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of Cameron, Hidalgo, and Willacy, shall be sterilized in accordance with the methods authorized in § 301.64-4a (B. E. P. Q. 472, 7 CFR, Cum. Supp.), revised effective September 25, 1941.

(Sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 161; § 301.64-4, 9 F.R. 7293)

Effective: April 23, 1945.

Done at Washington, D. C., this 13th day of April 1945.

AVERY S. HOYT,  
Acting Chief,  
Bureau of Entomology  
and Plant Quarantine.

[F. R. Doc. 45-6252; Filed, Apr. 19, 1945; 3:31 p. m.]

#### TITLE 16—COMMERCIAL PRACTICES

##### Chapter I—Federal Trade Commission

[Docket No. 3812]

##### PART 3—DIGEST OF CEASE AND DESIST ORDERS

NORMAN COMPANY, ET AL.

§ 3.24 (b) *Coercing and intimidating—Customers or prospective customers—To purchase or support product or service:*

§ 3.51 *Enforcing dealings or payments wrongfully:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Connections and arrangements with others:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Organization and operation:* § 3.86 *Shipping, for payment demand, goods in excess of or without order.* In connection with the offering for sale, sale, and distribution of lamps, shades, novelties, and other items of merchandise in commerce, (1) shipping or delivering their merchandise to department stores and other retailers without previous order or agreement to purchase, for the purpose of inducing the purchase of their said products through mistake; (2) the use of threats of legal action, demand letters purporting to be from collection agencies, and other forms of coercion to induce a consignee to accept and pay for merchandise which had not been ordered or shipped under an agreement to purchase; (3) representing that the accounts of the respondents are insured or that claims based upon refusal to accept merchandise not previously ordered will be turned over to a surety company for collection; (4) refusing to accept return of merchandise shipped by respondents without bona fide order or previous agreement to purchase; or (5) making false claim for damages on merchandise returned by consignees to whom merchandise was shipped without order or other agreement to purchase; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Norman Company, et al., Docket 3812, March 29, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 29th day of March, A. D., 1945.

*In the Matter of May Goldberg, Trading Under the Name Norman Company, and Samuel J. Goldberg*

This proceeding having been heard by the Federal Trade Commission upon the amended complaint of the Commission, testimony and other evidence in support of the amended complaint and in opposition thereto taken before a trial examiner of the Commission theretofore duly designated by it, report and supplemental report of the trial examiner upon the evidence and exceptions filed thereto, and brief and supplemental brief filed in support of the complaint; and the Commission having made its findings as to the facts and its conclusion that said respondents, May Goldberg and Samuel J. Goldberg, individually and trading as Norman Company, have violated the provisions of the Federal Trade Commission Act:

*It is ordered,* That the respondents, May Goldberg, an individual, and Samuel J. Goldberg, an individual, trading under the name of Norman Company or any other trade name, and their representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of lamps, shades, novelties, and other items of merchandise in commerce as "commerce" is

defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Shipping or delivering their merchandise to department stores and other retailers without previous order or agreement to purchase, for the purpose of inducing the purchase of their said products through mistake.

2. The use of threats of legal action, demand letters purporting to be from collection agencies, and other forms of coercion to induce a consignee to accept and pay for merchandise which had not been ordered or shipped under an agreement to purchase.

3. Representing that the accounts of the respondents are insured or that claims based upon refusal to accept merchandise not previously ordered will be turned over to a surety company for collection.

4. Refusing to accept return of merchandise shipped by respondents without bona fide order or previous agreement to purchase.

5. Making false claim for damages on merchandise returned by consignees to whom merchandise was shipped without order or other agreement to purchase.

*It is further ordered,* That the respondents, Samuel J. Goldberg and May Goldberg, shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 45-8264; Filed, Apr. 20, 1945; 10:25 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter A—Income and Excess-Profits Taxes [T. D. 5452]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

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

PART 35—EXCESS-PROFITS TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

CREDIT FOR TAXES OF FOREIGN COUNTRIES AND POSSESSIONS OF UNITED STATES

In order to conform Regulations 103, 111 and 112 (26 CFR, 1940 Supp., Cum. Supp., Parts 19, 29 and 35) to the provisions of section 130 of the Revenue Act of 1943 (Public Law 235, 78th Congress), enacted February 25, 1944, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 19.131-1 the following:

SEC. 130. TECHNICAL AMENDMENTS RELATING TO FOREIGN TAX CREDIT. (Revenue Act of 1943, Title I.)

(b) *Taxes of foreign subsidiary.* The first sentence of section 131 (f) (relating to for-

ign taxes deemed to have been paid by a domestic corporation with respect to the accumulated profits of a foreign subsidiary) is amended to read as follows: "For the purposes of this section, a domestic corporation which owns a majority of the voting stock of a foreign corporation from which it receives dividends in any taxable year shall be deemed to have paid the same proportion of any income, war-profits, or excess-profits taxes paid or deemed to be paid by such foreign corporation to any foreign country or to any possession of the United States, upon or with respect to the accumulated profits of such foreign corporation from which such dividends were paid, which the amount of such dividends bears to the amount of such accumulated profits."

(c) *Taxable years to which applicable.* \* \* \* The amendment made by subsection (b) shall be effective with respect to all taxable years beginning after December 31, 1939.

PAR. 2. Section 19.131-7 (a), as amended by Treasury Decision 5226, approved February 10, 1943, is further amended by striking out the second sentence and inserting in lieu thereof the following: "The amount of taxes deemed to have been paid is limited, however, for taxable years beginning prior to January 1, 1940, to an amount which shall in no case exceed the same proportion of the tax against which the credit for foreign taxes is taken, which the amount of such dividends bears to the amount of the entire net income of the domestic corporation in which such dividends are included."

PAR. 3. Section 19.131-8, as amended by Treasury Decision 5226, is further amended by striking from the fourth example immediately preceding the paragraph beginning with the words "Under the provisions of section 202," the following:

|                                                                                                                                                                                                              |          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| Limitation under section 131 (f)                                                                                                                                                                             |          |
| ( $\frac{50,000}{262,500}$ of \$54,862.50)-----                                                                                                                                                              | \$10,450 |
| Income and profits taxes deemed to have been paid (French taxes applicable to accumulated profits distributed to domestic corporation, reduced in accordance with the limitation under section 131 (f))----- | 7,500.00 |

and inserting in lieu thereof the following:

|                                                                                                                                             |          |
|---------------------------------------------------------------------------------------------------------------------------------------------|----------|
| Income and profits taxes deemed to have been paid (French taxes applicable to accumulated profits distributed to domestic corporation)----- | 7,500.00 |
|---------------------------------------------------------------------------------------------------------------------------------------------|----------|

PAR. 4. There is inserted immediately preceding § 29.131-1 the following:

SEC. 130. TECHNICAL AMENDMENTS RELATING TO FOREIGN TAX CREDIT. (Revenue Act of 1943, Title I.)

(a) *Limit on credit.* Section 131 (b) (relating to limitations on credit allowed for taxes of foreign countries and possessions of the United States) is amended to read as follows:

(b) *Limit on credit.* The amount of the credit taken under this section shall be subject to each of the following limitations:

(1) The amount of the credit in respect of the tax paid or accrued to any country shall not exceed, in the case of a taxpayer other than a corporation, the same proportion of the tax against which such credit is taken, which the taxpayer's net income from sources within such country bears to his en-



the net income for the same taxable year, or in the case of a corporation, the same proportion of the tax against which such credit is taken, which the taxpayer's normal-tax net income from sources within such country bears to its entire normal-tax net income for the same taxable year; and

(2) The total amount of the credit shall not exceed, in the case of a taxpayer other than a corporation, the same proportion of the tax against which such credit is taken, which the taxpayer's net income from sources without the United States bears to his entire net income for the same taxable year, or, in the case of a corporation, the same proportion of the tax against which such credit is taken, which the taxpayer's normal-tax net income from sources without the United States bears to its entire normal-tax net income for the same taxable year; and

(3) For the purposes of paragraphs (1) and (2) of this subsection, the terms "normal-tax net income from sources within such country" and "normal-tax net income from sources without the United States" shall mean the net income from such sources minus an amount equivalent to the same proportion of the credit provided in section 26 (e) which the taxpayer's excess profits net income from such sources bears to its entire excess profits net income for the same taxable year.

(b) *Taxes of foreign subsidiary.* The first sentence of section 131 (f) (relating to foreign taxes deemed to have been paid by a domestic corporation with respect to the accumulated profits of a foreign subsidiary) is amended to read as follows: "For the purposes of this section, a domestic corporation which owns a majority of the voting stock of a foreign corporation from which it receives dividends in any taxable year shall be deemed to have paid the same proportion of any income, war-profits, or excess-profits taxes paid or deemed to be paid by such foreign corporation to any foreign country or to any possession of the United States, upon or with respect to the accumulated profits of such foreign corporation from which such dividends were paid, which the amount of such dividends bears to the amount of such accumulated profits."

(c) *Taxable years to which applicable.* The amendment made by subsection (a) shall be effective for all taxable years beginning after December 31, 1941. The amendment made by subsection (b) shall be effective with respect to all taxable years beginning after December 31, 1939.

PAR. 5. Section 29.131-7 (a) is amended by striking out the second sentence reading as follows: "The amount of taxes deemed to have been paid is limited, however, to an amount which shall in no case exceed the same proportion of the tax against which the credit for foreign taxes is taken which the amount of such dividends bears to the amount of the normal-tax net income of the domestic corporation in which such dividends are included."

PAR. 6. Section 29.131-8 is amended as follows:

(A) By striking out the first two sentences and inserting in lieu thereof the following:

The amount of the income and profits taxes paid or accrued (including the taxes which, in accordance with the provisions of section 131 (f), are deemed to have been paid) during the taxable year to each foreign country or possession of the United States, limited under section 131 (b) (1) so as not to exceed that proportion of the tax against which credit is taken which the taxpayer's net income from sources within such country or pos-

session bears to his entire net income, or, in the case of a corporation, which the taxpayer's normal-tax net income from sources within such country or possession bears to its entire normal-tax net income, for the same taxable year, is the tentative credit in respect of the taxes paid or accrued to such country or possession. The sum of these tentative credits, limited under section 131 (b) (2) so as not to exceed the same proportion of the tax against which credit is taken which the taxpayer's net income from sources without the United States bears to his entire net income, or, in the case of a corporation, which the taxpayer's normal-tax net income from sources without the United States bears to its entire normal-tax net income, for the same taxable year, is the amount allowable as a credit against the income tax under chapter 1 for income or profits taxes paid or accrued to foreign countries or possessions of the United States.

(B) By striking out the last two paragraphs thereof.

(C) By inserting at the end of Example (2) the following:

It is provided in section 131 (b) that in the case of a domestic corporation the amount of the credit for any taxable year with respect to the tax paid or accrued to any foreign country or possession of the United States shall not exceed the same proportion of the tax imposed by chapter 1 which the corporation's normal-tax net income from sources within such foreign country or possession of the United States bears to the entire normal-tax net income of such corporation for the same taxable year. The total amount of the credit shall not exceed the same proportion of the tax imposed by chapter 1 which the corporation's normal-tax net income from sources without the United States bears to the entire normal-tax net income for the same taxable year.

The normal-tax net income from sources within any foreign country or possession of the United States shall be determined by deducting from net income from such country or possession of the United States the same proportion of the credit provided in section 26 (e) which the taxpayer's excess profits net income from sources within such country or possession of the United States bears to the taxpayer's entire excess profits net income. The normal-tax net income from sources without the United States shall likewise be determined by deducting from the net income from sources without the United States the same proportion of such credit as the excess profits net income from sources without the United States bears to the entire excess profits net income. For the determination of excess profits net income from a foreign country or from sources without the United States, and of the entire excess profits net income, for the purposes of the credit for foreign taxes, in the case of a corporation computing its excess profits tax under sections 721, 726, 731 or 736 (b) see § 35.729-4, Regulations 112.

The operation of the limitations provided in section 131 (b) on the credit for foreign taxes paid by corporations

may be illustrated by the following examples:

*Example (3).* The following facts exist for the calendar year 1942 with respect to the A Corporation which makes its income tax returns on the calendar year basis:

Net income from all sources..... \$250,000.00  
Less:  
Adjusted excess profits net income..... 75,000.00  
Normal tax net income..... 175,000.00  
Net income from foreign country X..... 100,000.00  
Foreign tax paid on country X income..... 35,000.00  
Total normal tax and surtax.... 70,000.00

Computation of foreign tax credit for purposes of normal tax and surtax:

$$\frac{\$100,000 \text{ minus } \left( \frac{100}{250} \times \$75,000 \right)}{\$250,000 \text{ minus } \$75,000} \times \$70,000 \text{ equals } \$28,000.00$$

Amount allowable as a credit.. \$ 28,000.00

For the purpose of the computation, it is assumed that there are no adjustments to net income in determining excess profits net income.

In the event that normal-tax net income is derived from more than one foreign country or possession of the United States, the limitation provided in section 131 (b) (2) shall be applied based upon the taxpayer's normal-tax net income from sources without the United States and the entire normal-tax net income of the corporation and such limitation is in addition to the limitation provided in section 131 (b) (1).

As to the allowance of credit for foreign income, war profits, or excess profits taxes against the excess profits tax imposed under chapter 2E, see section 729 and § 35.729-3, Regulations 112.

(D) By striking out the paragraph in which appears the third example (prior to the amendments made by this Treasury decision) and inserting in lieu thereof the following:

*Example (4).* The net income for the calendar year 1942 and the income and profits taxes paid or accrued to foreign countries and possessions of the United States in the case of a domestic corporation were as follows:

| Country                 | Net income | Loss      | Income and profits taxes (paid or accrued) |
|-------------------------|------------|-----------|--------------------------------------------|
| United States.....      | \$157,500  |           |                                            |
| Great Britain.....      | 30,000     |           | \$17,000                                   |
| Canada.....             | 20,000     |           | 5,000                                      |
| Brazil.....             | 40,000     |           | 5,800                                      |
| Argentine Republic..... | 60,000     |           | None                                       |
| Mexico.....             |            | \$100,000 | None                                       |
| Puerto Rico.....        | 10,000     |           | 2,250                                      |
| France (dividend).....  | 50,000     |           | 9,000                                      |
| France (branch).....    | 20,000     |           | 6,000                                      |

Net income..... \$287,500.00  
Less: Interest on United States obligations..... 25,000.00  
262,500.00

Less: Credit provided in section 26 (e) for income subject to excess profits tax..... 105,000.00

Normal tax net income..... 157,500.00  
Surtax net income (\$287,500 minus \$105,000)..... 182,500.00  
Total foreign net income..... 130,000.00

United States tax (not including tax imposed under section 102):  
Normal tax..... \$37,800.00  
Surtax..... 29,200.00  
67,000.00

The income and losses from all foreign countries and possessions of the United States, except the dividend from sources within France, were derived from branch operations. Dividends of \$50,000 were received from a French corporation, a majority of the voting stock of which was owned by the domestic corporation. The French corporation paid to France income and profits taxes on income earned by it and in addition a dividend tax for the account of its shareholders on income distributed to them, the latter tax being withheld and paid at the source. For the purpose of simplicity it is assumed that the corporation computes its excess profits credit under section 713 and that there are no adjustments under section 711 other than that under section 711 (a) (1) (A), and that consequently the net income from the countries referred to is the same as the excess profits net income from such countries. The computation of the credit is as follows:

|                                                                                               |             |             |
|-----------------------------------------------------------------------------------------------|-------------|-------------|
| <i>Great Britain</i>                                                                          |             |             |
| Income and profits taxes paid or accrued                                                      |             | \$17,000.00 |
| Limitation under section 131(b) (1)                                                           |             |             |
| \$30,000 minus $\left( \frac{30,000}{262,500} \times \$105,000 \right)$                       |             |             |
| Tentative credit                                                                              |             | 7,657.14    |
| <i>Canada</i>                                                                                 |             |             |
| Income and profits taxes paid or accrued                                                      |             | 5,600.00    |
| Limitation under section 131 (b) (1)                                                          |             |             |
| \$20,000 minus $\left( \frac{20,000}{262,500} \times \$105,000 \right)$                       |             |             |
| Tentative credit                                                                              |             | 5,104.76    |
| <i>Brazil</i>                                                                                 |             |             |
| Income and profits taxes paid or accrued                                                      |             | \$5,800.00  |
| Limitation under section 131 (b) (1)                                                          |             |             |
| \$40,000 minus $\left( \frac{40,000}{262,500} \times \$105,000 \right)$                       |             |             |
| Tentative credit                                                                              |             | 10,209.52   |
| <i>Argentine Republic</i>                                                                     |             |             |
| Tentative credit                                                                              |             | 5,800.00    |
| <i>Mexico</i>                                                                                 |             |             |
| Tentative credit                                                                              |             | None        |
| <i>Puerto Rico</i>                                                                            |             |             |
| Income and profits taxes paid or accrued                                                      |             | None        |
| Limitation under section 131 (b) (1)                                                          |             |             |
| \$10,000 minus $\left( \frac{10,000}{262,500} \times \$105,000 \right)$                       |             |             |
| Tentative credit                                                                              |             | 2,250.00    |
| <i>France</i>                                                                                 |             |             |
| Dividend tax paid at source                                                                   |             | 2,552.38    |
| Income and profits taxes paid or accrued on branch operations                                 |             | 2,250.00    |
| Income and profits taxes deemed under section 131 (f) to have been paid, computed as follows: |             |             |
| Dividend received on December 31 of the taxable year                                          | \$50,000.00 |             |
| Income of French corporation earned during taxable year                                       | 200,000.00  |             |
| Income and profits taxes paid to France on \$200,000                                          | 30,000.00   |             |
| Accumulated profits \$200,000 minus \$30,000                                                  | 170,000.00  |             |
| French taxes applicable to accumulated profits distributed                                    |             |             |
| 50,000 of \$30,000                                                                            |             | 7,500.00    |
| 170,000 of 200,000                                                                            |             |             |
| Total income and profits taxes paid or accrued and deemed to have been paid to France         |             | 22,500.00   |

