf of the owning agency declare as surplus to the appropriate disposal agency any quantities of strategic materials which do not meet stock piling requirements and which are not required to make up any deficiency of the supply for the current requirements of industry.

§ 8317.10 *Limitation on transfers to the stock pile.* (a) All transfers of strategic materials to the stock pile on and after July 1, 1948, shall be reported to the Secretary of the Treasury who shall thereupon, and pursuant to the act

(1) Cause to be determined the fair market value of the strategic materials so transferred, and

(2) Notify the Administrator in writing when the total amount of all strategic materials transferred to the stock pile during any fiscal year has by value reached an amount fixed by the appropriation act or acts relating to the acquisition of strategic and critical materials under the act of June 7, 1939 (53 Stat. 811) as amended.

(b) Upon notice in writing from the Secretary of the Treasury, as provided in paragraph (a) of this section, the Administrator will notify the Reconstruction Finance Corporation that no further transfers of strategic materials shall be made for the balance of such fiscal year.

§ 8317.11 *Minimum quantities of strategic materials.* Accumulations of strategic materials which owning agencies are required to report to the Reconstruction Finance Corporation for stock piling purposes, do not include such minimum quantities of strategic materials as the Army and Navy Munitions Board determines to be economically impractical to transfer to the stock pile. Therefore, the Army and Navy Munitions Board will advise the Administrator from time to time of such determinations. Upon the basis of such determinations, amounts less than the minimum quantities of the various classes of strategic materials listed on Exhibit A shall not be reported to the Reconstruction Finance Corporation but shall be disposed of or declared surplus by the owning agencies pursuant to the applicable regulations of the Administrator.

§ 8317.12 *Unsuitable items.* The Army and Navy Munitions Board will determine amounts of strategic materials which do not meet or cannot economically be converted to meet stock pile requirements. The Army and Navy Munitions Board will keep the Administrator, the Reconstruction Finance Corporation, and the owning agencies advised as to such unsuitable items, and if not listed in Exhibit A, such materials shall not be reported to the Reconstruction Finance Corporation, or if so listed but later determined to be unsuitable after having been reported to the Reconstruction Finance Corporation, shall not be transferred to the stock pile, but instead shall be disposed of or declared surplus by the owning agencies pursuant to the applicable regulations of the Administrator.

§ 8317.13 *Regulations and reports by affected agencies.* The Reconstruction Finance Corporation and the owning agencies shall file with the Administrator copies of all regulations, orders, and instructions of general applicability which it may issue in furtherance of the provisions, or any of them, of this part. The Army and Navy Munitions Board shall file with the Administrator copies of the lists, specifications, and determinations which it is required to file with

the Reconstruction Finance Corporation or owning agencies hereunder. The Civilian Production Administration shall file with the Administrator copies of its determinations of deficiencies of the supply of current industrial requirements which it is required to make under § 8317.8.

§ 8317.14 *Records and reports.* The Reconstruction Finance Corporation and the owning agencies shall prepare and maintain such records as will show full compliance with the provisions of this part. Reports shall be filed with the Administrator in such manner as may be specified by order issued under this part

subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

This part shall become effective August 27, 1946.

ROBERT M. LITTLEJOHN,
Administrator.

AUGUST 21, 1946.

EXHIBIT A—LIST OF STRATEGIC AND CRITICAL MATERIALS

Material	Types, grades, or forms to be reported	Minimum quantity at one location to be reported	Material	Types, grades, or forms to be reported	Minimum quantity at one location to be reported
Agar	Shreds, flakes, or granules	1,000 pounds.	Kyanite	Ore	50,000 pounds.
Aluminum	Primary or secondary pig or ingot of grades 3, 4, or 6. Mill forms, over 2 inch minimum dimension, of grades 2S, 3S, 24S, 25S, A 51S, 52S, or 61S.	50,000 pounds.	Lead	Concentrates. Metal, or alloys with other metals, in pieces exceeding 3 pounds each.	Do.
Antimony	Ores or concentrates, metal or alloys with other metals, in pieces exceeding 5 pounds each.	Do.	Magnesium	Primary or secondary pig or ingot of ASTM grades 1, 2, 4, or 17.	Do.
Asbestos	Liquated (needle) antimony	1,000 pounds.	Manganese ore	Battery or metallurgical ore	Do.
	Rhodesian chrysotile fiber of grades C and G-1 or C and G-2.	10,000 pounds.	Mercury	Metal or oxide	1,000 pounds.
	South African amosite fiber of grades B-1, B-3, D-3, or 3/DM-1.	Do.	Mica	Muscovite block and film, muscovite splittings, phlogopite block, phlogopite splittings. All grades.	Do.
Barite	Ores or concentrates	50,000 pounds.	Molybdenum	Concentrates, oxide, ferro	10,000 pounds.
Bauxite	do	Do.	Monazite	Monazite sand	Do.
Beryl	do	10,000 pounds.	Nickel	Electrolytic, pig, ingot, or shot. Nickel oxide, nickel rolled products.	Do.
	Beryllium metal in all forms, including clean scrap.	100 pounds.	Opium	Crude or refined opium and opium derivatives, including dosage forms.	No minimum.
	Copper-beryllium alloys in all forms including clean scrap.	1,000 pounds.	Palm oil	Oil in bulk	50,000 pounds.
Bismuth	Metal, or alloys with other metals, in pieces exceeding 5 pounds each.	Do.	Pepper	Unground pepper	1,000 pounds.
Cadmium	do	Do.	Platinum group	Pure metals, or alloys combining any two or more of such metals, in any form.	10 troy ounces.
Castor oil	Oil in bulk	50,000 pounds.	Metals:		
Celestite	Ore	Do.	Iridium.		
Chalk-English	Navy Spec. 52W/e	10,000 pounds.	Osmium.		
Chromite	Metallurgical, refractory, or chemical ore or concentrates.	50,000 pounds.	Palladium.		
Cobalt	Metal, ores, concentrates, oxide, or crudes	10,000 pounds, cobalt content.	Platinum.		
Coconut oil	Oil in bulk	50,000 pounds.	Rhodium.		
Columbite	Ores or concentrates	1,000 pounds.	Ruthenium.		
Copper	Electrolytic or fire refined copper: Cathodes, wire bars, cakes, slabs, ingots, ingot bars, billets, or bars.	50,000 pounds.	Pyrethrum	Flowers or 20 percent extract	200 pounds, pyrethrin content.
	Cartridge brass ingots, slabs, discs, bars partly or completely manufactured ammunition cases, fired cases, or remelt ingot.	Do.	Quartz crystals	Raw quartz, radio grade sections, slabs, bars, wafers, blanks or finished plates, unmounted or mounted.	100 pounds. 25 pounds. 1,000 pieces.
	Leaded brass mill forms or remelt ingot.	Do.	Quebracho	Dried extract	1000 pounds.
	Gilding metal mill forms or remelt ingot.	Do.	Quinidine	Any alkaloids	100 pounds.
Cordage fibers	Manila or sisal fiber in bales	10,000 pounds.	Quinine	do	1,000 ounces.
Corundum	Crystal or boulder ore or concentrates	Do.	Rapeseed oil	Oil in bulk	50,000 pounds.
Cryolite	Natural cryolite ore	50,000 pounds.	Natural rubber	Crude natural rubber or natural rubber latex.	10,000 pounds.
Diamond dies	Partly or completely finished dies	No minimum.	Rutile	Ore or concentrates	Do.
Diamond, industrial	Tool stones, crushing bort, powder	Do.	Sapphire and ruby	Half boules, rods, or cut pieces exceeding 10 carats each.	1,000 carats.
Emerald	Foreign or domestic ores or concentrates	50,000 pounds.	Selenium	Ingot, block, bar, granules, or powder	1,000 pounds.
Emetine	Emetine hydrochloride, USP XII	100 ounces.	Shellac	Dried raw shellac, all grades	10,000 pounds.
Fluorspar	Metallurgical or acid grade ores or concentrates	50,000 pounds.	Sperm oil	Oil in bulk	50,000 pounds.
Graphite	Amorphous lump, flake, or fines	10,000 pounds.	Talc	Steatite talc block	1,000 pounds.
Hyoscine	Hyoscine hydrobromide, USP XII	10 ounces.	Tantalite	Ground steatite talc	10,000 pounds.
Iodine	Crude iodine or USP iodine	2,000 pounds.	Tin	Ore or concentrates	100 pounds.
Jewel bearings	Finished bearings, set or unset, of following classes: Instrument jewels. V jewels. Watch jewels.	1,000 pieces of a single design.	Tung oil	Concentrates or pig	2,000 pounds.
			Tungsten	Oil in bulk	50,000 pounds.
				Ores, concentrates, ferro, powder metal, oxide.	10,000 pounds.
			Vanadium	Ores, concentrates, oxide, ferro	Do.
			Zinc	Concentrates, slab zinc, oxide, mill products	50,000 pounds.
			Zirconium ores	Baddeleyite or zircon ores or concentrates	10,000 pounds.

[F. R. Doc. 46-15503; Filed, Aug. 29, 1946; 11:44 a. m.]

[Reg. 17, Order 5]

PART 8317—STOCK PILING OF STRATEGIC AND CRITICAL MATERIALS

FORMS FOR REPORTING STRATEGIC MATERIALS¹

Pursuant to the authority of the Surplus Property Act of 1944 (58 Stat. 765; 50 U. S. C. App. Sup. 1611), Public Law 181, 79th Congress, 1st Session (59 Stat. 533), Executive Order 9689 (11 F.R. 1265), Public Law 375, 79th Congress, 2d Session, and Public Law 520, 79th Congress, 2d Session, It is hereby ordered, That:

1. Owning agencies shall report strategic property and shall make corrections or withdrawals of previous reports to the Reconstruction Finance Corporation,

¹ Forms filed as part of the original document.

Washington 25, D. C., on WAA Form 1003, "Report or Adjustment of Previous Report of Strategic Materials to Reconstruction Finance Corporation," as attached hereto, in accordance with the instructions accompanying such form.

2. The Reconstruction Finance Corporation is authorized to correct or adjust a report submitted on WAA Form 1003 after verification of the report, and inspection of the property. When the Reconstruction Finance Corporation makes such a correction or adjustment without the submission by the owning agency of a WAA Form 1003 covering such correction or adjustment, the submission of such WAA Form 1003 by the owning agency shall not be required. In each such case, the owning agency shall be informed of such correction or adjustment, and a copy of such adjusted or corrected WAA Form 1003 shall be di-

rected to the owning agency concerned.

3. WAA Form 1003 may carry the listing of strategic materials reported, or it may be used as a cover transmittal sheet for mechanical accounting lists. If a machine tabulated form is used for listing the items of property, the columnar arrangement shall conform to that of WAA Form 1003 and the Form shall be 11" x 14 1/2" in size.

4. WAA Form 1003 may be reproduced by the owning agency *Provided*, That the size and format are identical with such form on file with the Division of the Federal Register, sample copies of which may be obtained from the Administrator, or meet the conditions specified above with respect to machine tabulated forms. The form may be reproduced by the owning agency in fanfold and carry the name of the owning agency imprinted on

the form. The complete instructions shall be printed on the back of the form.

5. If any legal restrictions exist, including patent restrictions, as to the power of the owning agency or of the Reconstruction Finance Corporation to dispose of the property reported, the report shall include a statement clearly indicating such restrictions.

6. Where sales of strategic materials are made by Reconstruction Finance Corporation or War Assets Administration, for and on behalf of an owning agency pursuant to the provisions of § 8317.9, a report of each such sale shall be furnished the owning agency concerned. Such report of sale may take the form of a copy of the sales documents and shall make reference to the particular WAA Form 1003 on which the strategic materials were first reported.

7. Upon receipt of a WAA Form 1003 and after a determination that the strategic materials described thereon are suitable for the stock pile and are to be transferred thereto, the Reconstruction Finance Corporation shall report to the owning agency which prepared the particular WAA Form 1003, to the Treasury Procurement Division, and on and after July 1, 1948, to the Secretary of the Treasury, those strategic materials listed on such WAA Form 1003 which are to be transferred to the stock pile. Such reports of strategic materials to be transferred to the stock pile shall be accomplished by forwarding WAA Form 1003 to the specified addresses designated in this paragraph. In the case of the Treasury Procurement Division, duplicate copies of WAA Form 1003 shall be forwarded.

NOTE: All reporting requirements of this part have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective August 27, 1946.

ROBERT M. LITTLEJOHN,
Administrator.

AUGUST 21, 1946.

[F. R. Doc. 46-15505; Filed, Aug. 29, 1946;
11:44 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter III—Corps of Engineers, War Department

PART 301—PARKS AND RECREATION AREAS

AREAS COVERED

In Federal Register Document 46-14793, appearing at page 9278 of the issue for Saturday, 24 August 1946, the following change should be made:

Paragraph (b) of § 301.14 should read as follows:

§ 301.14 *Areas covered.* * * *

(b) Norfolk Reservoir Area, North Fork River, Missouri and Arkansas.

[SEAL] ELWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 46-15502; Filed, Aug. 29, 1946;
11:33 a. m.]

TITLE 38—PENSIONS, BONUSES AND VETERANS RELIEF

Chapter I—Veterans' Administration

PART 35—VETERANS REGULATIONS

REMOVAL OF LIMITATIONS ON MAXIMUM PAYMENTS OF DEATH PENSION AND COMPENSATION

1. Public Law 673, 79th Congress, approved August 8, 1946, provides as follows:

Be it enacted, etc., That the following acts or parts of acts, which limit the total amount of death compensation or pension payable to widows and children of certain deceased veterans, are hereby repealed:

(a) The last sentence of subsection (a) of section 14 and the last sentence of subsection (b) of section 14 of the act entitled "An Act to provide more adequate and uniform administrative provisions in veterans' laws pertaining to compensation, pension, and retirement pay payable by the Veterans' Administration, and for other purposes," approved July 13, 1943 (57 Stat. 554).

(b) Subsection (b) of section 2 of the act entitled "An Act to compensate widows and children of persons who died while receiving monetary benefits for disabilities directly incurred in or aggravated by active military or naval service in the World War," approved June 28, 1934, as amended (58 Stat. 804).

SEC. 2. Subparagraph (b) of paragraph III of part III of Veterans Regulation 1 (a), which limits the total amount of death compensation or pension payable to widows and children of deceased veterans of the Spanish-American War, the Boxer Rebellion, or the Philippine Insurrection, is hereby repealed.

2. *Current awards.* Under the provisions of this law, there is no limitation in the total monthly rates of death compensation or pension allowed for periods on and after August 8, 1946 to or for a widow with children or to or for children where there is no widow.

3. *Adjustment of awards.* In order that appropriate increases in rates may be awarded in those cases affected, the payees accounts service, central office, will furnish the adjudicating division, dependents and beneficiaries claims service the beneficiaries accounts division, branch offices will furnish the dependents and beneficiaries claims division, and the finance division in field stations will furnish the adjudication division with a list of all active cases in which the former maximum monthly rates are being paid as follows:

Rate:	Finance codes
\$100 (WTSC)-----	5 A 1 6 A 1 10 A
\$75 (PTSC)-----	7 B 1
\$74 (WT-NSG)-----	6 A 2 10 A 1
\$27 (SAW-NSC)-----	5 A 2

Based upon the list referred to above the adjudicating division, central office, the dependents and beneficiaries claims division in branch offices, and the adjudication division in field stations will obtain and review the corresponding XC files. If upon review it is determined that the total rate now payable should be in excess of the former maximum rate, appropriate action will be taken to award the correct increased rate effective as of August 8, 1946. The following statement will be made under "Reason for amendment" on the supplemental award brief face VA Form 8-553c: "In-

crease—Public Law No. 673, 79th Congress," The number of beneficiaries involved must also be shown as for example: "W and 5 C" (widow and 5 children). It will not be necessary to show any of the rates in effect prior to August 8, 1946. An appropriate letter of notification of the increase in rates will be forwarded to all payees concerned.

4. *Apportioned awards.* In those cases involving an apportioned award it will be necessary to adjust the rates payable to each payee affected by the provisions of this Act in accordance with the provisions of § 5.2591 of this chapter.

5. *Prior adjudications.* Previous determinations on which an award was predicated will be accepted as correct in the absence of clear and unmistakable error or fraud.

6. *Promptness of review.* Cases comprehended by this Instruction will be reviewed as promptly as possible consistent with the proper conduct of current adjudication activities.

(Pub. Law 673, 79th Cong.)

[SEAL] OMAR N. BRADLEY,
General, U. S. Army,
Administrator of
Veterans' Affairs.

AUGUST 19, 1946.

[F. R. Doc. 46-15267; Filed, Aug. 28, 1946;
12:23 p. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Subtitle A—Office of the Secretary of the Interior

[Order 2245]

PART 4—DELEGATIONS OF AUTHORITY

ADMINISTRATIVE ADJUSTMENT OF TORT CLAIMS

Section 4.21, reading as follows, is added to Part 4:

§ 4.21 *Administrative adjustment of tort claims.* The Solicitor of the Department of the Interior is authorized to exercise, execute, and perform any and all powers, authority, and functions conferred upon the Secretary of the Interior by the Federal Tort Claims Act, approved August 2, 1946 (secs. 403, 422, P. L. 601—79th Cong.; R.S. 161; 5 U.S.C. 22).

J. A. KRUG,
Secretary of the Interior.

AUGUST 28, 1946.

[F. R. Doc. 46-15332; Filed, Aug. 28, 1946;
4:02 p. m.]

[Order 2244]

PART 4—DELEGATION OF AUTHORITY

PUERTO RICO RECONSTRUCTION ADMINISTRATION

AUGUST 27, 1946.

Section 4.520 is added to Part 4 to read as follows:

§ 4.520 *Puerto Rico Reconstruction Administration.* There is hereby delegated to Harley A. Miller, Assistant General Counsel of the Puerto Rico Reconstruction Administration, the power

and authority relative to the execution of releases of Puerto Rican Hurricane Relief Loan Section mortgages when settlements thereof have been fully satisfied, which were previously vested in James P. Klein, former chief of the Puerto Rican Hurricane Relief Loan Section, by Order No. 1937, dated May 27, 1944:

J. A. KRUG,
Secretary of the Interior.

[F. R. Doc. 46-15507; Filed, Aug. 29, 1946;
11:47 a. m.]

Chapter I—Bureau of Land Management

Appendix—Public Land Orders

[Public Land Order 325]

ALASKA

EXCLUDING CERTAIN TRACTS OF LAND FROM CHUGACH AND TONGASS NATIONAL FORESTS AND RESTORING THEM TO ENTRY

By virtue of the authority vested in the President by the act of June 4, 1897, 30 Stat. 11, 36 (U. S. C. title 16, sec. 473), and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

The following-described tracts of public land in Alaska, occupied as home sites, and identified by surveys of which plats and field notes are on file in the Bureau of Land Management, Washington, D. C., are hereby excluded from the Chugach and Tongass National Forests as hereinafter indicated, and restored, subject to valid existing rights, to entry under the applicable public land laws:

CHUGACH NATIONAL FOREST

Lot 14, Slaughter Creek Group, 4.51 acres; latitude 60°29'35" N., longitude 149°47'00" W. (Homesite No. 64);

Boswell Bay Homesite Group, Hinchinbrook Island, 4.11 acres; latitude 60°23'43" N., longitude 146°07'30" W. (Homesite No. 74);

TONGASS NATIONAL FOREST

U. S. Survey No. 2402, Lot 64, 0.60 acres; latitude 58°18'00" N., longitude 131°32'00" W. (Homesite No. 448, Mountain Point Group);

U. S. Survey No. 2402, Lot "V", 2.22 acres; latitude 55°18'00" N., longitude 131°32'00" W. (Homesite No. 561, Mountain Point Group);

U. S. Survey No. 2402, Lot "NN", 2.87 acres; latitude 55°18'00" N., longitude 131°32'00" W. (Homesite No. 705, Mountain Point Group);

U. S. Survey No. 2402, Lot "CC", 2.08 acres; latitude 55°18'00" N., longitude 131°32'00" W. (Homesite No. 805, Mountain Point Herring Group);

U. S. Survey No. 2477, Lot "N", 3.80 acres; latitude 58°21'48" N., longitude 134°33'00" W. (Homesite No. 250, Mile 7½ Group);

U. S. Survey No. 2516, Lot "A", 4.87 acres; latitude 58°26'12" N., longitude 134°48'00" W. (Homesite No. 631, Pearl Harbor Group);

U. S. Survey No. 2556, 2.62 acres; latitude 55°28'11" N., longitude 131°48'30" W. (Homesite No. 806, Clover Pass Group);

U. S. Survey No. 2556, 3.29 acres; latitude 55°28'11" N., longitude 131°48'30" W. (Homesite No. 807, Clover Pass Group);

U. S. Survey No. 2603, Lot 22, 3.20 acres; latitude 55°25'42" N., longitude 131°50'00" W. (Homesite No. 797, Point Higgins Group);

U. S. Survey No. 2604, Lot 17, 3.21 acres; latitude 55°25'42" N., longitude 131°50'00" W. (Homesite No. 630, Point Higgins Group);

U. S. Survey No. 2604, Lot 21, 2.97 acres; latitude 55°25'42" N., longitude 131°50'00" W. (Homesite No. 644, Point Higgins Group);

U. S. Survey No. 2604, Lot 29, 3.53 acres; latitude 55°25'42" N., longitude 131°50'00" W. (Homesite No. 654, Point Higgins Group);

U. S. Survey No. 2604, Lot 27, 3.48 acres; latitude 55°25'42" N., longitude 131°50'00" W. (Homesite No. 655, Point Higgins Group);

On the south shore of Deep Bay, Revillagigedo Island, 2.5 acres; latitude 55°33'30" N., longitude 131°40'40" W. (Homesite No. 813);

In Gull Cove on Chichagof Island, 4.97 acres; latitude 58°12'48" N., longitude 136°09'00" W. (Homesite No. 845).

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

AUGUST 22, 1946.

[F. R. Doc. 46-15508; Filed, Aug. 29, 1946;
11:47 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

Subchapter L—Overtime Services

PART 143—EXTRA COMPENSATION FOR OVERTIME SERVICES

MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in me by section 6 of the act of May 27, 1936 (49 Stat. 1385; 46 U. S. C. 382b) and section 101, Reorganization Plan No. 3 of 1946 (11 F. R. 7875), the following amendments to the regulations are prescribed, effective upon the date of publication in the FEDERAL REGISTER:

Section 143.1 is amended to read as follows:

§ 143.1 *Extra compensation; Coast Guard civilian personnel.* Civilians assigned to the duties formerly assigned to local inspectors and their assistants, United States Shipping Commissioners and their deputies and assistants prior to Reorganization Plan No. 3 of 1946, and customs officers and employees, while performing duties in connection with the inspection of vessels or their equipment, supplying or signing on or discharging crews of vessels, at night or on Sundays and holidays, shall receive extra compensation to be paid by the Master, owner, or agent of the vessel to the local United States Collector of Customs or his representative. (See § 143.16.)

Section 143.3 is amended to read as follows:

§ 143.3 *Overtime earnings not basis for overtime under Federal Employees Pay Act of 1945.* Overtime, Sunday and holiday services which are covered by payments under this part shall not also form a basis for overtime or extra pay under the Federal Employees Pay Act of 1945.

Section 143.5 is amended to read as follows:

§ 143.5 *Night, Sunday, and holiday defined.* (a) For the purpose of this part the word "night" shall mean the time between 5 p. m. of any day and 8 a. m. of the following day.

(b) The term "holiday" shall mean only national legal public holidays, viz., January 1, February 22, May 30, July 4, the 1st Monday in September, November 11, the 4th Thursday in November, December 25, and such other days as may be declared legal public holidays by an act of Congress or by an Executive Order of the President of the United States.

(c) The term "Sunday" shall include the first day of each calendar week.

Section 143.6 is amended to read as follows:

§ 143.6 *Rate for night service.* The rate of extra compensation for authorized overtime services performed at night on any week day is hereby fixed at one-half the gross daily rate of regular pay of the employee who performs the services for each 2 hours of compensable time, any fraction of 2 hours amounting to at least one hour to be counted as 2 hours. In computing the amount earned, each 2 hours is the time period for the purpose of computation, at least one hour means the minimum service in each period for which extra pay may be granted. If service continues beyond a 2 hour period, it must extend for at least one hour into the following 2 hour period to be entitled to extra pay for the second period. When the overtime extends beyond 5 p. m., payment of extra compensation from 5 p. m., for services consisting of at least one hour is authorized, even though such services may not actually begin until 7 p. m., 9 p. m., or later: *Provided*, That the officer rendering the service remained on duty from 5 p. m., in which case the time between 5 p. m., and the time of beginning the actual service shall be computed as waiting time; and where the actual services begin as late as 9 p. m., there should be an affirmative statement that the officer was required to remain on duty between 5 p. m., and 9 p. m., if a charge for waiting time is made. The maximum amount of extra compensation which may be paid an employee for services during one night shall not exceed two and one-half times the gross daily rate of his regular pay.

Section 143.7 is amended to read as follows:

§ 143.7 *Rate for Sunday or holiday services.* The rate of extra compensation for Sunday or holiday services is hereby fixed at twice the gross daily rate of regular pay of the employee who performs the service, for any and all services totaling an aggregate of not more than nine hours, with one hour for food and rest, during the twenty-four hours from midnight to midnight of the Sunday or holiday including actual waiting time and time required for travel between posts of duty but not including other time not spent at the post of duty. This rate shall apply regardless of the length of time served within the aggregate of the aforesaid 9 hours, whether it is served contin-

uously or in broken periods, and whether it is served for one or more applicants. Services in excess of an aggregate of the aforesaid 9 hours performed during the 24 hours of a Sunday or holiday shall be compensated on the same basis as overtime services performed at night on a week day, the time between the completion of the aggregate of the aforesaid 9 hours and midnight being considered as the hours of a night. The maximum amount which may be paid an employee for services performed during the 24 hours of a Sunday or holiday shall not exceed four and one-half times the gross daily rate of his regular pay.

Section 143.11 is amended to read as follows:

§ 143.11 *Proration of charges.* If services are performed for 2 or more applicants during one continuous tour of overtime duty, the charge for the extra compensation earned shall be prorated equitably according to the time attributable to the services performed for each applicant.

Dated: August 27, 1946.

[SEAL] J. F. FARLEY,
Admiral, U. S. Coast Guard,
Commandant.

[F. R. Doc. 46-15324; Filed, Aug. 28, 1946;
2:52 p. m.]

Notices

FEDERAL COMMUNICATIONS COMMISSION.

[Docket Nos. 7012, 7551, 7647]

DIAMOND STATE BROADCAST CORP. ET AL.

ORDER DESIGNATING APPLICATION FOR HEARING

In re applications of Diamond State Broadcast Corporation, Dover, Delaware, Docket No. 7012, File No. B1-P-4217; Key Broadcasting Company, Baltimore, Maryland, Docket No. 7551, File No. B1-P-4713; James M. Tisdale, Chester, Pennsylvania, Docket No. 7647, File No. B1-P-4781; for construction permits.

At a session of the Federal Communications Commission, held at its office in Washington, D. C., on the 15th day of August 1946.

The Commission having under consideration the above-entitled application of Key Broadcasting Corporation (Docket No. 7551) for a construction permit for a new standard broadcast station to operate on the frequency 750 kilocycles with 1 kilowatt power, daytime only, at Baltimore, Maryland; and

It appearing, That the Commission on June 13, 1946, designated for hearing in a consolidated proceeding the applications of Diamond State Broadcast Corporation (File No. B1-P-4217; Docket No. 7012) requesting the frequency 750 kilocycles with 250 watts power, daytime only, at Dover, Delaware, and James M. Tisdale (File No. B1-P-4781; Docket No. 7647) requesting the frequency 740 kilocycles with 250 watts power, daytime only, at Chester, Pennsylvania;

It is ordered, That the said application of Key Broadcasting Corporation be, and

it is hereby, designated for hearing in the above consolidated proceeding upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the two other applications in this consolidated proceeding or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the orders of the Commission dated June 13, 1946, designating the said applications of Diamond State Broadcast Corporation and James M. Tisdale for hearing in a consolidated proceeding be, and they are hereby, amended to include the said application of Key Broadcasting Corporation.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-15249; Filed, Aug. 28, 1946;
11:53 a. m.]

[Docket No. 7323]

RADIO SPRINGFIELD, INC.