Limitation under section 131 (b) (1)

$$\$70,000 \text{ minus } \left( \frac{70,000}{262,500} \times \$105,000 \right) \times \$67,000$$

Tentative credit

$$\$262,500 \text{ minus } \$105,000$$

\$17,866.66

17,866.66

*Sum of tentative credits*

|               |             |
|---------------|-------------|
| Great Britain | \$7,657.14  |
| Canada        | 5,104.76    |
| Brazil        | 5,800.00    |
| Puerto Rico   | 2,250.00    |
| France        | 17,866.66   |
|               | \$38,678.56 |

Limitation on sum of tentative credits under section 131 (b) (2) to determine credit

$$\$130,000 \text{ minus } \left( \frac{130,000}{262,500} \times \$105,000 \right) \times \$67,000$$

Total amount of credit allowable (sum of tentative credits or the limitation under section 131 (b) (2), whichever is the lesser)

$$\$262,500 \text{ minus } \$105,000$$

\$33,180.94

33,180.94

PAR. 7. There is added immediately following § 35.729-3 the following new section:

§ 35.729-4 *Application of credit to cases within relief provisions.* In cases within the scope of sections 721, 726, 731 or 736 (b), relating to relief provisions affecting the tax imposed under chapter 2E, special rules, as set forth herein, are applicable with respect to the determination of the credit for foreign tax under section 729.

In any case within the provisions of section 721, relating to abnormalities in income in the taxable year, the amount of the abnormal income attributable to any prior taxable year shall, for the purposes of computing the amount of the credit under section 729 for the taxable year, be included in gross income in determining the excess profits net income for the year in which the whole of such abnormal income would without regard to section 721 be includible. In such case the excess profits tax for the taxable year shall be computed as if the abnormal income were included in the taxable year resulting from the inclusion in the year of the portion of the abnormal income attributable to such future taxable year. In such case the amount so attributable to a future taxable year shall be included in the gross income for such future taxable year for the purpose of determining the excess profits net income for such future taxable year. For computation of excess profits tax for such future taxable year, see § 35.721-5.

In any case within the scope of section 726, relating to corporations completing contracts under Merchant Marine Act, 1936, the tax against which the credit is taken shall be the tax computed under section 726 (b) if, and only if, the tax so computed is less than the tax computed under section 710. In that event any payments made or to be made to the United States Maritime Commission for any taxable year shall be included in gross income for the purpose of determining the entire excess profits net income under section 729 (c) and (d).

the purposes of computing the amount of the credit under section 729, be excluded from gross income in determining the excess profits net income for the taxable year in which the whole of such abnormal income would without regard to section 721 be includible. In such case the excess profits tax for such taxable year against which the credit is taken shall not include the increase in excess profits tax for any such future taxable year resulting from the inclusion in the year of the portion of the abnormal income for such future taxable year. In such case the amount so attributable to such future taxable year shall be included in the gross income for such future taxable year for the purpose of determining the excess profits net income for such future taxable year. For computation of excess profits tax for such future taxable year, see § 35.721-5.

In any case within the scope of section 726, relating to corporations completing contracts under Merchant Marine Act, 1936, the tax against which the credit is taken shall be the tax computed under section 726 (b) if, and only if, the tax so computed is less than the tax computed under section 710. In that event any payments made or to be made to the United States Maritime Commission for any taxable year shall be included in gross income for the purpose of determining the entire excess profits net income under section 729 (c) and (d).

In any case within the scope of section 731, relating to corporations engaged in the mining of strategic minerals, the excess profits net income attributable to such mining shall be excluded from the entire excess profits net income for the purpose of determining the credit provided in section 729.

In any case within the scope of section 736 (b), relating to taxpayers with income from long-term contracts, the income attributable under such subsection to prior taxable years shall, for the purpose of computing the amount of the credit under section 729, be included in determining excess profits net income for the year in which such income would be included in excess profits net income. In such case the tax against which credit is taken for the purposes of section 729 is taken for the purposes of section 729.

Example (1). The A Corporation has for the taxable year 1942 the following income and excess profits tax liability:

|                                                                                                                 |                     |
|-----------------------------------------------------------------------------------------------------------------|---------------------|
| Total excess profits net income                                                                                 | \$500,000.00        |
| Foreign excess profits net income, representing royalties from patents                                          | 200,000.00          |
| Foreign tax paid with respect to foreign royalties                                                              | 90,000.00           |
| Portion of foreign income attributable as abnormal income under section 721 to taxable year 1941                | 100,000.00          |
| Excess profits credit for 1942                                                                                  | \$220,000           |
| Specific exemption                                                                                              | 5,000               |
| <b>Total excess profits net income</b>                                                                          | <b>225,000.00</b>   |
| <b>Less: Foreign income attributable to 1941</b>                                                                | <b>\$500,000.00</b> |
| <b>Excess profits net income attributable to 1942</b>                                                           | <b>100,000.00</b>   |
| <b>Less: Excess profits credit and specific exemption, as above</b>                                             | <b>225,000.00</b>   |
| <b>Adjusted excess profits net income for 1942</b>                                                              | <b>175,000.00</b>   |
| Excess profits tax at 1942 rates                                                                                | \$157,500.00        |
| Assumed increase in excess profits tax for 1942 due to amount of excess profits net income attributable to 1941 | 32,500.00           |
| <b>Total excess profits tax for 1942</b>                                                                        | <b>190,000.00</b>   |
| Limitation upon amount of foreign tax credit for the purpose of chapter 2E:                                     |                     |
| 200,000 x \$190,000                                                                                             | 76,000.00           |

See, however, the limitation, provided in § 35.729-3. Applying such latter limitation and assuming that the credit allowed for such foreign tax under chapter 1 is \$48,000, the amount allowable as a credit for excess profits tax purposes is \$90,000 minus \$48,000, or \$42,000.

Example (2). The B Corporation has for 1942 total excess profits net income of \$600,000, which for the purposes of this example is equal to the entire net income, of which \$200,000 is attributable to the mining in the United States of a strategic mineral and \$135,000, or \$33,750, 600,000 minus 200,000 x \$135,000, or \$33,750, is derived from sources in the X foreign country upon which the sum of \$50,000 income tax has been paid to the government of the X country. The excess profits tax, after the application of section 731, on the portion of the adjusted excess profits net income not attributable to the mining in the United States of a strategic mineral is assumed to be \$135,000. The limitation on the credit under section 729 is 100,000 x \$135,000, or \$33,750.

However, the amount allowable against such tax shall not in any event exceed the amount by which the sum of \$50,000, foreign income tax, exceeds the credit allowed the B Corporation against the tax imposed under chapter 1. For the purposes of the credit under section 131 the normal-tax net income from X country is \$100,000 minus  $\frac{100,000}{400,000} \times 90 \times \$135,000$ , or \$100,000 minus \$37,500, or \$62,500. This amount, \$62,500, constitutes the numerator of the limitation fractions under section 131 (b) while the denominator of the fraction is \$600,000 minus \$150,000, or \$450,000.

Example (3). The X Corporation had for the taxable year 1942 a net income of \$1,000,000, of which the sum of \$600,000 was derived from the performance of a long-term contract requiring more than 12 months to complete. The corporation reported income upon the completed contract basis for income tax purposes. It also derived \$100,000 ordinary income from the Y country upon which the sum of \$45,000 income tax was paid to that

|                                                                                                                                                                        |              |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| Total excess profits tax (\$125,000 plus \$45,000 plus \$100,000)                                                                                                      | \$270,000.00 |
| Limitation upon credit $\frac{100,000}{1,000,000} \times \$270,000$                                                                                                    | 27,000.00    |
| The amount actually allowable as credit (excess of foreign tax paid over credit under section 131) is \$17,000. The \$17,000 credit is determined as follows:          |              |
| Excess profits tax for 1942 plus the increases in excess profits tax for 1940 and 1941 caused by the inclusion of income from the long-term contract completed in 1942 | \$270,000.00 |
| Credit under section 26 (e), 90                                                                                                                                        | 300,000.00   |
| Normal tax net income from foreign sources $(\$100,000 \text{ minus } \frac{100,000}{1,000,000} \times \$300,000)$                                                     | 70,000.00    |
| Entire normal tax net income (\$1,000,000 minus \$300,000)                                                                                                             | 700,000.00   |
| Normal tax and surtax (40 percent)                                                                                                                                     | 280,000.00   |
| Limitation upon credit $\frac{70,000}{700,000} \times \$280,000$                                                                                                       | 28,000.00    |
| Foreign tax paid                                                                                                                                                       | 45,000.00    |
| Amount available as credit against excess profits tax (\$45,000 minus \$28,000)                                                                                        | 17,000.00    |

country. The remainder of the net income was ordinary domestic income. The X Corporation elects to compute its excess profits tax under the provisions of section 736 (b). Under that section, of the total amount of \$600,000 derived from the long-term contract, the sum of \$150,000 is attributable to 1940 and \$200,000 is attributable to 1941, leaving \$250,000 subject to 1942 excess profits tax rates. The excess profits tax for 1942, before taking into consideration the additional excess profits tax by reason of long-term contract income attributable to 1940 and 1941 under the percentage of completion method, is assumed to be \$125,000, and the amounts by which the excess profits tax imposed for the taxable years 1940 and 1941, resulting from attributing to such years the portion of the income from the long-term contract, exceeds the excess profits tax imposed for such years without considering any income from the contract completed in 1942, are assumed to be \$45,000 and \$100,000, respectively. In such case the credit for foreign tax under section 729 is determined as follows:

(Secs. 62 and 729 (a) of the Internal Revenue Code (53 Stat. 32, 54 Stat. 989; 26 U.S.C. 62 and 729 (a)) and section 130 of the Revenue Act of 1943 (Public Law 235, 78th Congress))

Approved: April 19, 1945.

JOSEPH J. O'CONNELL, Jr.,

Acting Secretary of the Treasury.

GEO. J. SCHOENEMAN,  
Acting Commissioner of Internal Revenue.

[F. R. Dec. 45-6297; Filed, Apr. 20, 1945; 11:26 a. m.]



**TITLE 29—LABOR**

**Chapter IX—War Food Administration  
(Agricultural Labor)**

[Supp. 3, Amdt. 2]

**PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA**

**WORKERS IN POTATOES IN SAN JOAQUIN AND CUYAMA VALLEYS, CALIFORNIA**

Supplement No. 3 (9 F.R. 4170, 4976) to the specific wage ceiling regulations, § 1102.3, paragraph (b) is hereby amended to read as follows:

(b) *Wage rates; maximum wage rates for harvesting early potatoes.* (1) Wage rates for picking up and hauling of early potatoes.

(i) Picking up early potatoes:

- (a) Piece-work rate—12¢ per hundred pounds net weight of potatoes.
- (b) Hourly rate—75¢ per hour.

(ii) Loading, unloading and hauling:

(a) Including haul from field to shed,

|                                         | <i>Per ton</i> |
|-----------------------------------------|----------------|
| Under 5 miles.....                      | \$1.00         |
| 5 miles or more but under 10 miles....  | 1.05           |
| 10 miles or more but under 15 miles.... | 1.10           |
| 15 miles or more but under 20 miles.... | 1.15           |
| 20 miles or more but under 25 miles.... | 1.20           |
| 25 miles or more but under 30 miles.... | 1.25           |
| 30 miles or more.....                   | 1.40           |

The wages for loading, unloading, hauling, shall be divided equally among workers so engaged, except:

(1) Where the field driver is not engaged in loading or unloading and the work of loading and unloading is done by two workers, the wage shall be divided as follows,

(i) Field driver—10¢ per ton regardless of mileage.

(ii) Two workers who both load and unload—Haul under 5 miles—45¢ per ton each. Haul over 5 miles and less than 30 miles—the wages for each worker may increase at the rate of 2½ cents for each subsequent mileage bracket as set forth in the above table.

Haul over 30 miles—Each worker may be paid 65¢ per ton.

(2) Where there is a crew of workers exclusively engaged in field loading, a driver who unloads and workers who unload, the wage shall be divided as follows:

(i) Field loaders: 40¢ per ton regardless of mileage, equally divided among the workers.

(ii) Unloaders: 20¢ per ton regardless of mileage, divided among workers.

(iii) Driver who unloads: Haul under 5 miles, 40¢ per ton; haul over 5 miles and less than 30 miles, the wage may increase at the rate of 5¢ for each subsequent mileage bracket as set forth in the above table; haul over 30 miles, the driver may be paid 80¢ per ton.

If workers are paid on any other basis, rates of compensation must not exceed the above rates.

This amendment shall become effective at 12:01 a. m. Pacific war time, April 20, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. §§ 961 et seq., (Supp. III), 57 Stat. 63 (1943), 50 U.S.C. § 964 (Supp. III), 58 Stat. 632 (1944), E.O. No. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547; regulations of the War Food Ad-

ministrator, 9 F.R. 655, 12117, 12611, 9 F.R. 831, 12807, 14206, 10 F.R. 3177)

Issued this 19th day of April 1945.

WILSON R. BUIE,  
*Director of Labor,*  
*War Food Administration.*

[F. R. Doc. 45-6281; Filed, Apr. 20, 1945; 11:10 a. m.]

**TITLE 30—MINERAL RESOURCES**

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

**PART 602—GENERAL ORDERS AND DIRECTIVES**

**SIGNING OF CONSUMER DECLARATIONS**

A domestic consumer is prohibited from receiving any solid fuel under SFAW Regulation No. 26 unless he has placed his signature and mailing address on the reverse side of the SFAW Consumer Declaration form. (See Statement dated April 10, 1945.)

However, it has come to the attention of the SFAW that a large number of consumers have filed their declarations with their dealers without signing the forms on the reverse side. The returning of these declarations by retail dealers to consumers to be signed properly would involve a burden upon the limited manpower of retail dealers and an expense which should be avoided so far as practicable. Accordingly, SFAW will not deem retail dealers to be in violation of the regulation if they deliver solid fuel to domestic consumers whose Consumer Declarations have been properly filled out but have not been signed on the reverse side if these declarations are filed on or before May 15, 1945. SFAW expects retail dealers to make every effort to see to it that in the future consumers not only fill out the Consumer Declaration forms but also sign them on the reverse side.

Dated: April 19, 1945.

C. J. POTTER,  
*Deputy Solid Fuels  
Administrator for War.*

[F. R. Doc. 45-6280; Filed, Apr. 20, 1945; 11:05 a. m.]

**TITLE 32—NATIONAL DEFENSE**

**Chapter III—Bureau of Mines**

**PART 303—GENERAL LICENSE PERTAINING TO EXPLOSIVES**

**SODIUM NITRATE AND AMMONIUM NITRATE AS FERTILIZER AND SODIUM CHLORATE AS WEED ERADICATOR**

General License No. 6 (§ 303.6)<sup>1</sup> is amended to read as follows:

§ 303.6 *General purchaser's license for sodium nitrate and ammonium nitrate as fertilizer and for sodium chlorate as weed*

<sup>1</sup> 7 F.R. 4760, 6670, 10925; 8 F.R. 564, 1938, 9183, 16503; 9 F.R. 3489, 13557.

*eradicator.* A general license is hereby granted under the Federal Explosives Act of December 26, 1941 (55 Stat. 863), as amended, to any person as defined therein who, as owner, manager, tenant or sharecropper, operates a tract of land for the production of food, fiber, medicinal herbs, tobacco or inedible oils, authorizing him to purchase and possess sodium nitrate and ammonium nitrate as a fertilizer and sodium chlorate as a weed eradicator on that tract of land and to use them for those purposes thereon. It does not cover any person, citizen or alien, who is prohibited by regulation or proclamation of the War Department or other Federal agency from possessing, using, or controlling explosives or component parts thereof.