ORDER DESIGNATING APPLICATION FOR HEARING

In re application of Radio Springfield, Inc., Springfield, Illinois; for construction permit, Docket No. 7323, file No. B4-P-3822.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 15th day of August 1946;

The Commission having under consideration the above-entitled application for a construction permit for a new standard broadcast station to operate on the frequency 1490 kilocycles, with 250 watts power, unlimited time, at Springfield, Illinois;

It is ordered, That the said application be, and it is hereby, designated for hearing upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders, to construct and operate the proposed station.

2. To obtain full information with respect to the corporate structure of which the applicant is a part, the amount of control to be exercised respectively by the proposed licensee corporation and the two parent corporations over the proposed station, and whether other subsidiaries comparable to the applicant are contemplated for future expansion in the radio broadcasting industry.

3. To determine the areas and populations which may be expected to gain from the primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

4. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

5. To determine whether the operation of the proposed station would involve objectionable interference with stations WMBD, Peoria, Illinois, WTMV, East St. Louis, Illinois, KBUR, Burlington, Iowa, and WDAN, Danville, Illinois, or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

7. To determine the overlap, if any, that will exist between the service areas of the proposed station and station WSOY, Decatur, Illinois, the nature and extent thereof, and whether such overlap is in contravention of section 3.35 of the Commission's rules.

8. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

It is further ordered, That Peoria Broadcasting Company, Peoria, Illinois, licensee of station WMBD; Myles H. Johns, Penrose H. Johns, Wm. F. Johns and Wm. F. Johns, Jr., d/b as Mississippi Valley Broadcasting Company, East St. Louis, Illinois, licensee of station WTMV; Burlington Broadcasting Company, Burlington, Iowa; licensee of station KBUR; and Northwestern Publish-

ing Company, Bensenville, Illinois, licensee of station WDAN; be, and they are hereby, made parties to this proceeding.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-15247; Filed, Aug. 28, 1946;
11:53 a. m.]

[Docket Nos. 7703, 7704, 7705]

WSAT, INC., ET AL.

ORDER DESIGNATING APPLICATIONS FOR
CONSOLIDATED HEARING

In re applications of WSAT, Inc.; Schenectady, New York; Docket No. 7705, File No. B1-P-4847; Amsterdam Broadcasters, Inc., Amsterdam, New York; Docket No. 7704, File No. B1-P-4881; Community Service Broadcasting Corporation of Amsterdam, New York; Amsterdam, New York; Docket No. 7703, File No. B1-P-5021; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 25th day of July 1946;

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new standard broadcast station to operate on 1490 kc, with 250 w power, unlimited time, in the cities indicated;

It is ordered, that the said applications be, and they are hereby, designated for hearing in a consolidated proceeding upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of each of the applicant corporations, its officers, directors and stockholders, to construct and operate its proposed station.
2. To determine the areas and populations which may be expected to gain primary service from the operation of each of the proposed stations and the character of other broadcast service available to those areas and populations.
3. To determine the type and character of program service proposed to be rendered by each applicant and whether it would meet the requirements of the populations and areas proposed to be served by each.
4. To determine whether the operation of each of the proposed stations would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.
5. To determine whether the operation of any of the proposed stations would involve objectionable interference with the others or with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.
6. To determine whether the installation and operation of each of the proposed stations would be in compliance with the Commission's rules and Stand-

ards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-15251; Filed, Aug. 28, 1946;
11:53 a. m.]

[Docket Nos. 7712, 7713]

MIDLAND BROADCASTING CO. AND RICH
PUBLISHING HOUSE, INC.

ORDER DESIGNATING APPLICATIONS FOR CON-
SOLIDATED HEARING ON STATED ISSUES

In re applications of Midland Broadcasting Company, Midland, Michigan; Docket No. 7712, File No. B2-P-4888; Rich Publishing House, Inc.; Midland, Michigan; Docket No. 7713, File No. B2-P-4906; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 25th day of July 1946:

The Commission having under consideration the above-entitled applications for construction permits for new standard broadcast stations both to operate on the frequency 1490 kilocycles with 250 watts power, unlimited time, at Midland, Michigan;

It is ordered, That the said applications be, and they are hereby, designated for hearing in a consolidated proceeding each upon the following issues.

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders to construct and operate the proposed station.
2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.
3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.
4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.
5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in a pending application for a new station to operate on the frequency 1470 kilocycles with 1 kilowatt power at Flint, Michigan (Docket No. 6956) or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.
6. To determine whether the installation and operation of the proposed sta-

tion would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-15250; Filed, Aug. 28, 1946;
11:53 a. m.]

[Docket Nos. 7766, 7767]

C. THOMAS PATTEN ET AL.

ORDER DESIGNATING APPLICATIONS FOR CON-
SOLIDATED HEARING

In re applications of C. Thomas Patten, Oakland, California; Docket No. 7766, File No. B5-P-4876; Charles Vernon Berlin, Fred D. McPherson, Jr., Mahlon D. McPherson, d/b as Radio Santa Cruz, Santa Cruz, California; Docket No. 7767, File No. B5-P-5105; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 7th day of August 1946;

The Commission having under consideration the above-entitled applications for construction permits for new standard broadcast stations in the cities indicated both requesting the frequency 1000 kilocycles with 10 and 1 kilowatt power respectively, daytime only;

It is ordered, That the said applications be, and they are hereby designated for hearing in a consolidated proceeding upon the following issues:

1. To determine the respective legal, technical, financial, and other qualifications of the individual applicant, of the applicant partnership and the partners thereof, to construct and operate their proposed stations.
2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed stations, or either of them, and the character of other broadcast service available to those areas and populations.
3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.
4. To determine whether the operation of the proposed stations or either of them, would involve objectionable interference with any existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.
5. To determine whether the operation of either of the proposed stations would involve objectionable interference with the services of the other or with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby

and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed stations would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-15248; Filed, Aug. 28, 1946;
11:53 a. m.]

[Docket Nos. 7769, 7700]

SOUTHERN WYOMING BROADCASTING CO.
AND SNOWY RANGE BROADCASTING CO.

ORDER DESIGNATING APPLICATIONS FOR
CONSOLIDATED HEARING

In re applications of G. Stanley Brewer tr/as Southern Wyoming Broadcasting Company, Laramie, Wyoming; Docket No. 7769, File No. B5-P-4933; Carroll S. Mohr, Fred O. Rice, Douglas D. Kahle, and George D. Humphrey d/b as Snowy Range Broadcasting Company, Laramie, Wyoming; Docket No. 7770, File No. B5-P-5001; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 7th day of August 1946;

The Commission having under consideration the above-entitled applications for construction permits for new standard broadcast stations to operate on the frequency 1340 kilocycles with 250 watts, unlimited time, at Laramie, Wyoming;

It is ordered, That the said applications be, and they are hereby, designated for hearing in a consolidated proceeding upon the following issues:

1. To determine the respective legal, technical, financial, and other qualifications of the applicants and of the partners of the applicant partnerships to construct and operate their proposed stations.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed stations, or either of them, and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed stations, or either of them, would involve objectionable interference with any existing broadcast stations, or with the services proposed in any pending application, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the installation and operation of the proposed stations would be in compliance with the

Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

6. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-15252; Filed, Aug. 28, 1946;
11:53 a. m.]

[Docket Nos. 7777, 7778, 7779, 7780]

BOOTH RADIO STATIONS, INC., ET AL.

ORDER DESIGNATING APPLICATIONS FOR CON-
SOLIDATED HEARING

In re applications of Booth Radio Stations, Inc.; Kalamazoo, Michigan; Docket No. 7777, File No. B2-P-4277; Leonard A. Versluis (WLAV); Grand Rapids, Michigan; Docket No. 7778, File No. B2-P-4536; Michigan Broadcasting Company, Battle Creek, Michigan; Docket No. 7779, File No. B2-P-4756; Elyria-Lorain Broadcasting Company, Elyria, Ohio; Docket No. 7780, File No. B2-P-4865; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 15th day of August 1946;

The Commission having under consideration the above-entitled applications for construction permits for new standard broadcast stations in the cities indicated, requesting the following facilities:

(1) Booth Radio Stations, Inc., for 930 kilocycles, 1 kilowatt power, unlimited time, using directional antenna day and night; (2) Leonard A. Versluis, to change frequency of Station WLAV from 1340 to 930 kilocycles, increase power from 250 watts to 1 kilowatt, with new directional antenna at night, install new transmitter, and change transmitter location; (3) Michigan Broadcasting Company, for 930 kilocycles, 1 kilowatt power, unlimited time, using directional antenna day and night; and (4) Elyria-Lorain Broadcasting Company, for 930 kilocycles, 1 kilowatt power, 5 kilowatts-LS, unlimited time, using directional antenna day and night;

It is ordered, That the said applications be, and they are hereby, designated for hearing in a consolidated proceeding upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant Leonard A. Versluis and of the three applicant corporations, their officers, directors and stockholders, to effectuate and carry out the purposes of their respective applications.

2. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operations and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of the program services proposed to be rendered and whether they would meet the requirements of the populations and areas proposed to be served.

4. To determine whether any of the proposed operations would involve objectionable interference with Stations WSBT, South Bend, Indiana, WBEN, Buffalo, New York, WLBL, Stevens Point, Wisconsin, WTAD, Quincy, Illinois, WSAZ, Huntington, West Virginia, and WWJ, Detroit, Michigan, or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether any one of the proposed operations would involve objectionable interference with the services proposed in any or all of the other applications in this consolidated proceeding or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the three new proposed stations and of Station WLAV as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

It is further ordered, That The Evening News Association, Detroit, Michigan; licensee of Station WWJ; The South Bend Tribune, South Bend, Indiana, licensee of Station WSBT; and the Department of Agriculture, State of Wisconsin, licensee of Station WLBL, Stevens Point, Wisconsin, be, and they are hereby, made parties to these proceedings.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-15246; Filed, Aug. 28, 1946;
11:53 a. m.]

[Docket No. 7766]

FLORIDA WEST COAST BROADCASTING CO.
ET AL.

ORDER DESIGNATING APPLICATION FOR
HEARING

In re application of Worth H. Kramer, Robert E. Wasdon, and Jack J. Siegel, d/b as Florida West Coast Broadcasting Company, Tampa, Florida; for construction permit; Docket No. 7768, File No. B3-P-4780.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 7th day of August 1946;

The Commission having under consideration the above-entitled application for a construction permit for a new standard broadcast station to operate on the frequency 1300 kilocycles with 1 kilowatt power, daytime only, at Tampa, Florida;

It is ordered, That the said application be, and it is hereby, designated for hearing upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the

applicant partnership and the partners to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations or with the services proposed in any pending applications, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-15245; Filed, Aug. 28, 1946;
11:53 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-748]

REYNOSA PIPE LINE CO.

ORDER FIXING DATE OF HEARING

AUGUST 27, 1946.

It appearing to the Commission that:

(a) On November 13, 1944, Reynosa Pipe Line Company (Reynosa) filed (1) an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to construct and operate facilities to be used in the exportation of natural gas (Docket No. G-594); (2) an application under section 3 of the Natural Gas Act, as amended, for authorization to export natural gas to Mexico (Docket No. G-595); and (3) an application for a Presidential Permit pursuant to Executive Order No. 8202 for the construction, operation, maintenance and connection at the international boundary of facilities for the exportation of natural gas (Docket No. G-596).

(b) After hearing held on January 29 to February 4, 1945, inclusive, in which hearing the Railroad Commission of Texas was permitted to and did participate, the Commission, by its order and Opinion No. 122 of May 8, 1945, dismissed without prejudice the application in Docket No. G-595.

(c) On June 6, 1945, Reynosa filed its application for a rehearing in Docket No. G-595 and requested that the Commission's order of May 8, 1945, be set aside.

(d) The Commission, by order dated July 5, 1945, granted Reynosa's petition

for rehearing and by order of July 10, 1945, consolidated for hearing Docket Nos. G-594 and G-595.

(e) On August 20, 1945, Reynosa withdrew the application, filed in Docket No. G-594, for a certificate of public convenience and necessity under section 7 (c) of the Natural Gas Act, as amended.

(f) Pursuant to the Commission's orders of July 10 and September 12, 1945, rehearing in Docket No. G-595 was held commencing on December 19, 1945. Pursuant to the Commission's order granting right to intervene, *Compañía Mexicana de Gas, S. A. (Compañía)* appeared and participated in this rehearing as an intervenor. Although served with due and timely notice and authorized to participate therein by Commission order, the Railroad Commission of Texas did not appear or participate in the aforesaid rehearing.

(g) By order entered March 8, 1946, the Commission granted the motion filed February 19, 1946, by the Railroad Commission of Texas to reopen the record in Docket No. G-595, fixing April 1, 1946, as the date of hearing thereof. On March 14, 1946, this Commission granted the petition of *Compañía*, filed on March 8, 1946, requesting leave to intervene in said docketed proceeding.

(h) At the reopened hearing, held between April 1 and 19, 1946, the Railroad Commission of Texas and *Compañía* were permitted to and did participate in such proceeding.

(i) On May 24, 1946, the Commission heard oral argument of all parties, including the Railroad Commission of Texas, and *Compañía*, and thereafter upon consideration of the entire record in Docket No. G-595 the Commission issued its Opinion No. 135 and accompanying order, entered June 6, 1946, at Docket No. G-595, authorizing Reynosa to export natural gas to the Republic of Mexico subject to the condition, among others, that within 30 days after the date of said order of June 6, 1946, Reynosa filed an application with this Commission for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing it to construct and operate the facilities necessary in order to export natural gas to Mexico.

(j) Reynosa, pursuant to the condition contained in the Commission's order of June 6, 1946, filed with the Commission by mail on July 2, 1946, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing it to construct and operate the following described facilities:

(1) Approximately 30 miles of 12-inch natural gas pipe line extending southerly from a point in the La Blanca Field in Hidalgo County, Texas, through the North Weslaco Field in Hidalgo County, Texas, to a point in the South Weslaco Field in Hidalgo County, Texas, thence extending westerly to the north bank of the Rio Grande River.

(2) Two 8-inch natural gas transmission pipe lines connecting at the north bank of the Rio Grande River with the natural gas transmission pipe line described in subparagraph (1) above, and

extending across and underneath the Rio Grande River to points of connection at the international boundary line of the United States and the Republic of Mexico, near the town of Reynosa, State of Tamaulipas, Mexico, with transmission pipe lines of Gas Industrial de Monterrey, S. A.

(3) Natural gas field lines extending from wells located in the La. Blanca, North Weslaco and South Weslaco Fields, Hidalgo County, Texas, to the natural gas transmission pipe line described in subparagraph (1) above.

(4) A meter station located on the north bank of the Rio Grande River and pipe line facilities located on said international boundary line at the terminus of the two natural gas transmission pipe lines described in subparagraph (2) above, for delivery of natural gas to the pipe line facilities of Gas Industrial de Monterrey, S. A.;

or, in the alternative, a finding that Reynosa is not now and will not be, upon the completion of the proposed facilities hereinabove described when used solely for the export of natural gas to Gas Industrial de Monterrey, S. A., a "natural-gas company" subject to the jurisdiction of the Commission under the provisions of the Natural Gas Act, as amended.

(k) The aforesaid Opinion No. 135 states:

Although Reynosa's application under Section 7 (c) was not before us at the time of the rehearing, the evidence presented at the several hearings herein was so thoroughly comprehensive that it clearly encompasses the question whether a certificate of public convenience and necessity should be granted. This evidence has been considered and appears to justify the issuance of a certificate without additional extensive exploration or inquiry. . . . In the event Reynosa files such an application it would, by reason of the decision of the Commission permitting the exportation, be appropriate to set the matter for hearing in accordance with the abridged hearing procedure provided by the Commission's Order No. 130. The evidence heretofore adduced, pertinent and relevant to the issues in the Section 7 (c) proceeding, may be incorporated by reference.

(l) On August 13, 1946, the Railroad Commission of Texas filed a petition for leave to intervene in this proceeding.

(m) On August 14, 1946, *Compañía Mexicana de Gas, S. A.*, filed a petition for leave to intervene in this proceeding.

The Commission finds that:

(1) The Railroad Commission of Texas and *Compañía* have been permitted to and have participated in the proceedings held heretofore in connection with matters related to the issues which may be presented in this proceeding; that they have been afforded the opportunity to and have submitted extensive evidence with respect to the issues concerned with the exportation and the construction and operation of the facilities necessary for such exportation as well as the ability and willingness of the Applicant properly to do the acts and to perform the service proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules and regulations of the Commission thereunder; and that they have had abundant and ample opportunity to present to the Commission comprehensive evidence respecting their

contentions as to whether natural gas should be exported to Mexico.

(2) In the circumstances, it is appropriate in the public interest that the entire record in Docket No. G-595 be incorporated in and made a part of the record in this proceeding by reference.

The Commission therefore orders that:

(A) A public hearing be held commencing on September 18, 1946, at 10 o'clock a. m. in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington 25, D. C., respecting the issues involved and matters presented by the application of Reynosa Pipe Line Company in this proceeding.

(B) The entire record in Docket No. G-595 is hereby incorporated in and made a part of the record in this proceeding by reference.

(C) In the light of the circumstances hereinabove set forth, the evidence to be adduced herein will be confined and limited to the issues involved and matters presented by the application in this proceeding (Docket No. G-748), and the evidence heretofore taken in Docket No. G-595 shall not be again presented in said hearing in Docket No. G-748.

(D) The petition of the Railroad Commission of Texas to intervene in this proceeding, heretofore referred to, be and it is hereby granted.

(E) The petition of Compañia Mexicana de Gas, S. A., to intervene in this proceeding, heretofore referred to, be and it is hereby granted subject to the rules and regulations of the Commission; *Provided, however,* That the admission of such intervener shall not be construed as recognition by the Commission that it might be aggrieved by any order or orders of the Commission entered in this proceeding.

(F) Interested state commissions may participate in this proceeding as provided by § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act, as amended.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 46-15509; Filed, Aug. 29, 1946;
11:53 a. m.]

[Docket Nos. IT-6000 and IT-5998]

NORTHWESTERN ELECTRIC CO. AND PACIFIC
POWER AND LIGHT CO.

ORDER FIXING PLACE AND DATE OF CONCURRENT HEARING AND PROVIDING FOR CO-OPERATIVE PROCEDURE

AUGUST 27, 1946.

Upon consideration of the request of the Public Utilities Commissioner of the State of Oregon (hereinafter referred to as "Public Utilities Commissioner") and the Department of Public Utilities of the State of Washington (hereinafter referred to as "Department") that a concurrent hearing be held in the above-entitled matters pursuant to section 209 (b) of the Federal Power Act and Part 39, as amended, of the Federal Power Commission's rules of practice and regulations,

It appears to the Commission that:

(a) On July 12, 1946, a joint application was filed pursuant to section 203 of the Federal Power Act by Northwestern Electric Company ("Northwestern") a corporation organized under the laws of the State of Washington and Pacific Power and Light Company ("Pacific") a corporation organized under the laws of the State of Maine with each of their principal business offices at Portland, Oregon, seeking an order authorizing the consolidation and merger of the facilities of Northwestern into and with Pacific, the surviving corporation.

(b) By application filed June 17, 1946, as amended by telegrams filed June 28, 1946, and July 2, 1946, Pacific requested permission under Balance Sheet Accounts Instruction 5E of the Uniform System of Accounts to amortize the amount of \$1,577,325 over a period of five years representing the call premiums and expense applicable to the preferred stock which would be retired in the event the proposed merger is approved. Pacific also requested permission under Balance Sheet Accounts Instruction 6E to amortize over a two-year period the amount of \$655,740.09 which represents a balance of unamortized debt discount, and redemption premiums which will not otherwise be disposed of under Pacific's proposal.

(c) Protests to the approval of the proposed merger have been filed by Benton County Utility District, Consumers' Service Bureau, Independent Retail Meat Dealers Association, Interstate Electric, Inc., and Oregon State Grange; and requests for a hearing and opportunity to be heard on the proposed merger have been filed by Benton County Utility, Hood River Electric Coop., Interstate Electric, Inc., Northern Wasco Public Utility District No. 1, Clark County, Washington, Washington Public Utilities Commissioners Association, and Wickiup Peoples Utility District.

(d) The date and place suggested by the Public Utilities Commissioner and the Department is satisfactory to the Applicants, and consistent with the requests of most of those who have submitted protests or petitions.

The Commission orders that:

(A) A public hearing be held concurrently with the Public Utilities Commissioner and the Department, commencing on September 17, 1946, at 10:00 a. m. in Room 534, Multnomah County Court House, Portland, Oregon, on the matters involved and the issues raised in said applications.

(B) The Federal Power Commission (hereinafter referred to as "Commission"), the Public Utilities Commissioner and the Department will sit or designate the representative or representatives to sit at the concurrent hearing, and will designate the representative who will be the presiding officer for the Commission, the Public Utilities Commissioner, and the Department. The representative designated by the Commission will be the presiding officer to announce rulings with respect to which there is no disagreement; and all such rulings shall be considered concurrent rulings. However, if the presiding officer for the Public Utilities Commissioner or the Department do

not concur in any ruling, they may announce a divergent ruling.

(C) The record of the concurrent hearing shall be the record of the Commission, the Public Utilities Commissioner, and the Department, except that, if divergent rulings are made, the rulings shall be so recorded as to separate and distinguish clearly the record of the Commission, the Public Utilities Commissioner, and the Department of the evidence admitted in each record, in accordance with rulings of the presiding officers of the Commission, the Public Utilities Commissioner, and the Department. If the ruling of one presiding officer has the effect of admitting any voluminous exhibit or testimony which is excluded by the ruling of another presiding officer, the taking of such evidence will, whenever possible, be deferred until after the completion of all proceedings which can be conducted under concurrent rulings. In all respects concerning which there shall be no divergence of ruling, the hearing will be conducted in accordance with the rules of practice and regulations prescribed by the Commission, subject to the express understanding that the Public Utilities Commissioner and the Department shall control their own record and make their own rulings as to the admissibility of evidence, and as to other matters affecting the proceedings, and shall make their own separate, final decision or order therein. Before either the Commission, the Public Utilities Commissioner, or the Department shall enter any order or orders, opportunity shall be afforded for a conference between the Commission, the Public Utilities Commissioner, and the Department.

(D) The hearing may be adjourned from time to time and place to place by the presiding officers.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 46-15510; Filed, Aug. 29, 1946;
11:53 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[SO 133, Order 67]

LEACH CO.

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 sections 4 and 6 of Supplementary Order No. 133, It is ordered:

(a) *Manufacturer's ceiling prices.* The Leach Company of Oshkosh, Wisconsin may compute its adjusted ceiling prices for certain articles in its line of logging tools and pole line construction tools which it manufactures, as follows:

(1) For an article which has a properly established maximum price, the adjusted maximum price is the article's properly established maximum price for the particular sale (exclusive of all permitted increases or adjustment charges) increased by no more than 17.3 percent.

(2) The manufacturer's adjusted maximum price fixed in accordance with

this order is his new maximum price if it is higher than his previously established maximum price including all increases and adjustments otherwise authorized for him individually or for his industry.

(3) This order applies to those logging tools and pole line construction tools manufactured by Leach Company, Oshkosh, Wisconsin listed in catalogues 51 and 46 of that company, which have not been suspended from price control, and which are covered by the General Maximum Price Regulation, or Maximum Price Regulation No. 188. Certain of these tools which are covered by Maximum Price Regulation No. 188 are listed in Order No. 5105 issued under that regulation. The increase in manufacturer's maximum prices permitted by this order is in lieu of any increase permitted manufacturers under the provisions of Order No. 5105.

(b) *Reseller's maximum prices.* Resellers of an article which the manufacturer has sold at an adjusted maximum price determined under this order shall determine their maximum prices as follows:

(1) If the article covered by this order is also covered by Order No. 5105 under Maximum Price Regulation No. 188, a wholesaler shall compute his adjusted maximum price for a sale of that article to each class of purchaser in accordance with the provisions of Order No. 5105 under Maximum Price Regulation No. 188.

(2) If the article covered by this order is also covered by Maximum Price Regulation No. 614, a retailer shall compute his maximum price for a sale of that article in accordance with the provisions of Maximum Price Regulation No. 614.

(3) If the article covered by this order is not also covered by Order No. 5105 under Maximum Price Regulation No. 188 as to a sale by a wholesaler, or by Maximum Price Regulation No. 614 as to a sale by a retailer, then the wholesaler or retailer as the case may be whose sale of the particular article is not covered by the order or regulation mentioned above, shall determine his maximum price as follows: He shall calculate his ceiling price by adding to his invoice cost the same percentage markup which he has on the "most comparable article" for which he has a properly established maximum price. For this purpose the "most comparable article" is one which meets all of the following tests:

- (i) It belongs to the narrowest trade category which includes the article being priced.
- (ii) Both it and the article being priced were purchased from the same class of supplier.
- (iii) Both it and the article being priced belong to a class of articles to which, according to customary trade practices, an approximately uniform percentage markup is applied.
- (iv) Its net replacement cost is nearest to the net cost of the article being priced.

The determination of a maximum 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 620-759, with regard to how he determines his maxi-

imum resale price. These records shall be kept available for inspection by the Office of Price Administration for as long as the Emergency Price Control Act of 1942, as amended remains in effect.

(4) If the reseller cannot determine his maximum price under (1), (2) or (3) above, he shall apply to the Office of Price Administration for the establishment of his maximum price under § 1499.3 (c) of the General Maximum Price Regulation. A maximum price established in this way will be in line with maximum prices established generally under this order.

(c) *Terms of sale.* Maximum prices adjusted by this order are subject to each seller's terms, discounts and allowances on sales to each class of purchaser in effect during March 1942, or thereafter properly established under Office of Price Administration regulations.

(d) *Relation between this order and other orders or regulations.* The provisions of Order No. 5105 under Maximum Price Regulation No. 188, of Maximum Price Regulation No. 614 and of the General Maximum Price Regulation except as modified by this order shall govern, wherever applicable, all sales of the articles covered by this order. The provisions of Supplementary Order No. 153 shall not apply to sales of any of the articles covered by this order.

(e) *Notification.* At the time of, or prior to the first invoice to a purchaser for resale on and after the effective date of this order, showing prices adjusted in accordance with this order, the seller shall notify the purchaser in writing of the methods established in paragraph (b) of this order for determining adjusted maximum prices for resales of the articles. This notice may be given in any convenient form.

This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 29th day of August 1946.

Issued this 28th day of August 1946.

GEOFFREY BAKER,
Acting Administrator.

[F. R. Doc. 46-15242; Filed, Aug. 28, 1946; 11:23 a. m.]

[MPR 478, Order 201]

CLIFTON MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 10 of Maximum Price Regulation 478: *It is ordered:*

(a) The maximum price for sales by converters and wholesalers of the following coated fabric converted by the Clifton Manufacturing Company, Clifton, South Carolina, shall be as follows:

Commodity and for Sales to Manufacturers

41" 56 x 56 3.51 sheeting, dyed, coated with 3.1 dry ozs. of pyroxylin coating, Spanish finish: \$0.49413 per linear yard.

(b) With or prior to the first delivery of the coated fabric covered by this order to

a wholesaler, the seller shall notify such person in writing of the specific maximum price applicable to his resale of this coated fabric to manufacturers which is the maximum price set forth in paragraph (a) above.

(c) All provisions of Maximum Price Regulation 478 not inconsistent with this order shall apply to sales covered by this order.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 29, 1946.

Issued this 28th day of August 1946.

GEOFFREY BAKER,
Acting Administrator.

[F. R. Doc. 46-15238; Filed, Aug. 28, 1946; 11:24 a. m.]

[SO 148, Order 34]

INDIANAPOLIS CASKET CO.

ADJUSTMENT 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 section 5 of Supplementary Order No. 148: *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain caskets manufactured by the Indianapolis Casket Company, Indianapolis, Indiana.

(1) For all sales and deliveries of the following caskets by the manufacturer to the class of purchaser indicated below, the adjusted maximum prices are as follows:

Article	Model No.	Maximum price to funeral director
Casket.....	904	Each \$22.50

(b) *Resellers' ceiling prices.* Distributors and dealers who sell the article in the same form in which the manufacturer has sold it at an adjusted ceiling price determined under this order, shall determine their maximum prices as follows:

A reseller shall calculate his ceiling prices by adding to his invoice cost the same percentage markup which he has on the "most comparable article" for which he has a properly established ceiling price. For the purpose the "most comparable article" is one which meets all of the following tests:

- (1) It belongs to the narrowest trade category which includes the article being priced.
- (2) Both it and the article being priced were purchased from the same class of supplier.
- (3) Both it and the article being priced belong to a class of articles to which, according to customary trade practices, an approximately uniform percentage markup is applied.
- (4) Its net replacement cost is nearest to the net cost of the article being priced.