This general license relieves persons covered by it from the duty of applying for and securing individual licenses for the purposes specified in it and from the duty of keeping records on the acquisition and use of sodium nitrate, ammonium nitrate, and sodium chlorate. It does not relieve them from any other duty under the Federal Explosives Act or the regulations thereunder, and it does not relieve persons selling or otherwise disposing of sodium nitrate, ammonium nitrate, or sodium chlorate to them from the duty of keeping the records required by section 5 of the act and § 301.14 (d) of the regulations.

This general license expires at the close of business on December 31, 1945, unless sooner terminated.

R. R. SAYERS,  
*Director.*

The foregoing license as amended is approved and all regulations inconsistent therewith are waived.

MICHAEL W. STRAUS,  
*Assistant Secretary,*  
*Department of the Interior.*

APRIL 16, 1945.

[F. R. Doc. 45-6258; Filed, Apr. 19, 1945; 4:43 p. m.]

**Chapter IX—War Production Board**

**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 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

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

[Priorities Reg. 25, Direction 1 as Amended Apr. 20, 1945]

**WPB ORDERS COVERED BY PRIORITIES REGULATION 25**

The following amended direction is issued pursuant to Priorities Reg. 25:

Production of products covered by the following WPB orders may be authorized under Priorities Regulation 25. The order should be referred to, since it may still restrict models and types that may be made or materials that may be used, or impose other limitations on the product; from these provisions the regulation will in most cases afford no relief.

If one of the following orders is amended to refer to Priorities Regulation 25, authorization under the regulation will affect the provisions of the order only to the extent provided in the amended order.

Until one of the following orders has been specifically amended to provide otherwise, authorizations granted under this regulation will give relief only from the provisions of the order which either prohibit manufacture entirely or restrict the amount of manufacture permitted. The authorization will not in any way relieve the person receiving it from any other restrictions of the order. For example, the following types of restrictions must still be complied with: Restrictions on the types of models which can be made, on the kind of materials which can be used, on the amount of materials which can be used in producing any unit of the article, on the end uses for which production is permitted, on deliveries of the product, on inventories, etc. Thus, with respect to an "L" order not amended to provide otherwise, which restricts both (1) the amount of material used in a plant's total production of an article and (2) the amount of material per unit manufactured, relief would be granted under this regulation from the first restriction but not from the second.

#### Automotive Division

NOTE: "L-180" and "L-253" deleted Apr. 20, 1945.

- L-30 Outboard Motors and Parts.
- L-158 Automotive Replacements Parts.
- L-270 Automotive Maintenance Equipment.
- L-331 Motocycles.

#### Building Materials Division

- L-205 House Trailers and Expandible Mobile Houses.
- L-277 Electrical Wiring Devices and Heater Cord Sets.

#### Consumers Durable Goods Division

NOTE: "L-62" deleted Apr. 20, 1945.

- L-5-c Domestic Mechanical Refrigerators.
- L-6 Domestic Laundry Equipment.
- L-7-c Domestic Ice Refrigerators.
- L-13-b Use of Metal in Furniture and Fixtures.
- L-18-b Domestic Vacuum Cleaners.
- L-21 Automatic Phonographs, Amusement and Gaming Machines.
- L-23-b Domestic Electric Ranges.
- L-27 Vending Machines: Merchandise.
- L-30-a Galvanized Ware and Nonmetal Coated Metal Articles.
- L-30-b Enameled Ware.
- L-30-d Miscellaneous Cooking Utensils and Other Articles.
- L-30-e Aluminum Cooking Utensils, Kitchenware, and Household Articles.
- L-33 Portable Electric Lamps and Shades.
- L-37-a Musical Instruments.
- L-49 Beds, Bed Springs, Mattresses, and Dual Sleeping Equipment.
- L-52 Bicycles and Bicycle Parts.
- L-64 Caskets, Shipping Cases, Burial Vaults.
- L-65 Electrical Appliances.
- L-65-a Electric Irons.
- L-67 Lawn Mowers.
- L-71 Dry Cell Batteries and Portable Electric Lights.
- L-73 Office Supplies.
- L-81 Toys and Games.
- L-93 Golf Clubs.
- L-98 Domestic Sewing Machines.
- L-140-a Cutlery
- L-140-b Flatware and Hollow Ware.
- L-176 Domestic and Commercial Electric Fans.
- L-227-b Wood Cased Pencils and Pen Holders.
- L-230a Furniture and Furniture Parts.

- L-267 Photographic and Projection Equipment, Accessories, and Parts.
- L-275 Alarm Clocks.
- L-301 Powercycles.

#### Farm Machinery Division

- L-257 Farm Machinery and Equipment and Attachments and Repair Parts—except wheel-type tractors.
- L-257a Farm Machinery—Exports (except wheel-type tractors).

#### General Industrial Equipment Division

- L-38 Industrial and Commercial Refrigerating and Air-Conditioning Machinery and Equipment.
- L-89 Elevators and Escalators.
- L-292 Food Processing Machinery.
- L-311 Logging, Lumber and Woods Products Machinery and Equipment.
- L-314 Lubrication Equipment.

#### Government Division

- L-55 Shotguns.

#### Plumbing and Heating Division

- L-23-c Domestic Cooking Appliances and Domestic Heating Stoves.
- L-42 Plumbing and Heating Simplification.
- L-74 Oil Burners.
- L-75 Coal Stokers.
- L-173 Floor and Wall Furnaces.
- L-182 Commercial Cooking and Food and Plate Warming Equipment.
- L-185 Water Heaters.
- L-187 Cast Iron Boilers.
- L-199 Plumbing and Heating Tanks.
- L-248 Commercial Dishwashers.

#### Printing and Publishing Division

- L-188 Loose-Leaf Metal Parts and Units.
- L-226 Printing and Publishing Machinery, Parts, and Supplies.

#### Radio and Radar Division

- L-151 Domestic Watthour Meters.

#### Safety and Technical Equipment Division

- L-39 Fire Protective, Signal and Alarm Equipment.
- L-238 Sun Glasses.
- L-259 Physical Therapy Equipment.

#### Service Equipment Division

- L-29 Metal Signs
- L-54-a Typewriters
- L-54-c Office Machinery
- L-91 Commercial Laundry Equipment, Dry Cleaning Equipment, and Tailor's Pressing Equipment
- L-190 Scales, Balances, and Weights
- L-222 Floor Machines, Rug-Scrubbing Machines, Industrial Vacuum Cleaners and Blowers for Cleaning Purposes
- L-325 35 mm Motion Picture Projection Equipment and Accessories

#### Textiles Bureau

- L-68 Closures and Associated Items
- L-284 Luggage

#### Tools Division

- L-145a Anti Friction bearings
- L-201 Automotive Tire Shasis, Tractor Tire Chains and Chain Parts
- L-237 Light Power Driven Tools

#### Communications Division

- U-8 Order Limiting the Manufacture of Telephones

#### Copper Division

- M-9-c-1 Copper and Copper Base Alloy Shoe Findings
- M-9-c-3 Copper (Bronze Powder)

Until one of the following orders is amended to refer to Priorities Regulation 25, an authorization granted under the regula-

tion will permit the use of the material controlled by the order for the purpose authorized. Other restrictions such as those on delivery, inventory, etc., will not be affected. If such order is amended, the authorization will grant relief to the extent provided in the amendment.

Certain other orders of the War Production Board contain restrictions on the use of material controlled by the following orders. Whether or not the order listed below has been amended, these restrictions remain in effect and on authorization granted under Priorities Regulation 25 will not operate to waive any such restrictions unless the other order (usually an "L" order), or this or another direction to Priorities Regulation 25 provides otherwise.

#### Aluminum and Magnesium Division

- M-1-k Aluminum
- M-2-c Magnesium

#### Copper Division

- M-9-c Copper

#### Miscellaneous Minerals Division

- M-146 Quartz crystals

#### Steel Division

- M-126 Iron and Steel Conservation.

#### Zinc Division

- M-11-b Zinc

Effective April 1, 1945, consumers operating under a production schedule authorized under Priorities Regulation 25 may use zinc only in accordance with the provisions of Order M-11-b, as amended March 7, 1945.

Issued this 20th day of April 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-6287; Filed, Apr. 20, 1945; 11:19 a. m.]

#### PART 3285—LUMBER AND LUMBER PRODUCTS (Order L-335, Direction 1 as Amended Apr. 19, 1945)

#### SAWMILLS' SHIPMENTS OF DOUGLAS FIR, WHITE FIR, NOBLE FIR, SITKA SPRUCE (EXCEPT AIRCRAFT GRADE) AND WEST COAST HEMLOCK

The following amended direction is issued pursuant to Order L-335:

(a) *What sawmills are covered by this direction.* This direction applies only to sawmills located in the States of Oregon and Washington west of the crest of the Cascade mountain range which produce the following species of lumber: Douglas fir (*pseudotsuga taxifolia*), Noble fir, White fir, Sitka spruce, (except aircraft grades of Sitka spruce and Noble fir which are specifically allocated either directly or indirectly to manufacturers of aircraft) and West coast hemlock.

(b) *Military orders placed with sawmills that take precedence over other orders.* This paragraph applies to every sawmill mentioned in paragraph (a) above which currently produces 25,000 or more board feet of lumber (whether one of the named species or not) per average day of eight hours of continuous operation or which produced an average of 25,000 or more board feet of lumber per day during the days from June 3, 1943 to December 3, 1943 on which it was in operation. Starting with the month of May 1945, sawmills that receive orders of the types described in paragraph (c) below must accept and ship such orders in preference to all other orders (except orders rated AAA)



to the extent that such orders do not require more than 45 percent of the sawmill's anticipated monthly shipments of all species listed in paragraph (a) above. Such an order may not be accepted by a sawmill after the beginning of the month preceding the month of shipment if the acceptance of the order would result in displacing other certified and rated orders amounting to more than 10 percent of the sawmill's anticipated monthly shipments. A sawmill's shipment on such orders shall be in the sizes required by the agency or person placing the order.

(c) *Military orders.* The following types of certified and rated orders placed with a sawmill shall be accorded the treatment provided for in paragraph (b) above and shipments made on such orders may be credited against the percentage that a sawmill is required to ship under that paragraph in preference to other orders:

(1) Orders for the Account of the United States Government placed by the U. S. Army, U. S. Navy, U. S. Marine Corps, U. S. Coast Guard, U. S. Maritime Commission, and War Shipping Administration;

(2) Orders for the account of the United States Government placed by the Treasury Department, Procurement Division on behalf of the Foreign Economic Administration bearing the symbol DA-TFS;

(3) Orders placed by any other person which bear a certification of the Central Procuring Agency, Procurement Division of the United States Corps of Engineers to the effect that the order is a military order and as such is entitled to the preferential treatment prescribed by this direction. A person who receives such a certification from the Central Procuring Agency may extend that certification in placing orders with his supplier to the extent necessary to obtain lumber required for delivery on the order bearing the original certification of the Central Procuring Agency. If a distributor sells lumber out of inventory on an order bearing a certification of the Central Procuring Agency to the effect that the order is a military order and as such is entitled to the preferential treatment prescribed by this direction, the distributor may not extend the certification of the Central Procuring Agency to replace the lumber in inventory. If the distributor wants his order to be identified as a military order he must send it to the nearest office of the Central Procuring Agency for certification and placement by that agency. If a distributor does not wish to have the Central Procuring Agency certify his order or the Central Procuring Agency refuses to certify it, then the distributor may place his order with his lumber supplier, but it may not bear any other certification than that described in paragraph (q) (3) of Order L-335.

(4) Orders placed for the account of the United States Government by the Veterans Administration or orders placed by any other person bearing a certification of the Director of Construction of the Veterans Administration to the effect that the lumber purchased thereby is for use on construction work done for the Veterans Administration.

For the purposes of this direction "orders" shall be deemed to include the memorandum of purchase issued by the Central Procuring Agency on ED Form 526 commonly known as a "purchase allocation." A "purchase allocation" order is not to receive the preferential treatment to be accorded military orders under paragraph (b) above unless it is one of the types of orders described above.

(d) *Other military orders.* The amount of lumber that must be made available to the military on orders receiving the preferential treatment described in paragraph (b) is the minimum and a sawmill must continue to accept other orders coming from the same sources for lumber in excess of the required

percentage mentioned in paragraph (b) in accordance with paragraphs (x) (1) and (x) (2) of Order L-335, but orders placed with a sawmill over and above the required 45 percent shall be treated like any other order and they will not take precedence over other orders which are equally or higher rated.

(e) *Effective date.* This amended version of Direction 1 to Order L-335 shall become effective May 1, 1945. Direction 1 dated March 31, 1945 shall remain in effect until May 1, 1945.

Issued this 19th day of April 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-6253; Filed, Apr. 19, 1945;  
4:09 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328, as Amended Mar. 31, 1945, Amdt. 1]

PROVISIONS APPLICABLE TO TEXTILES, CLOTHING AND RELATED PRODUCTS

Section 3290.118 *Conservation Order M-328* hereby is amended by changing the first sentence in the heading of Schedule B to read as follows: "The following types of rejects may be sold or used by the holder of the reject on an order bearing a preference rating; otherwise the holder must apply for specific authorization of the War Production Board to sell or use the reject:"

Issued this 20th day of April 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-6283; Filed, Apr. 20, 1945;  
11:18 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328, Revocation of Direction 4]

PRODUCTION OF MEN'S HEAVYWEIGHT UNION SUITS—JANUARY 1945

Direction 4 to Order M-328 is revoked. This revocation does not affect any liabilities incurred under the direction.

Issued this 20th day of April 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-6288; Filed, Apr. 20, 1945;  
11:18 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328, Revocation of Direction 9]

PRODUCTION OF MEN'S HEAVYWEIGHT UNDERWEAR, FEBRUARY AND MARCH, 1945

Direction 9 to Order M-328 is revoked. This revocation does not affect any liabilities incurred under the direction.

Issued this 20th day of April 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-6289; Filed, Apr. 20, 1945;  
11:18 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Revocation of Supp. I to Schedule A]

MEN'S SHORTS PROGRAM NO. 1

Supplement I to Schedule A issued pursuant to Conservation Order M-328B (§ 3290.120a) is revoked. This revocation does not affect any liabilities incurred under the supplement.

Issued this 20th day of April 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-6290; Filed, Apr. 20, 1945;  
11:18 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Revocation of Supplement II to Schedule A]

MEN'S SHIRTS PROGRAM NO. 1

Supplement II to Schedule A issued pursuant to Conservation Order M-328B (§ 3290.120a) is revoked. This revocation does not affect any liabilities incurred under the supplement.

Issued this 20th day of April 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-6291; Filed, Apr. 20, 1945;  
11:18 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Revocation of Supp. III to Schedule A]

WOMEN'S HOUSE DRESSES PROGRAM NO. 1

Supplement III to Schedule A issued pursuant to Conservation Order M-328B (§ 3290.120a) is revoked. This revocation does not affect any liabilities incurred under the supplement.

Issued this 20th day of April 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-6292; Filed, Apr. 20, 1945;  
11:17 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Revocation of Supp. IV to Schedule A]

MISSES' AND WOMEN'S SLIPS PROGRAM NO. 1

Supplement IV to Schedule A issued pursuant to Conservation Order M-328B

(§ 3290.120a) is revoked. This revocation does not affect any liabilities incurred under the supplement.

Issued this 20th day of April 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-6293; Filed, Apr. 20, 1945;  
11:18 a. m.]

PART 3290--TEXTILE, CLOTHING AND  
LEATHER

[Conservation Order M-328B, Revocation of  
Supp. V to Schedule A]

MATERNITY DRESSES AND SLIPS

Supplement V to Schedule A issued pursuant to Conservation Order M-328B (§ 3290.120a) is revoked. This revocation does not affect any liabilities incurred under the supplement.

Issued this 20th day of April 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-6294; Filed, Apr. 20, 1945;  
11:17 a. m.]

PART 3290--TEXTILE, CLOTHING AND  
LEATHER

[Conservation Order M-328B, Revocation of  
Supp. VI to Schedule A]

KNIT GOODS PROGRAM NO. 4

Supplement VI to Schedule A, issued pursuant to Conservation Order M-328B (§ 3290.120a) is revoked. This revocation does not affect any liabilities incurred under the supplement.

Issued this 20th day of April 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-6295; Filed, Apr. 20, 1945;  
11:17 a. m.]

PART 3290--TEXTILE, CLOTHING AND  
LEATHER

[Conservation Order M-328B, Revocation of  
Supp. VII to Schedule A]

MATERNITY GARMENTS--PROGRAM NO. 2

Supplement VII to Schedule A, issued pursuant to Conservation Order M-328B (§ 3290.120a) is revoked. This revocation does not affect any liabilities incurred under the supplement.

Issued this 20th day of April 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-6296; Filed, Apr. 20, 1945;  
11:17 a. m.]

PART 3292--AUTOMOTIVE VEHICLES, PARTS  
AND EQUIPMENT

[Limitation Order L-180 as Amended Apr. 20,  
1945]

MATERIALS ENTERING INTO THE PRODUCTION  
OF REPLACEMENT STORAGE BATTERIES

The fulfillment of requirements for the defense of the United States has created

a shortage in the supply of antimony, lead, tin, rubber, and other materials entering into the production of automotive replacement storage batteries used in the operation of passenger automobiles and light trucks, medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles, for defense, for private account, and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3292.51 *Limitation Order L-180*—(a)  
[Deleted Jan. 22, 1944]

(b) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Regulations of the War Production Board, as amended from time to time, except where otherwise stated.

(c) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(2) "Passenger automobile" means any passenger vehicle, including station wagons and taxicabs, propelled by an internal combustion engine, and having a seating capacity of less than eleven (11) persons.

(3) "Light truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of less than 9,000 pounds, as authorized by the manufacturer thereof, or the chassis thereof.

(4) "Medium and/or heavy motor truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of 9,000 pounds or more, as authorized by the manufacturer thereof, or the chassis thereof.

(5) "Truck trailer" means a complete semi-trailer or full trailer having a load-carrying capacity of 10,000 pounds or more, as authorized by the manufacturer thereof, and designed exclusively for the transportation of property or persons, or the chassis thereof.

(6) "Passenger carrier" means a complete motor coach for passenger transportation, having a seating capacity of not less than eleven (11) persons.

(7) "Off-the-highway motor vehicle" means a motor truck, truck-tractor and/or trailer, operating off the public highway, normally on rubber tires and specially designed to transport materials, property or equipment on mining, construction, logging or petroleum development projects.

(8) "Automotive replacement storage battery" means an electric storage battery which has been completely assembled and sealed, whether uncharged or charged, and which is designed and built for operating a starter, ignition system, lighting system, or electrical signaling device on any passenger automobile, light, medium and heavy motor truck, truck-tractor, truck-trailer, passenger carrier or off-the-highway motor vehicle, and which may be used to replace a storage battery delivered as original equipment for any such vehicle. Automotive replacement storage batteries are

sometimes referred to hereafter for convenience as "replacement batteries."

(9) "Rebuilt automotive storage battery" means any used automotive storage battery which has been repaired, rebuilt in part or in whole and/or recharged for sale, referred to sometimes hereafter for convenience as "rebuilt batteries."

(10) "Loan or rental storage battery" means any new automotive replacement storage battery or any used automotive storage battery, repaired, rebuilt in whole or in part, and/or recharged to be used by any person for loaning, or renting, in order to permit the replacing, repairing, rebuilding and/or recharging of a battery.

(11) "Ampere hour capacity" means the ampere hour capacity of an automotive replacement storage battery as developed on or before the third discharge when tested at the 20-hour rate at 80 degrees Fahrenheit.

(12) "Group" means either (i) one division (of those numbered I, II, III, IV, V) of the "Table of Maximum Adjustment Units for Automobile Batteries in Passenger Car Service," as issued in 1939 by the National Battery Manufacturers Association, Inc., now known as Association of American Battery Manufacturers and referred to in paragraph (d) below as AABM; or (ii) A battery number, as shown in Table I, "Battery Classifications, Ratings and Dimensions," appearing on page 103 of the publication entitled "Storage Batteries for Motor Vehicles," issued in 1938 by the Society of Automotive Engineers, Inc., and referred to in paragraph (d) below as SAE.

(13) "Producer" means any individual, partnership, association, corporation, or other form of business enterprise engaged in the manufacture or rebuilding of automotive replacement storage batteries for sale.

(14) "Inventory" means a stock of automotive replacement storage batteries (new and rebuilt) on hand, on consignment or held for the account of the owner thereof in any other name, manner or place.

(15) "Distributor" means any person not a producer whose business consists, in whole or in part of the sale from inventory of storage batteries, as defined in sub-paragraphs (8), (9) and (10) above. Distributor includes wholesalers, warehouses, jobbers, dealers, retailers and other persons performing similar functions.

(16) "Consumer" means the owner or operator of the automotive vehicle for which a replacement battery is acquired, or the user of such battery for any other purpose.

(17) "Double insulation" means, in battery construction, the use of a retaining sheet of porous or perforated material between the positive plate and the single separator.

(18) "Single insulation" means, in battery construction, the use of wood separators only.

(d) *Limitations on ampere hour capacities of replacement batteries for passenger automobiles and light trucks.* (1) On and after August 29, 1942, no producer shall manufacture any replacement batteries for passenger automobiles and light trucks except with single

insulation and only in the following minimum ampere hour capacities:

| AABM                   | SAE                    | Minimum ampere hour capacity 20-hour rate 80° F. |
|------------------------|------------------------|--------------------------------------------------|
| Group                  | Group                  |                                                  |
| I.....                 | IM.....                | 80                                               |
| I.....                 | III.....               | 90                                               |
| I.....                 | .....                  | 100                                              |
| IS.....                | .....                  | 90                                               |
| IS.....                | 2L.....                | 100                                              |
| (E-116) (11E-125)..... | 2ME.....               | 110                                              |
| 11HF (Ford).....       | .....                  | 100                                              |
| (1I-115).....          | (2M-105) (2H-116)..... | 110                                              |
| 11S.....               | 3L.....                | 110                                              |
| 11L.....               | 3M (3H-133).....       | 120                                              |
| 11.....                | Special (12 Volt)..... | 45-50                                            |

(2) Beginning with the second calendar quarter of 1945, no producer shall manufacture in any quarter a greater quantity of 80-ampere hour batteries than he did in the corresponding quarter of 1944.

NOTE: Subparagraphs (3) and (4) formerly (2) and (3), redesignated Apr. 20, 1945.

(3) Notwithstanding the limitations on insulation of replacement batteries specified in paragraph (d) (1) above, a producer may manufacture one (1) model with double insulation in not more than three of the above groups.

(4) From Groups IV and V of AABM, or from Groups 4H and 5H of SAE a producer may manufacture only one battery in each group. However, such batteries may be constructed either with single or double insulation.

(e) Limitations on ampere hour capacities and container sizes of replacement batteries for medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles. (1) On and after September 30, 1942, no producer shall manufacture any replacement batteries for medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles except one (1) in each size within the following minimum-maximum ampere hour capacities and minimum-maximum container sizes:

|                                      | Ampere hour capacity 20-hour rate 80° F. |         | Volts | Container sizes |         |         |         |         |         |
|--------------------------------------|------------------------------------------|---------|-------|-----------------|---------|---------|---------|---------|---------|
|                                      |                                          |         |       | Long            |         | Wide    |         | High    |         |
|                                      | Minimum                                  | Maximum |       | Minimum         | Maximum | Minimum | Maximum | Minimum | Maximum |
| For batteries with double insulation |                                          |         |       |                 |         |         |         |         |         |
| Size A.....                          | 155                                      | 165     | 0     | 16              | 16 3/4  | 7 1/4   | 7 3/4   | 9 1/4   | 11      |
| Size B.....                          | 195                                      | 220     | 6     | 19 3/4          | 20 1/2  | 7 1/4   | 7 3/4   | 9 1/4   | 11      |
| Size C.....                          | 235                                      | 245     | 6     | 22 1/2          | 23 1/2  | 7 1/4   | 7 3/4   | 9 1/4   | 11      |
| Size D.....                          | 385                                      | 395     | 6     | 21 1/2          | 22      | 10 1/4  | 10 3/4  | 12      | 12 1/2  |
| Size E.....                          | 95                                       | 105     | 12    | 17 1/2          | 18      | 7 1/4   | 8       | 9 1/4   | 11      |
| Size F.....                          | 95                                       | 105     | 12    | 19 1/4          | 21 1/2  | 7 1/4   | 7 3/4   | 9 1/4   | 11      |
| Size G.....                          | 115                                      | 125     | 12    | 20 1/4          | 21 1/2  | 8 1/2   | 9       | 9 1/4   | 11      |
| Size H.....                          | 135                                      | 145     | 12    | 20 1/4          | 21 1/2  | 9       | 10      | 9 1/4   | 11      |
| Size I.....                          | 155                                      | 165     | 12    | 20 1/4          | 21 1/2  | 10 1/4  | 11 1/4  | 9 1/4   | 11      |
| For batteries with single insulation |                                          |         |       |                 |         |         |         |         |         |
| Size J.....                          | 195                                      | 205     | 6     | 16              | 16 3/4  | 6 3/4   | 7 1/2   | 9       | 10 3/4  |
| Size K.....                          | 335                                      | 345     | 6     | 25              | 25 1/2  | 7 1/4   | 7 3/4   | 9 1/4   | 11 1/4  |
| Size L.....                          | 140                                      | 155     | 12    | 20 1/4          | 21 1/2  | 8 1/2   | 9       | 9 1/4   | 11      |
| Size M.....                          | 150                                      | 170     | 12    | 20 1/4          | 21 1/2  | 9       | 10      | 9 1/4   | 11      |
| Size N.....                          | 180                                      | 205     | 12    | 20 1/4          | 21 1/2  | 10 1/4  | 11 1/4  | 9 1/4   | 11      |

(2) [Deleted Apr. 20, 1945.]

(f) Restrictions on production of automotive replacement storage batteries.

(1) Availability of lead will determine number of batteries to be produced. The number of automotive replacement storage batteries which a producer may manufacture during each quarter of 1945 shall be determined by the amount of lead which is available to him for this purpose under General Preference Order M-38, as amended.

(2) Production of replacement batteries for medium and heavy trucks, truck-tractors, truck-trailers, passenger carriers and off-the-highway motor vehicles. Beginning with the second quarter of 1945 and during each succeeding quarter thereafter each producer must apportion his production of civilian automotive replacement storage batteries so as to fill all orders for replacement

batteries for medium and heavy trucks, truck-tractors, truck-trailers, passenger carriers and off-the-highway motor vehicles, received by him for delivery during the quarter, up to a quantity equal to his 1944 average quarterly production of these types of batteries.

(3) Quality of batteries must be maintained up to fourth quarter 1944 level. On and after April 15, 1945, no producer shall manufacture any replacement batteries as defined in paragraph (c) (8) whose quality with respect to materials, including weight and dimensions of grids, will be below that quality the producer maintained in similar batteries he manufactured during the fourth quarter of 1944.

(g) Restrictions on inventories of producers of automotive replacement batteries. (1) No producer shall have in inventory on the first day in any month a stock of replacement batteries and re-

built batteries as defined in paragraphs (c) (8) and (9) above, in excess of one third of the number of batteries sold by him during the calendar year 1941.

(h) General restrictions—(1) Return of used batteries. No producer or distributor shall sell or deliver a new or rebuilt replacement battery to any consumer unless such consumer delivers to the seller concurrently with his purchase one used battery of the same size or larger which cannot be satisfactorily recharged for each replacement battery delivered to such consumer. The provisions of this paragraph (h) (1) shall not apply to any Federal or Territorial department, bureau or agency, State or political subdivision thereof, which is forbidden by law from making such disposal of used batteries.

(2) Consumer's certificate. Notwithstanding the provisions of paragraph (h) (1) above, a producer or distributor may sell and deliver a replacement battery to a consumer without receiving a used battery in exchange therefor provided that: (i) The producer or distributor does not install such replacement battery in the consumer's vehicle; and (ii) the consumer signs and delivers to the producer or distributor with each purchase order (or written confirmation thereof if such order is placed by telephone or telegraph) a certificate in the following form:

Consumer's Certificate

I hereby certify that: (a) the replacement battery specified on this order is essential for the operation of a vehicle I now own or operate; (b) the replacement battery will be used only to replace a battery which to the best of my knowledge, cannot be satisfactorily recharged, repaired or economically reconditioned; and (c) I will within thirty days after receiving the replacement battery here ordered dispose of through scrap channels a used automotive battery (excepting in the event of the loss or theft of such battery) of similar size for each replacement battery delivered to me.

(Signed) \_\_\_\_\_  
Vehicle Owner or Operator

Address \_\_\_\_\_  
Date \_\_\_\_\_

A copy of each such certificate must be retained by the producer or distributor as part of his records. The standard form of certification contained in Priorities Regulation 7 cannot be used.

(3) [Deleted Apr. 20, 1945.]

(i) Metal-containing parts of used, traded-in, imperfect or condemned batteries to be disposed of as scrap in 30 days. No producer or distributor may keep in his possession or under his control, for a period of more than thirty days, any traded-in replacement battery or component thereof which cannot be repaired or satisfactorily recharged, but must dispose of it through customary disposal or scrap channels. Traded-in batteries which can be repaired or recharged must be so repaired or recharged or returned to be repaired or recharged



as quickly as minimum quantities will permit. No battery which cannot be repaired or satisfactorily recharged may be sold for other than scrap purposes.

(j) Exceptions to applicability of this order. The limitations and prohibitions contained in this order shall not be applicable to:

(1) Any contract or purchase order for material to be delivered to, or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Selective Service System, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, Defense Supplies Corporation, Metals Reserve Company and Veterans Administration.

(2) Any contract or purchase order placed by any agency of the United States Government for material to be delivered under the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(3) Any contract or purchase order for material which is to be ultimately delivered to the government of any country whose defense the President deems vital to the defense of the United States pursuant to the act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(k) [Deleted Aug. 31, 1944.]

(l) [Deleted Aug. 31, 1944.]

(m) Reports.

On or before the 15th day of the month immediately following each calendar quarter, each producer shall execute and file with the War Production Board, Form WPB-2163 (PD 765) reporting for each of his plants, with the address of each, the shipments of automotive replacement storage batteries made during the preceding calendar quarter from each plant. These reporting provisions have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(n) Violations. Any person who willfully violates any provision 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 may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance by the War Production Board.

(o) Exceptions and appeals—(1) [Deleted Apr. 20, 1945.]

(2) Appeals. An appeal from the provisions of this order may be made by filing a letter in triplicate with the Field Office of the War Production Board for the District in which is located the plant or branch of the appellant to which the appeal relates, referring to the particu-

lar provisions appealed from and stating fully the grounds for appeal.

(p) Communications to the War Production Board. All reports required to be filed hereunder, and all communications concerning this order shall unless otherwise directed be addressed to: War Production Board, Automotive Division, Washington 25, D. C., Ref.: L-180.

(q) [Revoked January 5, 1943.]

Issued this 20th day of April 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-6286; Filed, Apr. 20, 1945;  
11:17 a. m.]

**PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT**

[Limitation Order L-180, Revocation of Direction 1]

**PRODUCTION OF REPLACEMENT BATTERIES FOR MEDIUM AND HEAVY TRUCKS, TRUCK-TRACTORS, TRUCK-TRAILERS, PASSENGER CARRIERS AND OFF-THE-HIGHWAY MOTOR VEHICLES**

Direction 1 to Limitation Order L-180, issued March 17, 1945 is hereby revoked. This direction is superseded by Limitation Order L-180 paragraph (f) (2), as amended April 20, 1945.

Issued this 20th day of April 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-6284; Filed, Apr. 20, 1945;  
11:18 a. m.]

**PART 3290—TEXTILE, CLOTHING AND LEATHER**

[General Conservation Order M-317, Direction 6 as amended Apr. 20, 1945]

**PRIORITIES ASSISTANCE FOR CLASS A AND CLASS B SHEETINGS FOR GOVERNMENTAL AGENCIES AND INSTITUTIONS**

The following amended direction is issued pursuant to General Conservation Order M-317:

(a) Governmental agencies and institutions, as defined in CMP Regulation 5A, may apply on Form WPB-2842 for priorities assistance to obtain Class A and Class B sheetings to be used only for their own use and not for resale, as follows: (Applications should be filed only when such sheetings are required to fill emergency needs and when they cannot be obtained otherwise.)

For inmates' sewing; bed linens; gowns; dresses; operating and obstetrical ward clothing; underwear; doctors' and nurses' gowns and uniforms; orthopedic and fracture equipment; splint and heavy duty cover material (formerly made from duck); food handlers' garments and other uniforms; shroud cloth; cover cloth for laundry presses, mangles and flatwork ironers; orderlies' clothing; folding cots; fire protection; equipment for forest rangers and for survey parties; protective use in construction work.

(b) Applications must be filed on a quarterly basis with Government Bureau, Office

of Civilian Requirements, War Production Board, Washington 25, D. C., not later than 15 days prior to the beginning of each calendar quarter.

(c) The total amount of Class A and Class B sheetings for which priorities assistance will be granted under this program in each calendar quarter is limited. Within the available supply applications will generally be granted on a pro rata basis, based on the actual consumption of the materials by the applicant in the quarter preceding the date of the filing of the application, taking into account the applicant's inventory on hand at the end of that quarter. New institutions and institutions and agencies whose consumption of these materials for the above listed uses during the preceding quarter was below their average quarterly consumption during the preceding year may, nevertheless, apply for their needs, and their applications will be processed on an equitable basis.