The determination of a ceiling 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 by OPA Form 620-759 with regard to how he determined his ceiling price, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

If the maximum resale price cannot be determined under the above method the reseller shall apply to the Office of Price Administration for the establishment of a ceiling price under § 1499.3 (c) of the General Maximum Price Regulation. Ceiling prices established under that section will reflect the supplier's prices as adjusted in accordance with this order.

(c) *Terms of sale.* Ceiling prices adjusted by this order are subject to each seller's terms, discounts, and allowances on sales to each class of purchaser in effect during March 1942, or thereafter properly established under OPA regulations.

(d) The provisions of Supplementary Order No. 153 shall not apply to the determination of ceiling prices for resales of the articles covered by this order.

(e) *Notification.* At the time of, or prior to the first invoice to a purchaser for resale on and after the effective date of this order, showing prices adjusted in accordance with this order, the seller shall notify the purchaser in writing of the method established in paragraph (b) of this order for determining adjusted maximum prices for resale of the articles. This notice may be given in any convenient form.

(f) All requests for adjustments which have not been granted by this order are hereby specifically denied.

(g) This order may be revoked or amended by the Price Administrator at any time.

(h) This order shall become effective on the 29th day of August 1946.

Issued this 28th day of August 1946.

GEOFFREY BAKER,
Acting Administrator.

[F. R. Doc. 46-15244; Filed, Aug. 28, 1946; 11:23 a. m.]

[MPR 188, Amdt. 1 to Order 14 Under Order 6]

CHICAGO ELECTRIC MFG. CO.

APPROVAL OF UNIFORM RETAIL 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 section 4 (a) of Order No. 6 under § 1499.159e of Maximum Price Regulation No. 188, *It is ordered* that Order No. 14 under section 4 (a) of Order No. 6 under section 1499.159e of Maximum Price Regulation No. 188 be amended in the following respects:

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

The uniform retail ceiling price in each zone for a sale of any article manufactured by the Chicago Electric Manufacturing Company, 6333 West 65th Street,

Chicago 38, Illinois, and described below, shall be the price set forth for a sale of that article in that zone in the table of uniform retail ceiling prices set forth below:

TABLE OF UNIFORM RETAIL CEILING PRICES

Description	Model No.	Uniform retail ceiling prices for sales in—	
		Zone I	Zone II
Sunkist Juliet.....	BM-19	\$9.85	\$10.35
	BM-21	14.40	15.10

The above ceiling prices apply to all types of retail sales of all types of sellers of the articles subject to this order.

2. After paragraph (d), a new paragraph (e) is added to read as follows:

(e) Anything contained in Order No. 23 under section 13 of Order No. 6 under § 1499.159e of Maximum Price Regulation No. 188 to the contrary notwithstanding, the provision of that order shall have no application to sales or deliveries of articles covered by this order.

This amendment shall become effective on the 29th day of August 1946.

Issued this 28th day of August 1946.

GEOFFREY BAKER,
Acting Administrator.

[F. R. Doc. 46-15233; Filed, Aug. 28, 1946; 11:24 a. m.]

[MPR 188, Amdt. 1 to Order 22 Under Order 6]

HANKSCRAFT CO.

APPROVAL OF UNIFORM RETAIL 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 section 4 (a) of Order No. 6 under § 1499.159e of Maximum Price Regulation No. 188, *It is ordered*, That Order No. 22 under section 4 (a) of Order No. 6 under § 1499.159e of Maximum Price Regulation No. 188 be amended in the following respects:

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

(a) This order establishes uniform retail ceiling prices for sales in all parts of the country of certain small electrical appliances specified below which are manufactured by the Hanksraft Company, 1007 East Washington Avenue, Madison 3, Wisconsin, and sold under the brand name, "Hanksraft" as follows:

Article	Model No.	Uniform retail ceiling price (inclusive of Federal excise tax)
Automatic electric egg cooker.	749B.....	\$2.25
Automatic electric major vaporizer.	891.....	3.50
Automatic electric baby bottle sterilizer.	872.....	5.95
Automatic electric baby bottle warmer and vaporizer.	1013A.....	1.95
Automatic electric egg cooker.	815.....	4.50
Egg service set.....	8151.....	7.95

This amendment shall become effective on the 29th day of August 1946.

Issued this 28th day of August 1946.

GEOFFREY BAKER,
Acting Administrator.

[F. R. Doc. 46-15234; Filed, Aug. 28, 1946; 11:24 a. m.]

[MPR 478, Order 198]

WEYMOUTH ART LEATHER CO., INC.

AUTHORIZATION OF MAXIMUM PRICES

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 10 of Maximum Price Regulation 478, *It is ordered*:

(a) The maximum prices for sales at wholesale to manufacturers, supply jobbers and retailers by the Weymouth Art Leather Company, Inc., South Braintree, Massachusetts, or by any other reseller of the following coated fabric, shall be as follows:

Commodity	Manufacturer	Supply jobber	Retailer
24" T-L-11237, 60" 38 x 40 1.87 soft-filled sheeting, dyed, coated with 4½ dry ounces of vinylite coating (purchased from the Fastex, Inc.)	Per linear yard \$.82696	Per linear yard \$.80421	Per linear yard \$.93507
24" T-11674, 60" 38 x 40 1.87 soft-filled sheeting, dyed, coated with 6.4 dry ounces of pyroxylin coating (purchased from Fastex, Inc.)	.82696	.80421	.93507

(b) With or prior to the first delivery of the coated fabrics covered by this order to a wholesaler, the seller shall notify such person in writing of the specific maximum prices applicable to his resale of these coated fabrics to manufacturers, supply jobbers and retailers, which are the maximum prices set forth in paragraph (a) above.

(c) All provisions of Maximum Price Regulation 478 not inconsistent with this order shall apply to sales covered by this order.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 29, 1946.

Issued this 28th day of August 1946.

GEOFFREY BAKER,
Acting Administrator.

[F. R. Doc. 46-15235; Filed, Aug. 28, 1946; 11:25 a. m.]

[MPR 478, Order 199]

WEYMOUTH ART LEATHER CO., INC.

AUTHORIZATION OF MAXIMUM PRICES

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 10 of Maximum Price Regulation 478; *It is ordered*:

(a) The maximum prices for sales at wholesale to manufacturers, supply jobbers and retailers by the Weymouth Art

Massachusetts, or by an other reseller of Leather Company, Inc., South Braintree, the following coated fabric shall be as follows:

Commodity	Manu- facturer	Supply jobber	Re- tailer
36" T-L-11675 Quality, 37" 86 x 40 1.75 twill, dyed, coated with 734 dry ounces of vinylite (purchased from Southeastern).....	Per linear yard \$0.91348	Per linear yard \$0.88580	Per linear yard \$1.04398

(b) With or prior to the first delivery of this coated fabric covered by this order to a wholesaler, the seller shall notify such person in writing of the specific maximum prices applicable to his resale of this coated fabric to manufacturers, supply jobbers and retailers which are the maximum prices set forth in paragraph (a) above.

(c) All provisions of Maximum Price Regulation 478 not inconsistent with this order shall apply to sales covered by this order.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 29, 1946.

Issued this 28th day of August 1946.

GEOFFREY BAKER,
Acting Administrator.

[F. R. Doc. 46-15238; Filed, Aug. 28, 1946; 11:25 a. m.]

[MPR 478, Order 200]

WALTON COTTON MILLS

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 10 of Maximum Price Regulation 478; *It is ordered:*

(a) The maximum prices for sales by converters and wholesalers of the following coated fabric converted by the Walton Cotton Mills, Monroe, Georgia, shall be as follows:

Commodity	For sales to—	
	Manu- facturers	Supply jobbers
37" 86 x 40 1.75 twill, dyed, coated with 3.92 dry ounces of pyroxylin coating, red Spanish finish.....	Per linear yard \$0.73981	Per linear yard \$0.71946

(b) With or prior to the first delivery of the coated fabric covered by this order to a wholesaler, the seller shall notify such person in writing of the specific maximum prices applicable to his resale of this coated fabric to manufacturers and supply jobbers which are the maximum prices set forth in paragraph (a) above.

(c) All provisions of Maximum Price Regulation 478 not inconsistent with this order shall apply to sales covered by this order.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 29, 1946.

Issued this 28th day of August 1946.

GEOFFREY BAKER,
Acting Administrator.

[F. R. Doc. 46-15237; Filed, Aug. 28, 1946; 11:25 a. m.]

[SO 133, Order 68]

FILTEX CORP.

ADJUSTMENT 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 Supplementary Order No. 133, *It is ordered:*

(a) This order establishes adjusted resale ceiling prices for sales of the Hygienic Filtext model cylinder type vacuum cleaner and a nine piece attachment set manufactured by the Filtext Corporation, 421-423 E. 15th Street, Los Angeles 15, California.

(1) Distributors shall determine their ceiling prices for their sales to dealers in accordance with the provisions of section 15 of Revised Maximum Price Regulation No. 111.

(2) Ceiling prices for sales by all persons to ultimate consumers of the Hygienic Filtext cylinder type cleaner with a nine piece attachment set is \$90.00. This retail ceiling price includes all adjustments allowed under Revised Maximum Price Regulation No. 111 and Supplementary Order No. 133 and may not, therefore, be further increased.

(b) All the provisions of Revised Maximum Price Regulation No. 111 continue to apply to the sale of articles covered by this order, except to the extent that those provisions are modified by this order.

(c) Unless the context requires otherwise, the definitions contained in Revised Maximum Price Regulation No. 111 continue to apply to the terms used herein.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 29th day of August 1946.

Issued this 28th day of August 1946.

GEOFFREY BAKER,
Acting Administrator.

[F. R. Doc. 46-15243, Filed, Aug. 28, 1946; 11:25 a. m.]

[MPR 592, Order 128]

MASTER BRICK CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 128 under Section 16 of Maximum Price Regulation No. 592. Specified construction materials and refractories. The Master Brick Company; Docket No. 6122-592.16-338.

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 maximum net prices for sales by the Master Brick Company, Alliance, Ohio, of brick and structural clay tile to its various classes of purchasers may be increased by an amount not in excess of \$1.25 per thousand for standard size brick equivalents or by an amount not in excess of \$0.50 per ton for structural hollow tile.

(b) If the Master Brick Company had an established differential in price during the month of March 1942 for non-standard sizes of brick it may convert the adjustment granted herein for standard size brick on the basis of the conversion factors or formulae in use by it during March 1942 in establishing price differentials between standard size brick and the other sizes.

(c) Any person purchasing any of the products covered by this order produced by the Master Brick Company for the purpose of resale in the same form may increase his presently established prices under the General Maximum Price Regulation by adding the percentage increase in cost resulting from the increase permitted the manufacturer in (a) above. Notwithstanding the provisions of this paragraph, in any area where specific maximum prices are fixed by an area pricing order such specific maximum prices shall apply in that area.

(d) All requests of the application not granted herein are denied.

(e) This order may be amended or revoked by the Office of Price Administration at any time.

This order effective August 29, 1946.

Issued this 28th day of August, 1946.

GEOFFREY BAKER,
Acting Administrator.

[F. R. Doc. 46-15239; Filed, Aug. 28, 1946; 11:25 a. m.]

[MPR 592, Order 129]

BUFFALO BRICK CORP.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 129 under section 16 of Maximum Price Regulation No. 592. Specified construction materials and refractories. Buffalo Brick Corporation; Docket No. 6122-592.16-394.

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 maximum net prices for sales by the Buffalo Brick Corporation, Buffalo, N. Y., of brick and structural clay tile to its various classes of purchasers may be increased by an amount not in excess of \$1.75 per thousand for standard size brick equivalents or by an amount not in excess of \$0.70 per ton for structural hollow tile.

(b) If the Buffalo Brick Corporation had an established differential in price during the month of March 1942 for non standard sizes of brick it may convert the adjustment granted herein for standard size brick on the basis of the conversion factors or formulae in use by it during

March 1942 in establishing price differentials between standard size brick and the other sizes.

(c) Any person purchasing any of the products covered by this order produced by the Buffalo Brick Corporation for the purpose of resale in the same form may increase his presently established prices under the General Maximum Price Regulation by adding the percentage increase in cost resulting from the increase permitted the manufacturer in (a) above. Notwithstanding the provisions of this paragraph, in any area where specific maximum prices are fixed by an area pricing order such specific maximum prices shall apply in that area.

(d) All requests of the application not granted herein are denied.

(e) This order may be amended or revoked by the Office of Price Administration at any time.

This order effective August 29, 1946.

Issued this 28th day of August 1946.

GEOFFREY BAKER,
Acting Administrator.

[F. R. Doc. 46-15240; Filed, Aug. 28, 1946; 11:26 a. m.]

[SO 133, Order 69]

BEAM MANUFACTURING CO.

ADJUSTMENT 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 Supplementary Order No. 133, it is ordered:

(a) *Manufacturer's ceiling prices.* The Beam Manufacturing Company, Webster City, Iowa, may adjust its ceiling prices determined under Revised Maximum Price Regulation No. 86 for the line of washing machines which it manufactures for sale to private brand purchasers by 4.5 percent.

(b) *Distributors' ceiling prices.* Distributors and private brand purchasers for resale at wholesale shall determine their ceiling prices for resales of washing machines which they purchase at ceiling prices adjusted under this order in accordance with the provisions of section 15 of Revised Maximum Price Regulation No. 86, as amended.

(c) *Dealers' ceiling prices.* The ceiling prices for sales in each zone to consumers of the models of washing machines listed below which the seller has purchased at prices which include an adjustment under this order are as follows:

Model	Ceiling prices for sales to ultimate consumers		
	Zone 1	Zone 2	Zone 3
21.....	\$53.75	\$55.75	\$56.75
31.....	62.50	65.50	67.50
41.....	64.75	67.75	69.75
61.....	79.50	82.50	84.50
71.....	73.75	76.25	77.25
31 X.....	91.00	94.00	96.00
51 X.....	102.00	105.00	107.00
51 XSP.....	90.50	93.50	95.50
11.....	39.50	40.50	41.50
11X.....	67.75	67.75	67.75
81.....	73.75	76.75	78.75
81 P.....	85.25	88.25	90.25
31 P.....	74.00	77.00	79.00

These ceiling prices include the increases allowed under section 16b of Revised Maximum Price Regulation No. 86 and may not, therefore, be increased under that section.