(d) No person may accept delivery of materials obtained with this priorities assistance that will result in his having on hand in excess of a 45 days' supply of the materials: *Provided, however,* That this shall not prevent the acceptance of deliveries of minimum procurable quantities.

(e) The preference rating assigned under this direction may be used by the applicant only to buy Class A or Class B sheetings. However, he may make arrangements with manufacturers of the finished items for the incorporation of the sheetings into the finished items to be actually delivered to the applicant.

(f) Orders shall be placed and the preference rating assigned under this direction shall be applied and extended in the manner provided in Priorities Regulations 1 and 3. The following certification shall be placed on all orders on which the rating is used:

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply or extend the preference rating indicated opposite the items shown on this order, and that such application or extension is in accordance with Priorities Regulation 3 as amended, with the terms of which the undersigned is familiar.

This rating has been assigned under Form WPB-2842, Serial No. ---- (Insert the serial number.)

-----  
(Name of Purchaser)

-----  
(Address)

By-----  
(Signature and Title of duly authorized officer.)

-----  
(Date)

When the above is complied with, the requirements of M-317 and M-328 are met, and it is unnecessary to use any other notation.

(g) The term "Class A and Class B sheetings", as used in this direction, means sheetings of the following or similar constructions and weights;

Class A: Average yarn sizes up to and including size No. 15's. Constructions 48 x 44, 2.85 yards per lb. in 36" or 2.50 yards per lb. in 40".

Class B: Average yarn size Nos. 16's to 21's, inclusive. Constructions 48 or 44 x 44 or 40, weights about 3.25 yards to 4.00 yards to the lb.

Issued this 20th day of April 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-6285; Filed, Apr. 20, 1945;  
11:19 a. m.]

Chapter XI—Office of Price Administration

PART 1351—FOOD AND FOOD PRODUCTS  
[FPR 3, Amdt. 2 to Supp. 4]

BEET PULP PRODUCTS

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.

Sections 6 (a) (1) and 6 (a) (2) of Supplement No. 4 to Food Products Regulation No. 3 are amended to read as follows:

(1) *Produced in Area A.* Base per ton price for dried beet pulp produced at any point in Area A is \$45.20 less the per ton carload freight rate (including the 3 percent transportation tax) for a shipment of dried beet pulp from such point to Boston, Massachusetts.

(2) *Produced in Area B.* Base per ton price for dried beet pulp produced at any point in Area B is \$46.90 less the per ton carload freight rate (including the 3 percent transportation tax) for a shipment of dried beet pulp from such point to Atlanta, Georgia.

This amendment shall become effective April 25, 1945: *Provided, however,* That any contract entered into prior to said date, which provides for delivery of beet pulp products prior to September 1, 1945, may be performed according to its terms notwithstanding the changes in maximum prices specified in sections 6 (a) (1) and 6 (a) (2) above, if such contract complied with the maximum prices established by those sections prior to April 25, 1945.

Issued this 20th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6306; Filed, Apr. 20, 1945; 11:55 a. m.]

PART 1362—CERAMIC PRODUCTS, STRUCTURAL CLAY PRODUCTS AND OTHER MASON MATERIALS

[MPR 116, Amdt. 9]  
CHINA AND POTTERY

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. 116 is amended in the following respects:

1. Section 1362.57 (d) is hereby revoked.

2. Section 1362.61 (c) (1) (iii) is amended to read as follows:

(iii) If the manufacturer was not in business during October 1 to October 15, 1941, or if he did not fabricate an article for which a maximum price was determined under Maximum Price Regulation No. 116, or sell to a particular class of purchaser, the maximum price for the new article or for a sale to a new class of purchaser shall be a price in line with the level of maximum prices established by Maximum Price Regulation No. 116,

and specifically authorized by the Office of Price Administration.

3. Section 1362.61 (c) (2) is amended to read as follows:

(2) *Reporting of maximum prices for articles priced under subdivision (iii).* Prior to first offering the article for which a maximum price is established by subdivision (iii) of this paragraph (c) (2) for sale, the manufacturer shall submit to the Office of Price Administration, Washington, D. C., a report applying for specific authorization of a maximum price. The report shall contain:

(i) A description of the article in detail.

(ii) A description of the manufacturing process.

(iii) A current cost breakdown according to his own system of accounts to show all major cost components, e. g., direct costs of material and labor, factory burden, selling and administrative expense.

However, in the case of an application for maximum prices for sales to a new class of purchaser it is not necessary to provide the information called for by subdivisions (ii) and (iii) above.

(iv) The proposed maximum price with a detailed explanation of its computation.

Upon receipt of the authorization, the manufacturer may offer the article for sale in accordance with the terms of the authorization. Such approval may also establish maximum prices for sellers of the articles generally, which may include wholesalers and retailers of the article.

This amendment shall become effective on the 25th day of April 1945.

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

Issued this 20th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6303; Filed, Apr. 20, 1945; 11:56 a. m.]

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

[RMFR 148, Amdt. 23]

DRESSED HOGS AND WHOLESALE PORK CUTS

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

Items 27 and 33 in Schedule I (h) of § 1364.35 of Revised Maximum Price Regulation No. 148 are amended to read as follows:

| Canned pork item                                    | Size of can    | Price per 100 pounds |
|-----------------------------------------------------|----------------|----------------------|
| 27. Slab bacon (type II, CQD 33E specifications).   | 12 lbs.....    | \$26.25              |
|                                                     | 14 lbs.....    | 26.00                |
| 33. Sliced bacon (type II, CQD 33E specifications). | 5 or 5½ lbs..  | 30.50                |
|                                                     | 7½ lbs.....    | 30.25                |
|                                                     | 14 or 16 lbs.. | 30.00                |

19 F.R. 1996, 3083, 4099, 11076; 10 F.R. 703, 2095, 2514, 3362.

This amendment shall become effective April 20, 1945.

Issued this 19th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6255; Filed, Apr. 19, 1945; 4:16 p. m.]

PART 1370—ELECTRICAL APPLIANCES

[MPR 294, Amdt. 5]

USED HOUSEHOLD VACUUM CLEANERS AND ATTACHMENTS FOR USED HOUSEHOLD VACUUM CLEANERS

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. 294 is amended in the following respect:

Section 1370.85 (f) is amended by adding the following model of vacuum cleaner to be inserted in alphabetical order:

| Trade name and model or other description | Maximum wholesale price—"as is" | Maximum retail price—rebuilt and guaranteed |
|-------------------------------------------|---------------------------------|---------------------------------------------|
| Apex: 128.....                            | \$15                            | \$40                                        |

This amendment shall become effective on the 25th day of April 1945.

Issued this 20th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6302; Filed, Apr. 20, 1945; 11:56 a. m.]

PART 1371—IMPORT PRICES

[Max. Import Price Reg., Amdt. 8]

INVOICE STATEMENTS AND REPORTS

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

The following paragraphs or sections of the Maximum Import Price Regulation are hereby revoked:

Paragraphs (f), (g), (h), (i) and (j) of section 3.

Paragraphs (e), (f), and (g) of section 4.

Paragraph (h) of section 8.

Section 16.

Section 17.

This amendment shall become effective April 21, 1945.

Issued this 20th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6305; Filed, Apr. 20, 1945; 11:55 a. m.]

19 F.R. 2350, 7504, 8062, 10925, 12270; 10 F.R. 922.

PART 1439—UNPROCESSED AGRICULTURAL  
COMMODITIES

[MPR 426, Amdt. 96]

FRESH FRUITS AND VEGETABLES FOR TABLE  
USE, SALES EXCEPT AT RETAIL

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 15, Appendix I, paragraph (c) is amended in the following respects:

1. In Table 6, footnote 10, Table 7, footnote 10, and Table 8, footnote 9, the date "April 20, 1945," is changed to "May 20, 1945."

2. In Table 10, footnote 9 is amended to read as follows:

"During the period beginning April 21, 1945, and ending August 31, 1945, for tangerines grown in Florida, the Column 5 price shall be for Item 1—\$4.72, for Item 2—5.5 cents per pound, for Item 3—4.3 cents per pound, and for Item 4—3.5 cents per pound.

This amendment shall become effective April 21, 1945.

Issued this 19th day of April 1945.

CHESTER BOWLES,  
Administrator.

Approved: April 18, 1945.

ASHLEY SELLERS,  
Assistant War Food Administrator.

[F. R. Doc. 45-6256; Filed, Apr. 19, 1945;  
4:16 p. m.]

PART 1447—GLUE STOCKS

[MPR 563, Amdt. 3]

WET GELATIN RAW STOCK

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. 563 is amended in the following respects:

1. Section 6 (a) (1) is amended to read as follows:

(1) Every person making sales of wet gelatin raw stock after October 23, 1944, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each sale showing the date thereof, the name and address of the buyer, the price contracted for, and the quantity of each type and grade of such wet gelatin raw stock sold and shipped.

2. Subparagraph (2) of section 6 (a) is redesignated (3).

3. Section 6 (a) (2) is added to read as follows:

8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 790, 902, 1581, 2098, 2023, 2091, 2493, 4030, 4086, 4088, 4434, 4786, 4787, 4877, 5926, 5929, 6104, 6108, 6420, 6711 7259, 7268, 7434, 7425, 7580, 7583, 7759, 7774, 7834, 8148, 9066, 9090, 9289, 9356, 9509, 9512, 9549, 9785, 9896, 9897, 10192, 10192, 10499, 10877, 10777, 10878, 11350, 11534, 11546, 12038, 12208, 12340, 12341, 12263, 12412, 12537, 12643, 12968, 12973, 13067, 13138, 13205, 13761, 13934, 14062, 13995, 14437, 14731, 15107; 10 F.R. 49, 256, 460, 933, 1540, 1403, 1456, 1910, 2024, 2026, 2145, 2160, 2188, 2245, 2515, 2521, 2965, 3054.

(2) Every person making purchases in the course of trade or business of wet gelatin raw stock shall weigh such wet gelatin raw stock upon its delivery to him. Every such person shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each purchase showing the date thereof, the name and address of the seller, the price contracted for, and the quantity of each type and grade of such wet gelatin raw stock purchased and shipped, and the quantity received of each such type and grade.

4. Section 6 (b) (2) is amended to read as follows:

(2) In the event wet gelatin raw stock actually received by a buyer differs in any material respect from the description thereof contained in the invoice or similar document delivered in connection with the purchase or shows a shrinkage in excess of the maximum tolerance provided for the particular wet gelatin raw stock by this regulation, such buyer shall transmit to the Regional Office of the Office of Price Administration for the region in which the buyer's principal place of business is located, within three days after his inspection of the wet gelatin raw stock, a statement identifying the seller and the shipment and setting forth such difference and the difference between the shipping weight and the delivered weight of the wet gelatin raw stock.

This amendment shall become effective April 25, 1945.

NOTE: The 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 20th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6304; Filed, Apr. 20, 1945;  
11:55 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and  
Navigation

Subchapter C—Motorboats, and Certain Vessels  
Propelled by Machinery Other Than by Steam  
More Than 65 Feet in Length

PART 29—ENFORCEMENT

NUMBERING OF MOTORBOATS

By virtue of the authority vested in me by 40 Stat. 602, as amended (46 U.S.C. 288), Executive Orders 9074, dated February 26, 1942 (3 CFR, Cum. Supp.) and 9083, dated February 28, 1942 (3 CFR, Cum. Supp.), the following amendment to the regulations is prescribed:

Section 29.8 is amended by changing subparagraphs (3) and (4) of paragraph (f) to read as follows:

§ 29.8 Procedure relating to numbering of motorboats. \* \* \*

(f) \* \* \*

(3) The number shall be painted parallel with the water line and the distance between the water line and the bottom of the number shall not be less than the minimum height of the number. The height of the number on all undocumented vessels, except those found on inland lakes other than the Great Lakes and on connecting waters, shall be in accordance with the following scale:

| Length of vessel:          | Height in inches |
|----------------------------|------------------|
| Under 20'0".....           | 6-8              |
| 20'0" and under 40'0"..... | 10               |
| 40'0" and under 60'0"..... | 18               |
| 60'0" and over.....        | 24               |

The height of the number on all motorboats found on inland lakes other than the Great Lakes and on connecting waters, shall be in accordance with the requirements of the act of June 7, 1918, as amended (46 U.S.C. 288). The width of the characters of the number on all numbered vessels and the thickness of the individual numbers shall be in accordance with accepted engineering practices.

(4) On all undocumented vessels, except those found on inland lakes other than the Great Lakes and on connecting waters, if the construction of the boat permits, the number shall also be painted on a conspicuous part of the top side for the purpose of aerial identification. The number shall be placed athwart ships or fore and aft, depending upon which of these two areas is the larger, and shall be painted in a color which contrasts to the color of the top side, and the size of the individual numbers shall be in proportionate ratio to the scale set forth in the preceding paragraph.

Dated: April 19, 1945.

L. T. CHALKER,  
Rear Admiral, U. S. C. G.,  
Acting Commandant.

[F. R. Doc. 45-6279; Filed, Apr. 20, 1945;  
10:47 a. m.]

TITLE 49—TRANSPORTATION AND  
RAILROADS

Chapter I—Interstate Commerce  
Commission

[6th Rev. S. O. 259]

PART 95—CAR SERVICE

PERMIT REQUIRED FOR SHIPMENT OF IRISH  
POTATOES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 19th day of April, A. D. 1945.

It appearing, that Irish potatoes grown and harvested in certain States or sections thereof, described in Appendix A hereto, are urgently needed to supply the Armed Services;

It further appearing, that to provide and insure an adequate supply of such potatoes, for the Armed Services, Marvin Jones, War Food Administrator, has issued December 8, 1944, Title 7—Agriculture, Chapter XI—War Food Administration, War Food Order No. 120, Part 1405—Fruits and Vegetables, § 1405.48 effective at 12:01 a. m., e. w. t., De-



ember 11, 1944 (9 F.R. 14475) as amended (10 F.R. 103, 1693, 1823, 3006), which provides that "no person shall ship Irish potatoes from any area included in the territorial scope of this order \* \* \* (described in Appendix A hereto) until he has applied to the Director for and he has received from the Director a permit to ship the particular lot \* \* \*";

It further appearing, that the War Food Administrator has written to the Director of the Office of Defense Transportation at various times, advising of the urgent needs of the Armed Services and that extension of this order to cover the territories mentioned herein will conserve car miles and car days;

It further appearing, that the Director of the Office of Defense Transportation has requested this Commission to take such action as it deems appropriate and necessary;

It further appearing, that railroad freight cars, both box and refrigerator, are urgently needed; that the diversion of numerous carloads of potatoes into short haul channels as required herein will save car days and contribute substantially to the short car supply; the Commission is of opinion that an emergency exists requiring immediate action in the section of the country described in Appendix A hereto: It is ordered, that:

(a) *Definition.* As used in this order the term "Irish potatoes" means any and all varieties of the edible tuber of the species *Solanum tuberosum*.

(b) *Permit required for transportation by common carrier by railroad of Irish potatoes.* No common carrier by railroad subject to the Interstate Commerce Act shall transport or move a railroad freight car or cars loaded with Irish potatoes from any section described in Appendix A hereof, unless or until such carrier has knowledge prior to the transportation or movement of such car or cars that a permit authorizing the shipment of such Irish potatoes has been issued by the War Food Administrator pursuant to the provisions of War Food Order No. 120 or supplements thereto or successive issues thereof.

(c) *Exemptions.* The requirements of paragraph (b) of this order shall not apply to any transportation or movement of Irish potatoes for the shipment of which no permit is required by the provisions of War Food Order No. 120, supplements thereto or successive issues thereof, or by reason of any exemption made or relief granted under that order.

(d) *Application.* (1) The provisions of this order shall apply to intrastate as well as interstate commerce.

(2) The provisions of this order shall apply only to cars loaded with Irish potatoes shipped on or after the effective date hereof.

(e) *Effective date.* This order shall become effective at 12:01 p. m., e. w. t., April 19, 1945.

(f) *Expiration date.* This order shall expire at 12:01 a. m., e. w. t., May 1, 1945, unless otherwise modified, changed, suspended, or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 40 U. S. C. 1 (10)-(17))

It is further ordered, that this order and direction shall vacate and supersede Fifth Revised Service Order No. 259 (10 F. R. 2316) on the effective date hereof; that copies of this order and direction shall be served upon the State railroad regulatory bodies of each State named in Appendix A hereof, or as same may be amended, and upon the Association of American Railroads, Car Service Division, as agents of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

#### APPENDIX A

Section No. 1: The county Malheur in the State of Oregon and the State of Idaho except the county of Idaho and all counties north thereof in the State of Idaho.

Section No. 2: Eliminated. (Were certain counties in Oregon and California.)

Section No. 3: The county of Aroostook in the State of Maine.