(d) *Zones.* For purposes of this order Zones 1, 2, and 3 are those defined in Order No. 69 under Revised Maximum Price Regulation No. 86.

(e) *Relationship of this order to Revised Maximum Price Regulation No. 86.* The ceiling prices established by this order supersede those established by the same models of washing machines under Revised Maximum Price Regulation No. 86 and any orders thereunder only with respect to washing machines sold by the manufacturer at prices which include an adjustment under this order. All the provisions of Revised Maximum Price Regulation No. 86, as amended, continue to apply to all sales and deliveries of machines covered by this order, except to the extent that those provisions are modified by this order. Unless the context requires otherwise, the definitions contained in the various sections of Revised Maximum Price Regulation No. 86, as amended, shall apply to the terms used herein.

(f) *Notification.* At the time of, or prior to the first invoice to a purchaser for resale at wholesale after the effective date of this order, the manufacturer shall notify him of the method of establishing wholesale ceiling prices and of the retail ceiling prices established by this order.

(g) This order may be revoked or amended by the Price Administrator at any time.

(h) This order shall become effective on the 28th day of August 1946.

Issued this 28th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-15384; Filed, Aug. 28, 1946; 4:26 p. m.]

[MPR 592, Order 130]

MOUNT SAVAGE REFRACTORIES 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 10 of Maximum Price Regulation 592, *It is ordered:*

(a) Maximum prices for sale by any person of solid gray buff smooth dry press face brick manufactured by the Mount Savage Refractories Company, Mount Savage, Maryland, shall be:

	<i>Per M</i>
For sales to dealers.....	\$34.75
For sales to consumers.....	36.75
F. o. b. plant, Mount Savage, Maryland.	

(b) The above prices shall be subject to a cash discount of \$1.00 per M if paid within 15 days after date of invoice.

(c) The above prices include all price increases authorized by Order No. 1 to date and may not be further increased pursuant to the provisions of Order No. 1 as are in effect as of the date of this order.

(d) All provisions of Maximum Price Regulation 592 not inconsistent with this

order shall apply to sales covered by this order.

(e) This order may be amended or revoked by the Office of Price Administration at any time.

This order shall become effective August 29, 1946.

Issued this 28th day of August 1946.

GEOFFREY BAKER,
Acting Administrator.

[F. R. Doc. 46-15241; Filed, Aug. 28, 1946; 11:24 a. m.]

[MPR 592, Order 132]

SMOOT SAND AND GRAVEL CORP.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 132 under section 16 of Maximum Price Regulation 592. Specified construction materials and refractories. Smoot Sand and Gravel Corporation. Docket No. 6122-592.16-358.

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 maximum prices for sales of the following sand and gravel products by the Smoot Sand and Gravel Corporation, Washington, D. C., shall be:

Product	Per ton of 2,000 pounds			
	F. o. b. customer's trucks	F. o. b. cars	F. o. b. scoops	F. o. b. scoops to dealers at Alexandria, Va.
Concrete sand.....	\$1.15	\$1.15	\$1.05	\$1.00
Building sand.....	1.15	1.15	1.05	1.00
Gravel.....	1.60	1.60	1.60	1.40
Asphalt sand.....	1.45	1.45	1.35	-----
Torpedo sand.....	1.60	-----	-----	-----
Grit.....	1.80	-----	-----	-----

Product	Per bag containing 80 to 100 pounds f. o. b. customer's trucks	
	Bag furnished	Bag not furnished
Sand.....	\$0.35	\$0.20
Gravel.....	.35	.2

(b) The maximum prices established in (a) above shall be subject to cash, quantity, and other discounts and 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.

(c) Any person purchasing any of the products covered by this order produced by the Smoot Sand and Gravel Corporation for the purpose of resale in the same form may increase his presently established prices under the General Maximum Price Regulation by adding the percentage increase to him resulting from the increase permitted the manufacturer. Notwithstanding the provisions of this paragraph, in any area where specific maximum prices are fixed by an area pricing order such specific maximum prices shall apply in that area.

(d) All provisions of Maximum Price Regulation No. 592 not inconsistent with

this order shall apply to sales covered by this order.

(e) All requests of the application not granted herein are denied.

(f) This order may be amended or revoked by the Office of Price Administration at any time.

This order shall become effective August 27, 1946.

Issued this 27th day of August 1946.

GEOFFREY BAKER,
Acting Administrator.

[F. R. Doc. 46-15167; Filed, Aug. 27, 1946;
4:42 p. m.]

[SO 94, 2d Rev. Order 70]

ELECTRIC GENERATING UNITS

SPECIAL MAXIMUM PRICES

Revised Order 70 under Supplementary Order 94 is redesignated Second Revised Order 70 and is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, it is ordered:

(a) *What this order does.* This order establishes maximum prices for the sale and delivery by any reseller of electric generating plants ranging in ratings up to and including 125 KVA or 100 KW complete with accessories and parts supplied by the manufacturer and consisting of an internal combustion engine mounted on a common base and connected to an electric generator, which have been or may be purchased from the War Assets Administration or any other United States Government agency.

(b) *Maximum prices.* The maximum prices (f. o. b. shipping point) for sales and deliveries by all resellers of the electric generating units hereinbefore described, in the condition specified, to any class of purchaser, shall be:

(1) Price for the unit new or used and in as good as new condition: The Government selling price plus a markup of 66 $\frac{2}{3}$ % on such price, but not to exceed 85% of the manufacturer's current list price new.

(2) Price for the unit used but reconditioned and guaranteed: The Government selling price plus a markup of 66 $\frac{2}{3}$ % on such price, to which may be added reconditioning costs, but a total of not to exceed 85% of the manufacturer's current list price new.

(3) Price of the unit in any other condition than specified in (1) and (2) above: The Government selling price plus a markup of 66 $\frac{2}{3}$ % on such price, but not to exceed 55% of the manufacturer's current list price new.

In the case of a sale by one reseller to another reseller, the aforesaid markups may be divided in such proportion as may be agreed upon between the parties to the transaction.

(c) *Invoices.* Every reseller of the articles described in paragraph (a) shall furnish his purchaser with an invoice of sale setting forth the Government selling price.

(d) *Relation to other regulations and orders.* This order with respect to the commodities it covers supersedes any other regulation or order previously issued by the Office of Price Administration.

(e) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective August 30, 1946.

Issued this 29th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-15480; Filed Aug. 29, 1946;
11:28 a. m.]

[SO 94, Revocation of Order 118]

CERTAIN OFFICE EQUIPMENT

SPECIAL MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, it is ordered:

(a) *Revocation of Order 118.* Order 118 under Supplementary Order 94 be and is hereby revoked subject to the provisions of Supplementary Order 40.¹

This order of revocation shall become effective August 30, 1946.

Issued this 29th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-15481; Filed, Aug. 29, 1946;
11:28 a. m.]

[SO 94, Order 138]

NEW STEEL POSTS

SPECIAL EXEMPTION OF SALES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, it is ordered:

(a) Notwithstanding the provisions of any regulation or order issued prior to the effective date of this order by the Office of Price Administration, sales by all persons of the new steel posts hereinafter described which have been or may be sold by the War Assets Administration or any other United States Government agency are exempt from price control.

Description of posts. New steel anchoring post or stake especially designed and constructed according to military specifications for supporting barbed wire entanglements (Spec. SNL-42-7360-700-500).

(b) This order may be revoked or amended at any time.

This order shall become effective August 30, 1946.

Issued this 29th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-15482; Filed, Aug. 29, 1946;
11:27 a. m.]

¹8 F. R. 4325.

[RMPR 143, Order 39]

S. & G. 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 7 of Revised Maximum Price Regulation 143, it is ordered:

(a) *What this order does.* This order establishes maximum prices for all sales of Universal S-2 slip-on lawn mower tires manufactured by S. & G. Rubber Co. of Los Angeles, California.

(b) *Maximum prices.* The maximum prices for the lawn mower tires described in paragraph (a) above, shall be:

Wholesale sales:	Maximum price each (cents)
Sales of 1,000 units or more.....	21.5
Sales of less than 1,000 units.....	25
Retail sales.....	39

(c) With or prior to the first delivery of any tire covered by this order to any dealer or jobber, the seller shall furnish such buyer a notification in writing setting forth the applicable retail price of the commodity; if the purchaser is a jobber, the notification shall also include a statement that the jobber is required to furnish his buyer a notification in writing setting forth the maximum retail price of the commodity.

(d) All discounts, allowances, and trade practices of the seller in effect during March 1942 shall apply to sales covered by this order.

(e) The record-keeping provisions of section 10 of RMPR 143 and all other provisions of that regulation not inconsistent with this order shall apply to all wholesale sales of the commodities covered by this order.

(f) The posting, sales slip, and record provisions of sections 8, 9, and 10 of Revised Maximum Price Regulation 528 and all other provisions of RMPR 528 not inconsistent with this order shall apply to all retail sales of the commodities covered by this order.

(g) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective August 30, 1946.

Issued this 29th day of August, 1946.

GEOFFREY BAKER,
Acting Administrator.

[F. R. Doc. 46-15476; Filed, Aug. 29, 1946;
11:27 a. m.]

[MPR 188, Corr. to Amdt. 1 to Rev. Order 3]

HAND LAWN MOWERS

ADJUSTMENT OF CEILING PRICES

Amendment No. 1, issued August 15, 1946, was incorrectly numbered. It is hereby corrected to read "Amendment No. 2 to Revised Order 3 under § 1499.159e."

Issued this 29th day of August 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-15477; Filed, Aug. 29, 1946;
11:28 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-249]

AUSTIN, NICHOLS & COMPANY, INC.

ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 28th day of August, A. D. 1946.

The New York Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the \$5 Cumulative Prior Preferred Class A Stock, No Par Value, of Austin, Nichols & Company, Incorporated;

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

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Wednesday, September 18, 1946, at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That William W. Swift, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.[F. R. Doc. 46-15499; Filed, Aug. 29, 1946;
11:32 a. m.]

[File Nos. 70-1345, 59-37]

CENTRAL ILLINOIS PUBLIC SERVICE CO.
ET AL.

NOTICE OF FILING AND ORDER FOR HEARING AND 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, Pennsylvania, on the 27th day of August 1946.

In the matter of Central Illinois Public Service Company, The Middle West Corporation, Halsey, Stuart & Co., Inc., File No. 70-1345; Central Illinois Public Service Company, File No. 59-37.

Notice is hereby given that applications and declarations, and amendments thereto, have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The Middle West Corporation ("Middle West"), a registered holding company, and Central Illinois Public Service Company ("Cips"), a subsidiary of Middle

West. All interested persons are referred to said applications and declarations, which are on file in the offices of this Commission, for a complete statement of the transactions therein proposed, which are summarized as follows:

Cips proposes:

(a) To amend its Articles of Incorporation to change each share of its authorized common stock of the par value of \$40 per share into four shares of the par value of \$10 per share, to increase its authorized common stock from 350,000 shares of the par value of \$40 per share to 3,000,000 shares of the par value of \$10 per share and to increase its authorized preferred stock by authorizing an additional class of preferred stock consisting of 350,000 shares of the par value of \$100 per share;

(b) To issue and sell at competitive bidding 150,000 shares of new preferred stock of the par value of \$100 per share, subject, however, to an offer of exchange to the holders of its presently outstanding preferred stock on a share for share basis, such exchange offer to be in effect for a period of approximately ten days, with an appropriate adjustment in cash for the difference between the public offering price of the new preferred stock and the redemption price of the old preferred stock. If more than 150,000 shares of old preferred stock are deposited for exchange, the number so deposited will be reduced on a pro rata basis, as nearly as possible, to avoid issuing fractional shares;

(c) To issue and deliver to the holders of its presently outstanding \$40 par value common stock, in exchange for each share thereof, four shares of \$10 par value common stock;

(d) To issue 758,628 additional shares of \$10 par value common stock to the holders of its common stock now outstanding, pro rata according to the number of shares held by each. Of said additional shares (1) 195,299 shares will be issued to Halsey, Stuart & Co., Inc., which will pay to Cips in cash (i) \$1,952,990 in payment for said shares, and (ii) \$2,809,600 as a contribution to paid-in or capital surplus; (2) 389,376 shares will be issued to Middle West, which will pay to Cips in cash (i) \$3,893,760 in payment for said shares and (ii) \$5,601,610 as a contribution to paid-in or capital surplus, and (3) 173,953 shares will be issued to Middle West in exchange for 38,564 shares of Cips' outstanding preferred stock, which will be taken in exchange at \$110 per share (exclusive of accrued and unpaid dividends thereon which will be paid to Middle West in cash). The excess of the exchange value of such preferred stock over the \$1,739,530 par value of the common stock to be issued therefor shall constitute a contribution to paid-in or capital surplus of Cips;

(e) To use the proceeds from the sale of new preferred stock not required for exchange purposes and from the issue of additional common stock, together with cash from contributions to paid-in or capital surplus, to redeem, at \$110 per share plus accrued and unpaid dividends, such shares of its outstanding preferred stock as are not exchanged for new preferred stock; and

(f) To use earned surplus, existing at the date of consummation of the proposed transactions, and thereafter paid-in or capital surplus, to the extent necessary, for the purpose of writing off plant adjustments and other items aggregating \$13,828,153.

Cips also proposes to solicit proxies from its stockholders, pursuant to Rule U-62 under the act, for the purpose of voting on the proposed amendment of its Articles of Incorporation, and has requested the entry of an interim order permitting such solicitation.

Middle West proposes:

(a) To surrender 192,321 shares of Cips' \$40 par value common stock in exchange for 773,284 shares of Cips' \$10 par value common stock;

(b) To exchange 38,564 shares of Cips' preferred stock for 173,953 shares of Cips' \$10 par value common stock, said shares of preferred stock to be taken in exchange at a price of \$110 per share plus a payment in cash of accrued and unpaid dividends on said shares of preferred stock; and

(c) To acquire from Cips 389,376 shares of Cips' \$10 par value common stock at par and to make a contribution to paid-in or capital surplus in the amount of \$5,601,610.

Halsey, Stuart & Co., Inc. (Halsey-Stuart), an exempt holding company and an affiliate of Cips, has joined in this filing and proposes:

(a) To surrender 67,022 shares of Cips' \$40 par value common stock in exchange for 268,088 shares of Cips' \$10 par value common stock; and

(b) To purchase from Cips 195,299 shares of Cips' \$10 par value common stock for cash in the amount of \$4,762,590 (\$24.38613 per share).

Halsey-Stuart objects to Middle West's proposal to exchange its holdings of preferred stock of Cips on the basis of \$110 per share for such preferred stock and requests that such stock be exchanged on the basis of the cost thereof to Middle West and urges that Middle West furnish such additional cash to Cips as is necessary to equal the total amount proposed to be invested by Middle West in Cips.

Halsey-Stuart also requests that it be permitted to hold the shares of Cips' common stock which it will receive upon consummation of the proposed transactions for a period not to exceed one year from the date such stock is acquired and that its exemption as a holding company with respect to Cips be continued.

It appearing to the Commission that the declaration, as amended, with respect to the solicitation of proxies, contains copies of the proposed notice of special meeting of stockholders, proxy statement and proxy; and

It further appearing that the solicitation of proxies from stockholders, as proposed by Cips, does not make it necessary or appropriate in the public interest or in the interests of investors or consumers or to prevent the circumvention of the provisions of the Act or the Rules and Regulations thereunder for the Commission to issue any order with respect thereto other than an order permitting the declarations, as amended, with respect to such solicitation to become effective; and

It further 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 other matters set forth in said applications and declarations and that said applications and declarations shall not be granted or permitted to become effective except pursuant to further order of this Commission; and

The Commission having heretofore instituted proceedings under sections 11 (b) (2) and 15 (f) of the act with respect to Cips, and hearings having been held therein from time to time and the record having been closed; and

It appearing to the Commission that the present proposals are related to certain issues raised in the proceedings under sections 11 (b) (2) and 15 (f) and involve common questions of law and fact; that substantial savings in time, effort and expense will result if the hearing in said proceedings under sections 11 (b) (2) and 15 (f) is reconvened and consolidated with the hearing on the present proposals so that evidence heretofore or hereafter adduced with respect to each of such matters may stand as evidence in both of said matters for all purposes;

It is ordered, That a hearing, pursuant to the applicable provisions of the act and the rules and regulations thereunder, on said applications and declarations, other than the declaration regarding solicitations in connection with the amendment to the Articles of Incorporation of Cips, be held on September 5, 1946, at 10:00 a. m., e. d. s. t., at the offices of this Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing shall be held.

It is further ordered, That the hearing "In the Matter of Central Illinois Public Service Company, File No. 59-37" be reconvened with respect to all issues and matters therein and be consolidated with the hearing hereinabove ordered, without prejudice, however, to the right to separate either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues or questions which may arise in these proceedings, and to take such other action as may appear necessary to the orderly and economical disposition of the issues involved.

It is further ordered, That Allen, MacCullen, or any other officer or officers of this Commission designated by it for that purpose, shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the 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 otherwise to be considered at said hearing, particular attention will be directed to the following matters and questions:

1. Whether the proposed issue and sale or exchange of securities by Cips are solely for the purpose of financing the business of the company and have been expressly authorized by the State Com-

mission of the state in which the company is organized and doing business.

2. Whether the proposed acquisition by Middle West and Halsey-Stuart of common stock of Cips is detrimental to the carrying out of the provisions of section 11 and will have the tendency required by section 10 (c) (2) of the act and otherwise meets the applicable provisions of the act.

3. Whether the proposals, as presently on file or as they may hereafter be modified, are necessary or appropriate to comply with the provisions of section 11 (b) of the act and the rules, regulations and orders of the Commission adopted thereunder, and are fair and equitable to the persons affected thereby.

4. Whether fees, commissions or other remunerations to be paid in connection with the proposed transactions are for necessary services and are reasonable in amount.

5. Whether the accounting entries in connection with the proposed transactions are proper and conform to sound accounting principles and practices.

6. Whether, for the reasons stated in the filing of Halsey-Stuart or otherwise, it would be fair and equitable to limit Middle West to cost, or in any other manner, in respect of its holdings of preferred stock of Cips.

7. What terms and conditions, if any, with respect to the proposed transactions should be prescribed in the public interest or in the interests of investors or consumers.

8. Generally, whether the proposed transactions comply with the applicable provisions of the act and the rules and regulations thereunder.

It is further ordered, That notice of said hearing be, and hereby is, given to Cips, Middle West and Halsey-Stuart, to their respective security holders, to the Illinois Commerce Commission, to the Federal Power Commission, and to all interested persons; said notice to be given to Cips, Middle West, Halsey-Stuart, the Illinois Commerce Commission and the Federal Power Commission by registered mail, and to all other persons by publication of this notice and order in the FEDERAL REGISTER and by general release of this Commission distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935.

It is further ordered, That any person desiring to be heard in this proceeding file with the Commission, on or before September 3, 1946, an appropriate request or application to be heard, as provided in Rule XVII of the Commission's rules of practice.

It is further ordered, That, without in any manner passing upon the merits of the applications and declarations filed pursuant to other applicable provisions of the act or the rules and regulations thereunder, or for purposes other than the solicitation of proxies for the purpose of voting on the proposed amendment of the Articles of Incorporation of Cips, said declaration, as amended, with respect to the solicitation of proxies pursuant to Rule U-62 be, and hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-15500; Filed, Aug. 29, 1946;
11:32 a. m.]

WAR DAMAGE CORPORATION.

NOTICE THAT CLAIMS AGAINST WAR DAMAGE CORPORATION MUST BE PRESENTED BEFORE OCTOBER 16, 1946

AUGUST 28, 1946.

All claims for free compensation for loss or damage to property in the Territories or possessions of the United States must be presented to War Damage Corporation before October 16, 1946. Compensation is allowable only for losses that occurred after December 6, 1941 and before July 1, 1942 as a result of enemy attack. Such claims may be presented by mail or in person at War Damage Corporation's Claims Service Office at 300 Montgomery Street, San Francisco 4, California, or at 99 John Street, New York 7, N. Y., or at 175 West Jackson Boulevard, Chicago 4, Illinois. The Claims Service Offices mentioned will furnish on request all necessary information and forms, will render assistance to claimants in the preparation of claims, and will refer claimants who are located at a distance from the principal Claims Service Offices to the local Claims Service Offices nearest their places of residence.

This announcement will not operate to revive any right which has expired by reason of undue delay in presenting notice of loss or proof of loss, and is not applicable to claims for compensation for losses that occurred in the Philippine Islands, authority regarding which has been extended to the recently organized Philippine War Damage Commission.

This notice is issued pursuant to authority granted by sec. 2, 56 Stat. 175; 15 U. S. C., Sup., 606b-2.

[SEAL] EDWARD J. SINGER,
Assistant Secretary.

[F. R. Doc. 46-15386; Filed, Aug. 28, 1946;
4:37 p. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 6987]

GUSTAV KELLER

In re: Bonds owned by Gustav Keller. F-28-22872-D-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 Gustav Keller, whose last known address is Zschetzsch near Colditz, Saxony, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Those certain Chicago, Rock Island & Pacific Railway Co. secured 4½%

Gold Bonds Series A, due September 1, 1952, of \$4,000 face value, represented by a certificate of deposit, registered in the name of Gustav Keller and bearing number 557, issued by City Bank Farmers Trust Company, 22 William Street, New York, New York, under Deposit Agreement dated July 21, 1933, together with any and all rights to and under the aforesaid bonds and together with the aforesaid certificate of deposit and 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 July 9, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-15199; Filed, Aug. 28, 1946; 9:54 a. m.]

[Vesting Order 7091]

NINA MACK

In re: Estate of Nina Mack, deceased. File D-28-8297; E. T. sec. 9521.

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 Amelia Muller, Ernest Schmidt and Marie Stumpf, and each of them, in and to the Estate of Nina Mack, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Amelia Muller, Germany.
Ernest Schmidt, Germany.
Marie Stumpf, Germany.

That such property is in the process of administration by H. W. Huntzinger and William Goerger as Administrators of the Estate of Nina Mack, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

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 July 15, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-15200; Filed, Aug 28, 1946; 9:54 a. m.]

[Vesting Order 6956]

FRIDA DOHMEYER

In re: Stock owned by Frida Dohmeyer. F-28-23469-D-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 Frida Dohmeyer; whose last known address is Schiller Strasse 31, Luneburg, Provinz Hanover, Germany, is a resident of Germany and a national of a designated enemy country (Germany);
2. That the property described as follows:

Eighty-two shares of no-par-value Cumulative Optional \$3 Convertible Preference capital stock of Blue Ridge Corporation, 60 Broadway, New York, N. Y., a corporation organized under the laws of the State of Delaware, evidenced by certificate numbers NYPO 17233 for 10 shares, NYPO 3241 for 60 shares and NYPO 15623 for 12 shares, and registered in the name of Frida Dohmeyer, 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 (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 3, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-14972; Filed, Aug. 26, 1946; 9:56 a. m.]

[Vesting Order 7106]

KARL BAUER ET AL.

In re: Stock owned by Karl Bauer, Eva Bertsch, Hermann I. A. Dorner, Heinrich Eggert, Ludwig Gies and Mrs. Bertha Ulscht. D-28-7854-D-4, F-28-22290-D-2, F-28-23618-D-1, F-28-23619-D-1, F-28-23620-D-1, F-28-23621-D-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 persons listed in Exhibit A, attached hereto and by reference made a part hereof, whose last known addresses are as set forth opposite each name in Exhibit A, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows: Sixty-nine (69) shares of no par value common capital stock of Packard Motor Car Company, 1580 East Grand Boulevard, Detroit, Michigan, a corporation organized under the laws of the State of Michigan, evidenced by the certificates listed in Exhibit A, registered in the names of and owned by the persons listed therein in the amounts appearing opposite each name, 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 (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 16, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Name of registered owner	Last known address	Certificate No.	Number of shares
Karl Bauer.....	Hamburg 21, Mozarstrasse 15, Germany.....	NO133541.....	10
Eva Bertsch.....	c/o Dr. Hans Miska, Wilhelmshorst-Mark, Am Fichtenberg, Germany.....	NO91441.....	5
Hermann I. A. Dorner.....	Hindenburgstrasse 25, Hannover, Germany.....	DO18936.....	1
Heinrich Eggert.....	Barkhof 2, Hamburg, Germany.....	NO108476.....	25
		NO104477.....	3
Ludwig Gies.....	Georg Kalbstr. 8, Grosshesselohe-Muenchen, Germany.....	NO84707.....	20
Mrs. Bertha Ulscht.....	c/o Mrs. P. Bauer, Draistr. 10A, III, Mannheim, Baden, Germany.....	NO13576.....	5

[F. R. Doc. 46-15201; Filed, Aug. 28, 1946; 9:54 a. m.]

[Vesting Order 7153]

F. E. WERNER KOHL

In re: Stock owned by F. E. Werner Kohl. F-28-24102-D-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 F. E. Werner Kohl, whose last known address is Wiesbaden, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Forty-four shares of \$25.00 par value common capital stock of Union Oil Company of California, 617 West Seventh Street, Los Angeles 14, California, a corporation organized under the laws of the State of California, evidenced by certificate number NYO 91, issued November 24, 1924, and registered in the name of F. E. Werner Kohl, 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 (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 17, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-15203; Filed, Aug. 28, 1946;
9:55 a. m.]

[Vesting Order 7130]

EXPORTKREDITBANK, A. G.

In re: Stock and bonds owned by Exportkreditbank, A. G., also known as Export Kredit Bank, Berlin. F-28-180-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 Exportkreditbank, A. G., also known as Export Kredit Bank, Berlin, the last known address of which is Kanonierstrasse 17-20, Berlin W. 8, Germany, is a 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:

a. Seven shares of capital stock of The Baltimore and Ohio Railroad Company, a corporation organized under the laws of Maryland and Virginia, evidenced by certificate number A484381, registered in the name of Brown Brothers Harriman & Co., together with all declared and unpaid dividends thereon,

b. Five hundred shares of capital stock of Goldfield Deep Mines Company of Nevada, a corporation organized under the laws of the State of Nevada, evidenced by certificates numbered 50983 and 49797, registered in the name of Frank Rhodes, c/o Export Kredit Bank, together with all declared and unpaid dividends thereon,

c. Six shares of capital stock of Kulik Salvaging Corp., evidenced by certificate number 31, registered in the name of Frieda Mather, c/o Export Kredit Bank, together with all declared and unpaid dividends, thereon,

d. Thirty and 41/100ths shares of capital stock of Seaboard Trust Co., a corporation organized under the laws of New Jersey, whose principal place of business is Hoboken, New Jersey, evidenced by certificate number TC4195, and registered in the name of Theresia Larch, c/o Export Kredit Bank, together with all declared and unpaid dividends thereon,

e. One 4 1/2% Rock Island, Arkansas & Louisiana R. R. Co. First Mortgage Gold Bond of \$1,000 face value, bearing the number M6067, due March 1, 1934, registered in the name of bearer, and presently in the custody of Brown Brothers Harriman & Co., 59 Wall Street, New York 5, New York, together with any and all rights thereunder and thereto,

f. Five 6%, Republic of Chile, External Sinking Fund Bonds, of \$1,000 face

value, bearing the numbers M2719, M2720, 17454, 17455, and 15422, due February 1, 1961, registered in the name of bearer, and presently in the custody of Brown Brothers Harriman & Co., 59 Wall Street, New York 5, New York, together with any and all rights thereunder and thereto,

g. Ten Compania Salitrera de Tarapaca Bonds, of the face values and numbered as follows:

Number:	Face value
HM2-----	\$1,000
HC2-----	100
HX8-----	10
HX9-----	10
HX10-----	10
HX11-----	10
HX12-----	10
HX13-----	10
HX14-----	10
HO2-----	5

registered in the name of bearer, and presently in the custody of Brown Brothers Harriman & Co., 59 Wall Street, New York 5, New York, together with any and all rights thereunder and thereto.

h. Five 6%, Mortgage Bank of Chile Gtd. Sinking Fund Gold Bonds, of \$1,000 face value, bearing the numbers M2831, M2832, M2833, M2834, and M2835, due May 1, 1962, registered in the name of bearer, and presently in the custody of Brown Brothers Harriman & Co., 59 Wall Street, New York 5, New York, together with any and all rights thereunder and thereto,

i. One 7%, General Electric Co. (Germany) Sinking Fund Debenture Bond, of \$1,000 face value, bearing the number M8164, due January 15, 1945, registered in the name of bearer, and presently in the custody of Brown Brothers Harriman & Co., 59 Wall Street, New York 5, 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 July 16, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-15202; Filed, Aug. 28, 1946;
9:55 a. m.]