Section No. 4: Eliminated. (Was State of Colorado.)

Section No. 5: Eliminated. (Were certain counties in Minnesota.)

Section No. 6: Eliminated. (Were certain counties in North Dakota.)

Section No. 7: The counties of Ottawa, Kent, Ionia, Clinton, Saginaw Bay, and all counties north thereof in the State of Michigan exclusive of that portion of Michigan known as the upper peninsula of Michigan.

[F. R. Doc. 45-6265; Filed, Apr. 20, 1945; 10:40 a. m.]

## TITLE 50—WILDLIFE

### Chapter I—Fish and Wildlife Service, Department of the Interior

#### PART 12—ADMINISTRATION OF NATIONAL WILDLIFE REFUGE; GENERAL REGULATIONS

##### MISCELLANEOUS AMENDMENTS

Under authority of section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1224; 16 U.S.C. 715i); section 84 of the act of March 4, 1909, as amended April 15, 1924, 43 Stat. 98; 18 U.S.C. 145, to protect wild animals and birds and property on Federal refuges; and section 401 of the act of June 15, 1935, 49 Stat. 383; 16 U.S.C. Sup., 715s, the administration of which acts was transferred to the Secretary of the Interior on July 1, 1939, in accordance with Reorganization Plan No. II (53 Stat. 1431); and under authority otherwise conferred upon the Secretary of the Interior, the following amendments to the Regulations for the Administration of National Wildlife Refuges under the Jurisdiction of the Fish and Wildlife Service of December 31, 1940, as amended, are ordered:

Sections 12.2, 12.3, and 12.9 are amended by deleting the word "Secretary" wherever it appears therein and by inserting in lieu thereof the word "Director".

Section 12.3 is further amended by inserting the words "under such conditions as he shall prescribe" immediately after the words "order of the Secretary" as they appear in said regulations prior to the amendment made herein.

The first paragraph of paragraph (a) of § 12.17 is amended to read as follows:

§ 12.17 *Sale of surplus animals and products.* \* \* \*

(a) *Big-game animals, not including wild burros and wild horses.* The Director shall from time to time determine the number of surplus big-game animals, not including wild burros and wild horses, in the respective herds on fenced big-game refuges under his administration and the terms and conditions of the disposition of such animals, and thereafter shall announce them for sale for propagation, restocking, exhibition, or food. In the sale of such animals, preference shall be given to applications to purchase them alive for propagation, restocking, or exhibition.

HAROLD L. ICKES,  
Secretary of the Interior.

APRIL 14, 1945.

[F. R. Doc. 45-6260; Filed, Apr. 19, 1945; 4:43 p. m.]

## Notices

### TREASURY DEPARTMENT.

Fiscal Service: Bureau of Public Debt.

[1945 Dept. Circ. 788]

2½ PERCENT TREASURY BONDS OF 1967-72

OFFERING OF BONDS

MAY 14, 1945.

I. *Offering of bonds.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par and accrued interest, from the people of the United States for bonds of the United States, designated 2½ percent Treasury Bonds of 1967-72. The amount of the offering is not specifically limited.

2. These bonds will not be available for subscription by or for the account of others than individuals until June 18, 1945. Individuals are defined for this purpose as including partnerships (other than securities dealers and brokers) and personal trust accounts. These bonds will not be available for subscription, for their own account, by commercial banks, which are defined for this purpose as banks accepting demand deposits.

II. *Description of bonds.* 1. The bonds will be dated June 1, 1945, and will bear interest from that date at the rate of 2½ percent per annum, payable on a semiannual basis on December 15, 1945, and thereafter on June 15 and December 15 in each year until the principal amount becomes payable. They will mature June 15, 1972, but may be redeemed at the option of the United States on and after June 15, 1967, in whole or in part, at par and accrued interest, on any interest day or days, on 4 months' notice of redemption given in such manner as the Secretary of the Treasury shall prescribe.

In case of partial redemption the bonds to be redeemed will be determined by such method as may be prescribed by the Secretary of the Treasury. From the date of redemption designated in any such notice, interest on the bonds called for redemption shall cease.

2. The income derived from the bonds shall be subject to all Federal taxes, now or hereafter imposed. The bonds shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The bonds will not be acceptable to secure deposits of public moneys before June 15, 1962. They will not be entitled to any privilege of conversion.

4. Bearer bonds with interest coupons attached, and bonds registered as to principal and interest, will be issued in denominations of \$500, \$1,000, \$5,000, \$10,000, \$100,000 and \$1,000,000. Provision will be made for the interchange of bonds of different denominations and of coupon and registered bonds, and for the transfer of registered bonds, under rules and regulations prescribed by the Secretary of the Treasury, except that they may not, before June 15, 1962, be transferred to or be held by commercial banks, which are defined for this purpose as banks accepting demand deposits. However, the bonds may be pledged as collateral for loans, including loans by commercial banks, but any such bank acquiring such bonds before June 15, 1962, because of the failure of such loans to be paid at maturity will be required to dispose of them in the same manner as they dispose of other assets not eligible to be owned by banks.

5. Any bonds issued hereunder which upon the death of the owner constitute part of his estate, will be redeemed at the option of the duly constituted representatives of the deceased owner's estate, at par and accrued interest to date of payment,<sup>1</sup> *Provided*:

(a) That the bonds were actually owned by the decedent at the time of his death; and

(b) That the Secretary of the Treasury be authorized to apply the entire proceeds of redemption to the payment of Federal estate taxes.

Registered bonds submitted for redemption hereunder must be duly assigned to "The Secretary of the Treasury for redemption, the proceeds to be paid to the Collector of Internal Revenue at ----- for credit on Federal estate taxes due from estate of -----." Owing to the periodic closing of the transfer books and the impossibility of stopping payment of interest to the registered owner during the closed period, registered bonds received after the closing of the books for payment during

such closed period will be paid only at par with a deduction of interest from the date of payment to the next interest payment date;<sup>2</sup> bonds received during the closed period for payment at a date after the books reopen will be paid at par plus accrued interest from the reopening of the books to the date of payment. In either case checks for the full six months' interest due on the last day of the closed period will be forwarded to the owner in due course. All bonds submitted must be accompanied by Form PD 1782,<sup>3</sup> properly completed, signed and sworn to, and by a certificate of the appointment of the personal representatives, under seal of the court, dated not more than six months prior to the submission of the bonds, which shall show that at the date thereof the appointment was still in force and effect. Upon payment of the bonds appropriate memorandum receipt will be forwarded to the representatives, which will be followed in due course by formal receipt from the Collector of Internal Revenue.

6. Except as provided in the preceding paragraphs, the bonds will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States bonds.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. It is requested that there be no trading in the securities allotted hereunder and no purchases of such securities other than on direct subscription until after June 30, 1945. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Others than banking institutions will not be permitted to enter subscriptions except for their own account. Subscriptions must be accompanied by payment in full for the amount of bonds applied for.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of bonds applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par and accrued interest, if any, for bonds allotted hereunder to individuals must be made on or before June 1, 1945, or on later allotment. Payment at par and accrued interest to June 18, 1945, or to date of later allotment, for bonds allotted to all others must be made on or before June 18, 1945, or on later allotment; *Provided, however,* That bonds allotted to life insurance companies, to savings institutions, and to States, municipalities,

political subdivisions and similar public corporations, and agencies thereof, may be paid for, in whole or in part, at par and accrued interest, at any time or times, with payment to be completed not later than August 31, 1945. One day's accrued interest is \$0.068 per \$1,000. Any qualified depository will be permitted to make payment by credit for bonds allotted to its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve Bank of its District.

V. *General Provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for bonds allotted, to make delivery of bonds on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive bonds.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, JR.,  
Secretary of the Treasury.

[F. R. Doc. 45-6298; Filed, Apr. 20, 1945;  
11:41 a. m.]

[1945 Dept. Circ. 760]

2¼ PERCENT TREASURY BONDS OF 1959-62  
OFFERING OF BONDS

MAY 14, 1945.

I. *Offering of bonds.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par and accrued interest, from the people of the United States for bonds of the United States, designated 2¼ percent Treasury Bonds of 1959-62. The amount of the offering is not specifically limited.

2. These bonds will not be available for subscription by or for the account of others than individuals until June 18, 1945. Individuals are defined for this purpose as including partnerships (other than securities dealers and brokers) and personal trust accounts. These bonds will not be available for subscription, for their own account, by commercial banks, which are defined for this purpose as banks accepting demand deposits.

II. *Description of bonds.* 1. The bonds will be dated June 1, 1945, and will bear interest from that date at the rate of 2¼ percent per annum, payable on a semiannual basis on December 15, 1945, and thereafter on June 15 and December 15 in each year until the principal amount becomes payable. They will mature June 15, 1962, but may be redeemed at the option of the United States on and after June 15, 1959, in whole or in part, at par and accrued interest, on any interest day or days, on 4 months' notice

<sup>1</sup> An exact half-year's interest is computed for each full half-year period irrespective of the actual number of days in the half year. For a fractional part of any half year, computation is on the basis of the actual number of days in such half year.

<sup>2</sup> The transfer books are closed from May 16 to June 15, and from November 16 to December 15 (both dates inclusive) in each year.

<sup>3</sup> Copies of Form PD 1782 may be obtained from any Federal Reserve Bank or from the Treasury Department, Washington, D. C.



of redemption given in such manner as the Secretary of the Treasury shall prescribe. In case of partial redemption the bonds to be redeemed will be determined by such method as may be prescribed by the Secretary of the Treasury. From the date of redemption designated in any such notice, interest on the bonds called for redemption shall cease.

2. The income derived from the bonds shall be subject to all Federal taxes, now or hereafter imposed. The bonds shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The bonds will not be acceptable to secure deposits of public moneys before June 15, 1952. They will not be entitled to any privilege of conversion.

4. Bearer bonds with interest coupons attached, and bonds registered as to principal and interest, will be issued in denominations of \$500, \$1,000, \$5,000, \$10,000, \$100,000 and \$1,000,000. Provision will be made for the interchange of bonds of different denominations and of coupon and registered bonds, and for the transfer of registered bonds, under rules and regulations prescribed by the Secretary of the Treasury, except that they may not, before June 15, 1952, be transferred to or be held by commercial banks, which are defined for this purpose as banks accepting demand deposits. However, the bonds may be pledged as collateral for loans, including loans by commercial banks, but any such bank acquiring such bonds before June 15, 1952, because of the failure of such loans to be paid at maturity will be required to dispose of them in the same manner as they dispose of other assets not eligible to be owned by banks.

5. Any bonds issued hereunder which upon the death of the owner constitute part of his estate, will be redeemed at the option of the duly constituted representatives of the deceased owner's estate, at par and accrued interest to date of payment,<sup>1</sup> *Provided*:

(a) That the bonds were actually owned by the decedent at the time of his death; and

(b) That the Secretary of the Treasury be authorized to apply the entire proceeds of redemption to the payment of Federal estate taxes.

Registered bonds submitted for redemption hereunder must be duly assigned to "The Secretary of the Treasury for redemption, the proceeds to be paid to the Collector of Internal Revenue at ----- for credit on Federal estate taxes due from estate of -----." Owing to the periodic closing of the transfer books and the impossibility of stopping payment of interest to the registered owner during the closed period, registered bonds received after the clos-

ing of the books for payment during such closed period will be paid only at par with a deduction of interest from the date of payment to the next interest payment date;<sup>2</sup> bonds received during the closed period for payment at a date after the books reopen will be paid at par plus accrued interest from the reopening of the books to the date of payment. In either case checks for the full six months' interest due on the last day of the closed period will be forwarded to the owner in due course. All bonds submitted must be accompanied by Form PD 1782,<sup>3</sup> properly completed, signed and sworn to, and by a certificate of the appointment of the personal representatives, under seal of the court, dated not more than six months prior to the submission of the bonds, which shall show that at the date thereof the appointment was still in force and effect. Upon payment of the bonds appropriate memorandum receipt will be forwarded to the representatives, which will be followed in due course by formal receipt from the Collector of Internal Revenue.

6. Except as provided in the preceding paragraphs, the bonds will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States bonds.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. It is requested that there be no trading in the securities allotted hereunder and no purchases of such securities other than on direct subscription until after June 30, 1945. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Others than banking institutions will not be permitted to enter subscriptions except for their own account. Subscriptions must be accompanied by payment in full for the amount of bonds applied for.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of bonds applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par and accrued interest, if any, for bonds allotted heretofore to individuals must be made on or before June 1, 1945, or on later allotment. Payment at par and accrued interest to June 18, 1945, or to date of later allotment, for bonds allotted to all others must be made on or before June 18, 1945, or on later allotment; *Provided, however,* That bonds allotted to life insurance companies, to savings institutions, and to States, municipalities,

political subdivisions and similar public corporations, and agencies thereof, may be paid for, in whole or in part, at par and accrued interest, at any time or times, with payment to be completed not later than August 31, 1945. One day's accrued interest is \$0.061 per \$1,000. Any qualified depository will be permitted to make payment by credit for bonds allotted to its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve Bank of its District.

V. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for bonds allotted, to make delivery of bonds on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive bonds.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, Jr.,  
Secretary of the Treasury.

[F. R. Doc. 45-6299; Filed, Apr. 20, 1945;  
11:41 a. m.]

[1945 Dept. Circ. 770]

1½ PERCENT TREASURY BONDS OF 1950  
OFFERING OF BONDS  
MAY 14, 1945.

I. *Offering of bonds.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par and accrued interest, from the people of the United States for bonds of the United States, designated 1½ percent Treasury Bonds of 1950. The amount of the offering is not specifically limited.

2. These bonds will not be available for subscription by or for the account of others than individuals, except that commercial banks may subscribe as provided in the next succeeding paragraph. Individuals are defined for this purpose as including partnerships (other than securities dealers and brokers) and personal trust accounts.

3. These bonds will not be available for subscription, for their own account, by commercial banks, which are defined for this purpose as banks accepting demand deposits, except as follows: A commercial bank holding savings deposits or issuing time certificates of deposit (as each is defined in Regulation Q of the Board of Governors of the Federal Reserve System) may subscribe, from June 18 to June 30, 1945 (both dates inclusive), to the bonds offered hereunder, to the ½ percent Treasury Certificates of Indebtedness of Series E-1946 offered simultaneously herewith under Treasury Department Circular No. 771, and to Series F-1945 and Series G-1945 United States Savings Bonds, under

<sup>1</sup> An exact half-year's interest is computed for each full half-year period irrespective of the actual number of days in the half year. For a fractional part of any half year, computation is on the basis of the actual number of days in such half year.

<sup>2</sup> The transfer books are closed from May 16 to June 15, and from November 16 to December 15 (both dates inclusive) in each year.

<sup>3</sup> Copies of Form PD 1782 may be obtained from any Federal Reserve Bank or from the Treasury Department, Washington, D. C.



Treasury Department Circular No. 654, Second Revision, as amended, but the amount of such subscriptions shall not exceed, in the aggregate, 10 percent of the combined amount of time certificates of deposit (but only those issued in the names of individuals, and of corporations, associations and other organizations not operated for profit), and of savings deposits, as shown on the bank's books as of the date of the most recent call statement required by the supervising authorities prior to the date of subscription for such securities, or \$500,000, whichever is less, except that the aggregate amount of Series F and Series G Savings Bonds (Series 1945) held by such bank may not exceed the annual limitation of \$100,000 (issue price).

II. *Description of bonds.* 1. The bonds will be dated June 1, 1945, and will bear interest from that date at the rate of 1½ percent per annum, payable on a semiannual basis on December 15, 1945, and thereafter on June 15 and December 15 in each year until the principal amount becomes payable. They will mature December 15, 1950, and will not be subject to call for redemption prior to maturity.

2. The income derived from the bonds shall be subject to all Federal taxes, now or hereafter imposed. The bonds shall be subject to estate, inheritance, gift, or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The bonds will be acceptable to secure deposits of public moneys. They will not be entitled to any privilege of conversion.

4. Bearer bonds with interest coupons attached, and bonds registered as to principal and interest, will be issued in denominations of \$500, \$1,000, \$5,000, \$10,000, \$100,000 and \$1,000,000. Provision will be made for the interchange of bonds of different denominations and of coupon and registered bonds, and for the transfer of registered bonds, under rules and regulations prescribed by the Secretary of the Treasury.

5. The bonds will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States bonds.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. It is requested that there be no trading in the securities allotted hereunder and no purchases of such securities other than on direct subscription until after June 30, 1945. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Others than banking institutions will not be permitted to enter subscriptions except for their own account. Subscriptions must be accompanied by payment in full for the amount of bonds applied for.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of bonds applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par and accrued interest, if any, for bonds allotted hereunder to individuals must be made on or before June 1, 1945, or on later allotment. Payment at par and accrued interest to June 18, 1945, or to date of later allotment, for bonds allotted to commercial banks must be made on or before June 18, 1945, or on later allotment. One day's accrued interest is \$0.041 per \$1,000. Any qualified depository will be permitted to make payment by credit for bonds allotted to it for itself and its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve Bank of its District.

V. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for bonds allotted, to make delivery of bonds on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive bonds.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, JR.,  
Secretary of the Treasury.

[F. R. Doc. 45-6300; Filed, Apr. 20, 1945;  
11:41 a. m.]

[1945 Dept. Circ. 771]

**¾ PERCENT TREASURY CERTIFICATES OF INDEBTEDNESS OF SERIES E-1946**

**OFFERING OF CERTIFICATES**

MAY 14, 1945.

I. *Offering of certificates.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par and accrued interest, from the people of the United States for certificates of indebtedness of the United States, designated ¾ percent Treasury Certificates of Indebtedness of Series E-1946. The amount of the offering is not specifically limited.

2. These certificates will not be available for subscription by or for the account of others than individuals until June 18, 1945. Individuals are defined for this purpose as including partnerships (other than securities dealers and brokers) and personal trust accounts.

3. These certificates will not be available for subscription, for their own ac-

count, by commercial banks, which are defined for this purpose as banks accepting demand deposits, except as follows: a commercial bank holding savings deposits or issuing time certificates of deposit (as each is defined in Regulation Q of the Board of Governors of the Federal Reserve System) may subscribe, from June 18 to June 30, 1945 (both dates inclusive), to the certificates offered hereunder, to the 1½ percent Treasury Bonds of 1950 offered simultaneously herewith under Treasury Department Circular No. 770, and to Series F-1945 and Series G-1945 United States Savings Bonds, under Treasury Department Circular No. 654, Second Revision, as amended, but the amount of such subscriptions shall not exceed, in the aggregate, 10 percent of the combined amount of time certificates of deposit (but only those issued in the names of individuals, and of corporations, associations and other organizations not operated for profit), and of savings deposits, as shown on the bank's books as of the date of the most recent call statement required by the supervising authorities prior to the date of subscription for such securities, or \$500,000, whichever is less, except that the aggregate amount of Series F and Series G Savings Bonds (Series 1945) held by such bank may not exceed the annual limitation of \$100,000 (issue price).

II. *Description of certificates.* 1. The certificates will be dated June 1, 1945, and will bear interest from that date at the rate of ¾ percent per annum, payable semiannually on December 1, 1945, and June 1, 1946. They will mature June 1, 1946, and will not be subject to call for redemption prior to maturity.

2. The income derived from the certificates shall be subject to all Federal taxes, now or hereafter imposed. The certificates shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The certificates will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer certificates with interest coupons attached will be issued in denominations of \$1,000, \$5,000, \$10,000, \$100,000 and \$1,000,000. The certificates will not be issued in registered form.

5. The certificates will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States certificates.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. It is requested that there be no trading in the securities allotted hereunder and no purchases of such securities other than on direct subscription until after June 30, 1945. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and

the Treasury Department are authorized to act as official agencies. Others than banking institutions will not be permitted to enter subscriptions except for their own account. Subscriptions must be accompanied by payment in full for the amount of certificates applied for.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of certificates applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par and accrued interest, if any, for certificates allotted hereunder to individuals must be made on or before June 1, 1945, or on later allotment. Payment at par and accrued interest to June 18, 1945, or to date of later allotment, for certificates allotted to all others must be made on or before June 18, 1945, or on later allotment. One day's accrued interest is \$0.024 per \$1,000. Any qualified depositary will be permitted to make payment by credit for certificates allotted to it for itself and its customers up to any amount for which it shall be qualified in excess of existing deposits, when so notified by the Federal Reserve Bank of its District.

V. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for certificates allotted, to make delivery of certificates on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive certificates.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] HENRY MORGENTHAU, Jr.,  
Secretary of the Treasury.

[F. R. Doc. 45-6301; Filed, Apr. 20, 1945;  
11:41 a. m.]

#### DEPARTMENT OF THE INTERIOR.

##### Bureau of Mines.

##### AXEL NIELSEN AND HENRY G. PETERSEN ORDER DENYING FUTURE LICENSES

In the matter of licensees Axel Nielsen and Henry G. Petersen, Nielsen and Petersen. Proceedings for revocation of licenses.

To: Axel Nielsen and Henry G. Petersen, Nielsen and Petersen, Solvang, Santa Barbara County, California.

Based upon the records in this matter, I make the following findings of fact:

1. On February 10, 1945, a Specification of Charges against you setting forth

violations of the Federal Explosives Act (55 Stat. 863), as amended, and the regulations issued thereunder of which you were accused was mailed to you giving you notice to mail an answer within 15 days from February 10, 1945, answering the charges against you and requesting an oral hearing if you wished.

2. A letter dated February 28, 1945, from Arden T. Jensen, your attorney, was received on March 3, 1945, and was considered. On March 10, 1945, I wrote to Mr. Jensen and allowed him until March 24 within which to mail an answer to the charges against you. No other communication has been received from him or you. You have not requested an oral hearing.

3. You were the holder of a vendor's license issued under the Federal Explosives Act and you were engaged in an occupation in which explosives were regularly handled but you did not provide or have readily available at or near the place where your operations were being carried on a magazine complying with the standards set forth in the regulations, and you thereby violated section 24 (d) (2) of the regulations.

4. You stored high explosives and low explosives otherwise than in magazines meeting the standards set forth in the regulations, and you thereby violated sections 24, 25 and 26 of the regulations.

5. You sold explosives to persons not licensed under the act, and you thereby violated section 2 of the act.

6. You failed to keep a full, detailed, and tabulated record of your transactions in and operations involving explosives, and you thereby violated section 5 of the act and section 14 (d) of the regulations.

7. Your license issued under the Federal Explosives Act expired on April 7, 1945, and you are not now licensed under the act.

Now, therefore, by virtue of the authority vested in me by the Federal Explosives Act and the regulations thereunder, I hereby order:

That no license be hereafter issued to you under the Federal Explosives Act. Any request for a modification of this order shall be addressed to me.

This order shall be published in the FEDERAL REGISTER.

Dated at Washington, D. C., this 17th day of April 1945.

R. R. SAYERS,  
Director.

[F. R. Doc. 45-6259; Filed, Apr. 19, 1945;  
4:43 p. m.]

#### FEDERAL POWER COMMISSION.

[Docket No. IT-5656]

##### COMPANIA ELECTRICA MATAMOROS, S. A. AND CENTRAL POWER AND LIGHT CO.

##### NOTICE OF APPLICATION FOR AMENDMENT OF AUTHORIZATION TO TRANSMIT ELECTRIC ENERGY FROM UNITED STATES TO MEXICO

APRIL 19, 1945.

Notice is hereby given that pursuant to the provisions of section 202 (e) of

the Federal Power Act, 16 U. S. C. 824a (e), Compania Electrica Matamoros, S. A., of Matamoros, Tamaulipas, Mexico, and Central Power and Light Company, of Corpus Christi, Texas, have filed application with the Federal Power Commission for authority to increase the transmission of electric energy (from a point near Brownsville, Texas, to a point in or near Matamoros, Mexico) from the presently authorized quantity of 7,500,000 kilowatt-hours to 12,000,000 kilowatt-hours annually, and to increase the presently authorized rate of 2,000 kilowatts to a rate of supply not to exceed 3,500 kilowatts.

Any person desiring to be heard or to make any protest with reference to the said application should, on or before May 5, 1945, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and regulations under the Federal Power Act.

LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 45-6263; Filed, Apr. 20, 1945;  
9:56 a. m.]

#### INTERSTATE COMMERCE COMMISSION.

[S. O. 288, Special Permit 12]

##### REFRIGERATION OF SHELL EGGS FROM KANSAS CITY

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Service Order No. 288 of February 27, 1945 (10 F.R. 2408), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 288 insofar as it applies to the furnishing or supplying of one refrigerator car for loading with shell eggs packed in used fibreboard egg cases, shipped by Interstate Egg Company, from Kansas City, Kansas, not later than April 20, 1945, to Interstate Egg Company, Maywood, California (via A. T. & S. F.-L. A. Junction delivery) for current retail sales, provided the used fibreboard egg cases in which the eggs are packed comply with requirements of Consolidated Freight Classification No. 16.

The car order, bill of lading, other shipping papers and the waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of April 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-6266; Filed, Apr. 20, 1945;  
10:40 a. m.]



[S. O. 300, Special Permit 1]

## ICING OF POTATOES AT NORFOLK, VA.

Pursuant to the authority vested in me by paragraph (E) of the first ordering paragraph of Service Order No. 300 of April 13, 1945 (10 F.R. 4109), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 300 insofar as it applies to the initial icing or reicing of 20 cars Maine potatoes transhipped from boat to cars at Norfolk, Virginia, destined to Army camps in Arizona, New Mexico, Oklahoma and Texas. All cars shipped by Guy W. Capps.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 17th day of April, 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-6267; Filed, Apr. 20, 1945; 10:40 a. m.]

[S. O. 301, Corrected Special Permit 1]

## LOADING OF BAUXITE ORE AT WEEHAWKEN, N. J.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Service Order No. 301 of April 13, 1945 (10 F.R. 4109), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 301 insofar as it applies to the furnishing of not to exceed thirty-five (35) railroad freight cars by the New York, Ontario and Western Railway Company, not later than April 21, 1945, at Weehawken, New Jersey, for the transfer of bauxite ore from S. S. Muldoba, and the transportation of the said cars from point of loading to Arvida, Quebec, Canada, consigned to Aluminum Company of Canada.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 14th day of April 1945.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 45-6268; Filed, Apr. 20, 1945; 10:40 a. m.]

## OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 4121]

## METALLGESELLSCHAFT A. G. ET AL.

In re: Interest of Metallgesellschaft A. G. and others in Patents.

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 Metallgesellschaft A. G., Lurgi Gesellschaft für Chemie und Hüttenwesen m. b. H., Lurgi Gesellschaft für Warmetechnik m. b. H. and Lurgi Apparatebau G. m. b. H. are corporations organized and existing under the laws of Germany with their principal places of business in Germany and are nationals of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Metallgesellschaft A. G. and/or Lurgi Gesellschaft für Chemie und Hüttenwesen m. b. H. and/or Lurgi Apparatebau G. m. b. H.;

3. That the property described as follows: All right, title and interest, including all royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, of Metallgesellschaft A. G. and/or Lurgi Gesellschaft für Chemie und Hüttenwesen m. b. H. and/or Lurgi Apparatebau G. m. b. H., and each of them, in and to the following United States Letters Patent:

Patent Number, Date of Issue, Inventor and Title

1,853,627; 4-12-32; Hermann Maschmeyer; Process for blowing cupriferos metallic-sulfide melts, especially low-grade copper mattes direct to black copper.  
2,251,181; 7-29-41; Herbert Wittenberg; Band sintering or roasting apparatus.

is property of nationals of a foreign 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 September 9, 1944.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 45-6269; Filed, Apr. 20, 1945; 10:41 a. m.]

[Vesting Order 4730]

## WILLIAM ORLOB AND JOSEPHINE ORLOB

In re: Real property and property insurance policy owned by William Orlob and Josephine Orlob.

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 last known address of William Orlob and Josephine Orlob is Germany, and that they are residents of Germany and nationals of a designated enemy country (Germany);

2. That William Orlob and Josephine Orlob are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:  
a. Real property situated in the County of Renville and State of Minnesota, described as Lot seven (7) in Block eighteen (18) of the Village, now City of Renville, according to the original plat thereof filed for record in the Office of the Register of Deeds in and for said county, 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 and interest of William Orlob and Josephine Orlob, and each of them, in and to Fire Insurance Policy No. 5395, issued by the Northwestern National Insurance Company, Milwaukee, Wisconsin, in the name of A. T. Thorson, which policy insures the improvements to the property described in subparagraph 3-a hereof,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further 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 3-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 3-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 limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order 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 March 7, 1945.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 45-6270; Filed, Apr. 20, 1945; 10:14 a. m.]

[Vesting Order 4750]

CAROBRONZE ROHRENWERKE GESELLSCHAFT  
M. B. H.

In re: Patents owned by Carobronze Rohrenwerke Gesellschaft m. b. H.

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 Carobronze Rohrenwerke Gesellschaft m. b. H. is a business organization organized under the laws of Austria, and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Carobronze Rohrenwerke Gesellschaft m. b. H.;

3. That the property described as follows: Property identified in Exhibit A attached hereto and made a part hereof,

is property of a national of a foreign 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 March 13, 1945.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

Exhibit A. All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

| Patent No. | Date of Issue | Inventor and Title                                    |
|------------|---------------|-------------------------------------------------------|
| 1,739,542  | 12/17, 29     | Georg Buhler; Core for Molds.                         |
| 1,784,174  | 12/9/30       | Georg Buhler; Compound Mold for Casting Metal Bodies. |
| 2,050,782  | 8/11/38       | Georg Buhler; Making Bearing Bushings.                |

[F. R. Doc. 45-6271; Filed, Apr. 20, 1945; 10:41 a. m.]

[Vesting Order 4751]

KALLE & Co. A. G.

In re: Interests of Kalle & Co. A. G. in certain good will and trade-marks.

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 Kalle & Co. A. G. is a corporation organized under the laws of and having its

principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That the property described in subparagraph 3 hereof is property of Kalle & Co. A. G.;

3. That the property described as follows: All right, title and interest of whatsoever kind or nature, including without limitation any reversionary interest, under the statutory or common law of the United States and of the several States thereof, of Kalle & Co. A. G. in and to any and all good will of the business in the United States of General Aniline & Film Corporation (successor to Ozalid Corporation), and in and to any and all registered and unregistered trade-marks (including but not limited to Registrations Nos. 252,339 dated February 5, 1929; 253,325 dated February 26, 1929; 303,030 dated May 9, 1933; 305,124 dated August 1, 1933 and 311,664 dated April 3, 1934) and trade names appurtenant to said business, and in and to every license, agreement, privilege, power and right of whatsoever kind or nature arising under or with respect thereto,

is property within the United States owned or controlled by a 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 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 March 13, 1945.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 45-6272; Filed, Apr. 20, 1945; 10:41 a. m.]

[Vesting Order 4752]

**LURGI GESELLSCHAFT FÜR CHEMIE ET AL.**

In re: Interests of Lurgi Gesellschaft für Chemie und Hüttenwesen m. b. H. and Metallgesellschaft A. G., in agreements with Aktiebolaget Kemiska Patententer and American Lurgi Corporation.

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 Metallgesellschaft A. G. and Lurgi Gesellschaft für Chemie und Hüttenwesen m. b. H. are corporations organized under the laws of and having their principal places of business in Germany and are nationals of a foreign country (Germany);

2. That the property described in subparagraph 4-a hereof is property of Metallgesellschaft A. G. and/or Lurgi Gesellschaft für Chemie und Hüttenwesen m. b. H.;

3. That the property described in subparagraph 4-b hereof is property of Metallgesellschaft A. G.;

4. That the property described as follows: Property identified in Exhibit A attached hereto and made a part hereof,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign 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 March 13, 1945.

[SEAL] **JAMES E. MARKHAM,**  
*Alien Property Custodian.*  
EXHIBIT A

a. All interests and rights (including all royalties and other monies payable or held

with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Metallgesellschaft A. G. and Lurgi Gesellschaft für Chemie und Hüttenwesen m. b. H., and each of them, by virtue of an agreement (including all modifications thereof and supplements thereto, if any) by and between Metallgesellschaft A. G. and/or Lurgi Gesellschaft für Chemie und Hüttenwesen m. b. H. and American Lurgi Corporation, which agreement relates to patents and to Continuous Belt Filters and is evidenced in part by a letter dated April 15, 1937 from Lurgi Gesellschaft für Chemie und Hüttenwesen m. b. H. to Aktiebolaget Kemiska Patententer.

b. All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) of Metallgesellschaft, A. G. in, to or under an agreement dated February 17, 1942 (including all modifications thereof or supplements thereto, if any) by and between Aktiebolaget Kemiska Patententer and American Lurgi Corporation, which agreement relates, among other things, to United States Letters Patent Nos. 2,034,784 and 2,094,350.

[F. R. Doc. 45-6273; Filed, Apr. 20, 1945; 10:41 a. m.]

[Vesting Order 4753]

**STEINBOCK A. G. AND YALE & TOWNE MFG. CO.**

In re: Patent and interest of Steinbock A. G. in an agreement with Yale & Towne Manufacturing Company dated January 29, 1934.

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 Jakob Loef is a resident of Germany and is a national of a foreign country (Germany);

2. That Steinbock A. G. is a corporation organized under the laws of, and having its principal place of business in Germany, and is a national of a foreign country (Germany);

3. That the property described in subparagraph 5 (a) hereof is property of Jakob Loef and/or Steinbock A. G.;

4. That the property described in subparagraph 5 (b) hereof is property of Steinbock A. G.;

5. That the property described as follows: Property identified in Exhibit A attached hereto and made a part hereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign 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 March 13, 1945.