[Vesting Order 7178]

CHARLES G. BUSCH

In re: Estate of Charles G. Busch, deceased. File No. D-28-2007; E. T. Sec. 6240.

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 Adolf Eberle and Louise Eberle Schmidt, and each of them, in and to the estate of Charles G. Busch, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Adolf Eberle, Germany.

Louise Eberle Schmidt, Germany.

That such property is in the process of administration by the County Treasurer of Erie County, as Depositary, acting under the judicial supervision of the Surrogate's Court of Erie 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 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 hereof, 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. 46-15204; Filed, Aug. 28, 1946;
9:55 a. m.]

[Vesting Order 7181]

FREDERICK A. GUENTHER

In re: Estate of Frederick A. Guenther, deceased. File No. D-28-2005; E. T. sec. 6238.

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 Max Guenther, Hanna Guenther and Martha Guenther, and each of them, in and to the estate of Frederick A. Guenther, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Max Guenther, Germany.
Hanna Guenther, Germany.
Martha Guenther, Germany.

That such property is in the process of administration by the County Treasurer of Erie County, as Depository, acting under the judicial supervision of the Surrogate's Court of Erie 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 July 22, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-15205; Filed, Aug. 28, 1946;
9:55 a. m.]

[Vesting Order 7185]

ANNA SCHELINSKI

In re: Estate of Anna Schelinski, deceased. File No. D-28-9506; E. T. sec. 12865.

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 Emma Thiel in and to the Estate of Anna Schelinski, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Emma Thiel, Germany.

That such property is in the process of administration by Lillian F. Golden and Irving Golden, as Executors of the Estate of Anna Schelinski, deceased, acting under the judicial supervision of the Surrogate's Court, Nassau County, New York;

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 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. 46-15206; Filed, Aug. 28, 1946;
9:55 a. m.]

[Vesting Order 7192]

LOUIS BRIEGS

In re: Estate of Louis Briegs, deceased. File No. D-28-9565; E. T. sec. 13116.

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 Bertha Schroeder in and to the estate of Louis Briegs, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Bertha Schroeder, Germany.

That such property is in the process of administration by Fred A. Briegs and Harold R. Briegs, as Executors of the Estate of Louis Briegs, deceased, acting under the judicial supervision of the Middlesex County Surrogate's Court,

Middlesex County, New Brunswick, New Jersey;

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 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 23, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-15207; Filed, Aug. 28, 1946;
9:55 a. m.]

[Vesting Order 7244]

HERBERT CORWAN AND ROSI CORWAN

In re: Interests in real property and claim owned by Herbert Corwan and Rosi Corwan.

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 Herbert Corwan, whose last known address is Dueseldorfer St. 30, Berlin, Germany, and Rosi Corwan, whose last known address is Berlin, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. An undivided one-half interest, identified as the interest which was inherited from Gertrude Wollstein, deceased, in and to real property, situated in the City of Kansas City, County of Jackson and State of Missouri, particularly described in Exhibits A and B, 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, and

b. All right, title, interest and claim of any name or nature whatsoever of Herbert Corwan and Rosi Corwan, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to them by Carlton R. Benton, 1025 Grand Avenue, Kansas City, Missouri, including particularly but not limited to those sums arising by reason of rents collected from the real property described in subparagraph 2-a hereof, and any and all security rights, in and to any and all collateral for any and all such obligations and the right to 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 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, and

hereby vests in the Alien Property Custodian the property described in subparagraph 2-b 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.

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.

EXHIBIT A

The North Fifty (50) feet of Lot Eleven Hundred Seventy-five (1175), Marlborough Heights, a subdivision in Kansas City, according to recorded plat thereof.

EXHIBIT B

All of the east fifty (50) feet of the south one hundred and two (102) feet of the north one hundred thirty-two (132) feet of the west two hundred thirty (230) feet of Lot fourteen (14) of D. O. Smart's Subdivision, an addition in Kansas City, Jackson County, Missouri, according to recorded plat thereof.

[F. R. Doc. 46-15208; Filed, Aug. 28, 1946;
9:56 a. m.]

[Vesting Order 7247]

ARAKAWA ELECTRIC CO.

In re: Debt, evidenced by drafts, owing to Arakawa Electric Company, also known as Arakawa Trading Company and Alps Trading Company. F-39-205-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 Arakawa Electric Company, also known as Arakawa Trading Company and Alps Trading Company, the last known address of which is No. 351, 6-Chome, Kita-Shinagawa, Shinagawa-Ku, Tokyo, 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: That certain debt or other obligation owing to Arakawa Electric Company, also known as Arakawa Trading Company and Alps Trading Company, by George Posner, 1170 Broadway, New York, New York, in the amount of \$19,882.34, as of December 31, 1945, as evidenced by certain drafts due during 1941, in the possession of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, together with any and all accruals to the aforesaid debt, and any and all rights to demand, enforce and collect the same, and together with the aforesaid drafts, 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 inter-

est 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. 46-15209; Filed, Aug. 28, 1946;
9:56 a. m.]

[Vesting Order 7253]

THERESE BONGERT

In re: Bank account owned by Therese Bongert. F-28-22848-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 Therese Bongert, 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 of Bank of America National Trust and Savings Association, 1 Powell Street, San Francisco, California, arising out of a savings account, Account Number 1586, entitled I. F. or Tom F. Chapman, Trustees for Therese Bongert, maintained at the branch office of the aforesaid bank located at Market and New Montgomery Streets, San Francisco, 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, Therese Bongert, 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.

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. 46-15210; Filed, Aug. 28, 1946;
9:56 a. m.]

[Vesting Order 7256]

G. BUEREN, PATENTANWALT DIPL. ING.

In re: Debt owing to G. Bueren, Patentanwalt Dipl. Ing. F-28-23798-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 G. Bueren, Patentanwalt Dipl. Ing., whose last known address is Belle Alliance-Strafze 36—Berlin S. W. 61, 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 owing to G. Bueren, Patentanwalt Dipl. Ing., by Edward G. Budd Manufacturing Company, 2450 Hunting Park Avenue, Philadelphia 32, Pennsylvania, in the amount of \$5,237.00, 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

b. That certain debt or other obligation owing to G. Bueren, Patentanwalt Dipl. Ing., by Edward G. Budd Manufacturing Company, 2450 Hunting Park Avenue, Philadelphia 32, Pennsylvania, in the amount of \$7,697.00, 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 (Germany);

And determining that to the extent that such national is a person not within

a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action 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 29, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-15211; Filed, Aug. 28, 1946;
9:56 a. m.]

[Vesting Order 7259]

DEUTSCHE BANK

In re: Bank accounts owned by and debt owing to Deutsche Bank. F-28-852-E-7, F-28-852-E-23, F-28-852-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 Deutsche Bank, the last known address of which is Berlin, Germany, is a 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:

a. That certain debt or other obligation owing to Deutsche Bank by The Commercial National Bank and Trust Company of New York, 46 Wall Street, New York, New York, arising out of an unrepresented draft account entitled Deutsche Bank, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation owing to Deutsche Bank by Manufacturers Trust Company, 55 Broad Street, New York, New York, arising out of a checking account entitled Deutsche Bank Berlin W8 Germany, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same, and

c. That certain debt or other obligation owing to Deutsche Bank by Hallgarten & Co., 44 Wall Street, New York, New York, in the amount of \$18.00, 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 (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.

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. 46-15212; Filed, Aug. 28, 1946; 9:56 a. m.]

[Vesting Order 7260]

WILHELM FRIEDRICH HERMANN DIERKS -

In re: Bank account owned by Wilhelm Friedrich Hermann Dierks, also known as Wilhelm Friedrich Dierks. F-28-9548-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 Wilhelm Friedrich Hermann Dierks, also known as Wilhelm Friedrich Dierks, whose last known address is Jubar, Altmark, Germany, is a resident of Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of Bank of America National Trust and Savings Association, 1 Powell Street, San Francisco, California, arising out of a savings account, Account Number 5563, entitled I. F. or Tom F. Chapman, Joint Tenants as Trustees for Wilhelm Friedrich Hermann Dierks, maintained at the branch office of the aforesaid bank located at Market and New Montgomery Streets, San Francisco, 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, Wilhelm Friedrich Hermann Dierks, also known as Wilhelm Friedrich Dierks, 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.

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. 46-15213; Filed, Aug. 28, 1946; 9:56 a. m.]

[Vesting Order 7268]

MARIE HUBER ET AL.

In re: Bank accounts owned by Marie Huber (nee Hippman), Wilhelmina Emma Huber and Marie Huber. F-28-11487-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 Huber (nee Hippman), Wilhelmina Emma Huber and Marie Huber, whose last known addresses are Dresden, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation owing to Marie Huber (nee Hippman), Wilhelmina Emma Huber and Marie Huber, by The Ninth Bank and Trust Company, Front and Norris Streets, Philadelphia, Pennsylvania, in the amount of \$1491.25, as of December 31, 1945, evidenced by Certificate of Deposit number 251, issued by said bank and presently in the custody of Harry C. Kohlhas, Jr., 1420 Walnut Street, Philadelphia, Pennsylvania, together with such Certificate of Deposit, and 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 Marie Huber (nee Hippman), Wilhelmina Emma Huber and Marie Huber, by The Ninth Bank and Trust Company, Front and Norris Streets, Philadelphia, Pennsylvania, in the amount of \$743.52, as of December 31, 1945, evidenced by Certificate of Deposit number 252, issued by said bank and presently in the custody of Harry C. Kohlhas, Jr., 1420 Walnut Street, Philadelphia, Pennsylvania, 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 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.

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. 46-15214; Filed, Aug. 28, 1946;
9:57 a. m.]

[Vesting Order 7269]

MARGARET JARCHOW

In re: Bank account owned by Margaret Jarchow. F-28-3601-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 Margaret Jarchow, whose last known address is 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 First National Bank, Odessa, New York, arising out of a checking account, entitled Hanns P. Kniepkamp as attorney in fact for Margaret Jarchow, 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 Margaret Jarchow, 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.

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 30, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-15215; Filed, Aug. 28, 1946;
9:57 a. m.]

[Vesting Order 7271]

CURT KIRSCH

In re: Bank accounts owned by Curt Kirsch. F-28-23108-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 Curt Kirsch, whose last known address is Schloppenhof B/Eger, Sudetengau, 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 Continental Illinois National Bank and Trust Company of Chicago, 231 South La Salle Street, Chicago, Illinois, arising out of an accumulated cash account, entitled Armour and Company of Delaware Preferred Stock Dividends, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation of Continental Illinois National Bank and Trust Company of Chicago, 231 South La Salle Street, Chicago, Illinois, arising out of an accumulated cash account, entitled Armour and Company of Delaware Pfd. Stk. Dividend Special, 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, Curt Kirsch, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not with-

in 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 30, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-15216; Filed, Aug. 28, 1946;
9:57 a. m.]

[Vesting Order 7281]

LENA MAY

In re: Bank account owned by Lena May. F-28-402-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 Lena May, 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 Lena May, by Central Savings Bank in the City of New York, Broadway at 73rd Street, New York, New York, arising out of a savings account, Account Number 1,264,643, entitled Gustave Moritz Melzer in trust for Lena May,

Trustee deceased, maintained at the office of the aforesaid bank located at 157 4th Avenue, New York, New York, 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.

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 30, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-15217; Filed, Aug. 28, 1946;
9:57 a. m.]

[Vesting Order 7322]

NISSEN STIFTUNG

In re: Mortgage, interests in property insurance policies and claims owned by Nissen Stiftung, also known as Nissen Foundation.

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 Nissen Stiftung, also known as Nissen Foundation, the last known address of which is Herzog Adolfstrasse 25, Husum, Nordfriesland, Germany, is a business enterprise, organized under the laws of Germany, and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. A mortgage executed on July 18, 1929 by Eugene Schneeberger and Minna Schneeberger, his wife, and Emil Schneeberger, to Bankers Trust Company, Ferdinand W. Lafrentz and Katherine Quick Nissen, as executors of and trustees under the Last Will and Testament of Ludwig Nissen, deceased, and recorded on March 7, 1930, in the Office of the Clerk of Greene County, New York, in Liber 210 of Mortgages, Page 186, which was assigned by Bankers Trust Company and Ferdinand W. Lafrentz, as executors, and Walter Eitelbach, as substituted executor and trustee under the Last Will and Testament of Ludwig Nissen, deceased, to Nissen Stiftung, by assignment, dated March 19, 1932, and recorded on April 1, 1932, in the Office of the Clerk of Greene County, New York, in Liber 215 of Mortgages, Page 508, and any and all obligations secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all such obligations and the right to enforce and collect such obligations and the right to possession of any and all notes, bonds and other instruments evidencing such obligations,

b. All right, title and interest of Nissen Stiftung, also known as Nissen Foundation, in and to the following property insurance policies, which are in the possession of Bankers Trust Company, 16 Wall Street, New York City, and which insure the premises subject to the mortgage described in subparagraph 2-a hereof;

Fire Insurance Policy No. 617296, issued by Pennsylvania Fire Insurance Company, in the amount of \$4,850, which policy expires October 17, 1948,

Fire Insurance Policy No. B877757, issued by Queen Insurance Company of America, in the amount of \$4,850, which policy expires October 17, 1948, and

c. All right, title, interest and claim of any name or nature whatsoever of Nissen Stiftung, also known as Nissen Foundation, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to it by the Superintendent of Insurance of the State of New York, 160 Broadway, New York, New York, including but not limited to those sums arising out of guar-

antees of certain mortgages by the New York Title & Mortgage Company, in liquidation, and which are designated on the books of the Superintendent of Insurance of the State of New York as follows:

Claim No.:	Arising out of Title No.
20240	K8665
20241	K12098
21866	K233064

and any and all security rights in and to any and all collateral for any or all such obligations and the right to 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 (Germany);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action 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 subparagraphs 2-a to 2-c above, inclusive, 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 31, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-15219; Filed, Aug. 28, 1946;
9:57 a. m.]