[SEAL] **JAMES E. MARKHAM,**  
*Alien Property Custodian.*

EXHIBIT A

(a) All right, title and interest (including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof) in and to the following United States Letters Patent:

*Patent No., Date of Issue, Inventor and Title*  
2,079,078; 5/4/37, Jakob Loef, Lifting truck.

(b) All interests and rights (including all accrued royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described together with the right to sue therefor) created in Steinbock A. G. by virtue of an agreement dated January 29, 1934 (including all modifications thereof and supplements thereto, if any) by and between Steinbock A. G. and Yale & Towne Manufacturing Company, which agreement relates, among other things, to United States Letters Patent Nos. 2,075,857, 2,079,078 and 2,100,194.

[F. R. Doc. 45-6274; Filed, Apr. 20, 1945; 10:42 a. m.]

[Vesting Order 4773]

**ERNST GIDEON BEK AND E. G. BEK CO.**

In re: Interest of Ernst Gideon Bek in certain agreements with the E. G. Bek Company.

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 Ernst Gideon Bek is a resident of Germany, and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Ernst Gideon Bek;

3. That the property described as follows: Property identified in Exhibit A attached hereto and made a part hereof,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign 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, *Provided however*, That nothing contained in this order shall affect in any way the right of Joseph A. Smith, in or under the property identified in subparagraph 3 hereof.

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 March 19, 1945.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

EXHIBIT A

(a) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Ernst Gideon Bek by virtue of an agreement dated June 14, 1928 (including all modifications thereof and supplements thereto, and including, but without limitation, amendments to the aforesaid agreement dated August 21, 1928, May 13, 1930, June 4, 1930 and July 1, 1931, respectively) by and between Ernst Gideon Bek, Max E. Bernhardt and M. E. Bernhardt Company, which agreement relates, among other things, to United States Letters Patent No. 1,712,244.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Ernst Gideon Bek by virtue of an agreement dated August 29, 1928 (including all modifications thereof and supplements thereto, if any) by and between Ernst Gideon Bek and E. G. Bek Company, which agreement relates, among other things, to United States Letters Patent No. 1,775,839,

[F. R. Doc. 45-6275; Filed, Apr. 20, 1945; 10:42 a. m.]

[Vesting Order 1455, Amdt.]

I. G. FARBENINDUSTRIE

In re: Patent No. 1,934,613, and interests of I. G. Farbenindustrie in contracts relating to patents.

Vesting Order Number 1455, dated May 11, 1943, is hereby amended as follows and not otherwise:

By deleting the number "2,023,599" in subparagraph 3-b of said Vesting Order and inserting in lieu thereof the number "2,123,599".

All other provisions of said Vesting Order Number 1455 and action taken on behalf of the Alien Property Custodian in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on March 26, 1945.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-6276; Filed, Apr. 20, 1945; 10:42 a. m.]

[Vesting Order 4121, Amdt.]

METALLGESELLSCHAFT A. G. ET AL.

In re: Patents owned by Metallgesellschaft A. G. and others.

Vesting Order Number 4121, dated September 9, 1944, is hereby amended as follows and not otherwise:

By deleting subparagraph 3 in its entirety and substituting therefor the following:

3. That the property described as follows: All right, title and interest, including all royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof in and to the following United States Letters Patent:

*Patent No., Date of Issue, Inventor and Title*

1,853,627; 4/12/32; Hermann Maschmeyer; Process for blowing cupriferous metallic-sulfide melts, especially low-grade copper mattes direct to black copper.

2,251,181; 7/29/41; Herbert Wittenberg; Band sintering or roasting apparatus.

is property of nationals of a foreign country (Germany);

All other provisions of said Vesting Order Number 4121 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on January 18, 1945.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-6277; Filed, Apr. 20, 1945; 10:42 a. m.]

[Vesting Order No. 4578, Amdt.]

CHIYOKO TAKARA

In re: Real property, property insurance policies and claims owned by Chiyoko Takara.

Vesting Order Number 4578, dated January 29, 1945, is hereby amended as follows and not otherwise:

By deleting clause (i) from subparagraph 3-b of said Vesting Order Number 4578, and substituting therefor the following:

(i) Fire insurance policy No. 7138335, issued by Guardian Assurance Co., London, England, covering the premises at No. 2735 Kaimuki Avenue, Honolulu, Territory of Hawaii;

All other provisions of said Vesting Order Number 4578 and all action taken on behalf of the Alien Property Custodian in reliance thereof, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C. on April 18, 1945.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 45-6278; Filed, Apr. 20, 1945; 10:42 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 260, Order 745]

CLIFF WEIL CIGAR CO., INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered*, That:

(a) Cliff Weil Cigar Co., Inc., 1317 East Main Street, Richmond, Va. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand                      | Frontmark      | Packing | Maximum list price | Maximum retail price |
|----------------------------|----------------|---------|--------------------|----------------------|
| Shakespeare.....           | Londres.....   | 50      | \$195.00           | \$0.25               |
| Flor de Manuel Lopez y Ca. | Londres.....   | 50      | 195.00             | .25                  |
| Flor de Monte Carlo.       | Londres.....   | 50      | 195.00             | .25                  |
|                            | Chicas.....    | 25      | 250.00             | 3 for 1.00           |
|                            | Coronas.....   | 25      | 385.00             | .55                  |
|                            | Perfectos..... | 25      | 246.25             | .33                  |
|                            | Dianas.....    | 50      | 203.50             | .28                  |

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed



by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 20, 1945.

Issued this 19th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6245; Filed, Apr. 19, 1945; 11:33 a. m.]

[MPR 260, Order 746]

ROTHENBERG & SCHLOSS CIGAR CO.  
AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered, That:*

(a) Rothenberg & Schloss Cigar Co., 932 Broadway, Kansas City 6, Mo. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand         | Frontmark      | Packing | Maximum list price | Maximum retail price |
|---------------|----------------|---------|--------------------|----------------------|
| Partagas..... | Corona Chicas. | 25      | Per M \$262.50     | Cents 35             |

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 20, 1945.

Issued this 19th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6246; Filed, Apr. 19, 1945; 11:34 a. m.]

[MPR 260, Order 747]

ALFRED SMITH

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered, That:*

(a) Alfred Smith, 79 Wall Street, New York, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand       | Frontmark      | Packing | Maximum list price | Maximum retail price |
|-------------|----------------|---------|--------------------|----------------------|
| Antero..... | Cubanitos..... | 100     | Per M \$82.50      | Cents 11             |

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 20, 1945.

Issued this 19th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6247; Filed, Apr. 19, 1945;  
11:34 a. m.]

[MPR 260, Order 748]

IRVIN STUDWELL

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered*, That:

(a) Irvin Studwell, 154 W. 14th St., New York 11, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

| Brand                             | Frontmark      | Packing | Maximum list price | Maximum retail price |
|-----------------------------------|----------------|---------|--------------------|----------------------|
| La Nacional                       | Londres        | 50      | \$195.00           | \$0.25               |
|                                   | Mayors         | 25      | 190.00             | .25                  |
|                                   | Obsequios      | 25      | 295.00             | .33                  |
|                                   | Panetelas      | 50      | 150.00             | .20                  |
|                                   | Petit Bouquets | 25      | 236.50             | .33                  |
|                                   | Petit Cetros   | 25      | 200.00             | .28                  |
|                                   | Petit Coronas  | 25      | 255.00             | .35                  |
|                                   | Perfeccionado  | 25      | 203.00             | .28                  |
|                                   | Premiers       | 25      | 313.50             | .39                  |
|                                   | Symbols        | 25      | 161.50             | .20                  |
|                                   | Navarino       | 25      | 213.25             | .28                  |
|                                   | Golfer         | 25      | 213.25             | .28                  |
|                                   | Aces           | 25      | 275.00             | 3 for 1.10           |
|                                   | Apollos        | 50      | 140.00             | 3 for .55            |
|                                   | Beavers        | 25      | 203.50             | .28                  |
|                                   | Casinos        | 50      | 161.50             | .20                  |
|                                   | Corona Imensas | 25      | 600.00             | .75                  |
|                                   | Crisolitas     | 50      | 264.00             | .33                  |
|                                   | Preferido      | 50      | 264.00             | .33                  |
|                                   | Embajadores    | 25      | 451.00             | .61                  |
| Imperial Fluo.                    | 25             | 320.00  | .44                |                      |
| Londslale B.N.                    | 25             | 500.00  | .65                |                      |
| Regalia Especial                  | 50             | 161.50  | .20                |                      |
| Perfecto Extra                    | 25             | 225.00  | .30                |                      |
| Excepcional Extra de Rothschilds. | 25             | 330.00  | .44                |                      |

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased.

Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Max-

imum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 20, 1945.

Issued this 19th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6248; Filed, Apr. 19, 1945;  
11:34 a. m.]

[Administrative Notice 17]

SPINACH, LIMA BEANS, EGGPLANT, SWEET PEPPERS AND SNAP BEANS

NOTICE TO GROWERS OF PROPOSED MAXIMUM PRICES

Pursuant to the provisions of the Emergency Price Control Act of 1942, as amended, the Price Administrator hereby gives notice to growers of the maximum prices he proposes to establish for spinach, lima beans, eggplant, sweet peppers and snap beans, as follows:

| Commodity    | Season           | Basing points     | F. o. b. shipping point price   |
|--------------|------------------|-------------------|---------------------------------|
| Spinach      | July 1-Aug. 31   | Del Norte, Colo.  | \$1.50 per ½ crate (1½ bushel). |
|              | July             | Faison, N. C.     | \$2.85 per bushel.              |
| Lima beans   | August           | San Jose, Calif.  | \$2.50 per bushel.              |
|              |                  | Cape Charles, Va. | \$3.00 per bushel.              |
| Eggplant     | July 1-Oct. 31   | San Jose, Calif.  | \$3.00 per bushel.              |
|              |                  | Ponchatoula, La.  | \$2.80 per 1½ bushel crate.     |
| Sweet pepper | July 16-Oct. 15  | Modesto, Calif.   | \$1.80 per bushel.              |
|              |                  | None              | \$2.40 per bushel.              |
| Snap beans   | July 1-July 15   | Faison, N. C.     | \$2.40 per bushel.              |
|              |                  | San Jose, Calif.  | \$2.40 per bushel.              |
|              | July 16-Sept. 30 | None              | \$2.40 per bushel.              |

The foregoing prices will be set forth in Appendix H of Maximum Price Regulation No. 426 and appropriate differentials will be named for the various types of growers' sales.

Where two basing points are named for the same season the eastern basing point will be used in determining maximum delivered prices in eastern markets and the western basing point will be used in determining maximum delivered prices in western markets. A line between eastern and western markets will be drawn generally North and South through Chicago, Illinois.

The f. o. b. shipping point prices apply to f. o. b. sales at shipping points in the states in which the basing points are located. Where no basing point is named the f. o. b. shipping point prices apply to f. o. b. sales at all shipping points.

If other f. o. b. shipping point prices are named they will be not lower than the applicable shipping point price for the commodity and season in the foregoing table.

Issued this 19th day of April 1945.

JAMES G. ROGERS, Jr.,  
Acting Administrator.

Approved: April 18, 1945.

ASHLEY SELLERS,  
Assistant War Food Administrator.

[F. R. Doc. 45-6254; Filed, Apr. 19, 1945;  
4:16 p. m.]

[Supp. Order 94, Rev. Order 16]

UNITED STATES TREASURY DEPARTMENT,  
PROCUREMENT DIVISION

SPECIAL MAXIMUM PRICES FOR CERTAIN DOUBLE DECK BUNK BEDS, COTS, MATTRESSES AND HOSPITAL BEDS

Order 16 under Supplementary Order No. 94 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 No. 94, it is ordered:

(a) *What this order does.* This order establishes maximum prices for resellers of the commodities hereinafter described, which have been or may be purchased from the United States Treasury Department, Procurement Division.

(b) *Maximum prices.* The maximum prices for the articles described herein shall be:

(1) For sales of the articles "as is" in serviceable condition:

| Article and description                                                                                                                                                                                         | Price for all sales to retailers, f. o. b. shipping point | Price for all sales at retail |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|-------------------------------|
| Used wood double deck bunk bed, including springs, size: approximately 30" wide, 66" high, 81" long                                                                                                             | \$6.05                                                    | \$11.25                       |
| New mattress. Size 30" x 78", No. 4 box—23 lb. cotton felt 6.2 oz. ACA tying                                                                                                                                    | 4.75                                                      | 8.25                          |
| Used angle iron double deck bunk bed, including springs, size: approximately 30" wide, 66" high, 80" long                                                                                                       | 6.05                                                      | 11.25                         |
| New folding canvas cot with wood frame, including but not limited to cots identified as Stock No. 99205                                                                                                         | 4.00                                                      | 5.95                          |
| Used folding canvas cot with wood frame, including but not limited to cots identified as Stock No. 99205                                                                                                        | 2.00                                                      | 3.00                          |
| New metal folding hospital bed 36" wide, 78" long, tubular ends, 32" high, angle iron frame with link fabric spring and supports for mosquito netting, with cotton mattress                                     | 12.50                                                     | 19.50                         |
| New Army steel folding cot, 6'4" x 30", spring 17" from floor, 1" tubular head and foot 23" from floor, spring angle irons 2" x 1 1/2" x 1/4", specifications #32-7A dated January 26, 1939, Q/M drawing 2-5-9  | 4.25                                                      | 7.00                          |
| Used Army steel folding cot, 6'4" x 30", spring 17" from floor, 1" tubular head and foot 23" from floor, spring angle irons 2" x 1 1/2" x 1/4", specifications #32-7A dated January 26, 1939, Q/M drawing 2-5-9 | 2.25                                                      | 4.00                          |

(2) For sales of the following used articles reconditioned:

| Article and description                                                                                                                                                                                                  | Price for all sales to retailers, f. o. b. shipping point | Price for all sales at retail |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|-------------------------------|
| Reconditioned wood double deck bunk bed, including springs, size: approximately 30" wide, 66" high, 81" long                                                                                                             | \$7.15                                                    | \$13.50                       |
| Reconditioned angle iron double deck bunk bed, including springs, size: approximately 30" wide, 66" high, 80" long                                                                                                       | 7.15                                                      | 13.50                         |
| Reconditioned Army steel folding cot, 6'4" x 30", spring 17" from floor, 1" tubular head and foot 23" from floor, spring angle irons 2" x 1 1/2" x 1/4". Specifications #32-7A dated January 26, 1939, Q/M drawing 2-5-9 | 3.50                                                      | 6.50                          |
| Reconditioned folding canvas cot with wood frame, including but not limited to cots identified as Stock No. 99205                                                                                                        | 3.00                                                      | 4.50                          |

For the purposes of this order, an article is deemed "reconditioned" if it meets the following specifications:

- (i) All broken and missing parts replaced.
- (ii) Metal frame straightened where necessary.

(iii) All splits, holes, gouges, or bruises filled in, and soiled or torn fabric, if any, replaced.

(iv) All exposed surfaces which were originally painted or finished, covered with a finish the color of which is uniform. If the article does not meet these specifications, the maximum price set forth above for the article in "as is" serviceable condition applies to the article.

(c) *Discounts.* Every seller shall continue to maintain his customary discounts for cash.

(d) *Notification.* Any person who sells the articles described in paragraph (b) to a retailer shall furnish the retailer with an invoice of sale setting forth the retailer's maximum reselling price for each article, and stating that the retailer is required by this order to attach to each article before sale a tag or label stating the appropriate retail ceiling price.

(e) *Tagging.* Any person who sells the articles described in paragraph (b) at retail shall attach to each article before sale a tag or label which plainly states the appropriate retail ceiling price. If the article has been reconditioned, a statement to that effect must appear on the tag or label.

(f) *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.

(g) *Definitions.* (1) "Retailer" means any person whose sales to purchasers for use constitute a substantial part of his total sales.

(h) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective April 21, 1945.

Issued this 20th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6307; Filed, Apr. 20, 1945; 11:54 a. m.]

[Order 80 Under 3 (b)]

NATIONAL CANDY CO., INC.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 80 under Order No. 375 of § 1499.3 (b) of the General Maximum Price Regulation. Pan Confection Factory of the National Candy Company, Inc.; Docket No. 6035.2-GMPR-(d)-19.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, it is ordered that:

*Authorization of maximum prices governing sales of "Gold Coast Almonds," a confectionery item manufactured by the Pan Confection Factory of the National Candy Company, Inc., Chicago, Ill.* (a) The maximum prices for the hereinafter indicated sales of "Gold Coast Almonds," a confectionery item manufactured by the Pan Confection Factory of the National Candy Company, Inc., 341-353 W. Erie Street, Chicago, Illinois, in accordance with its formula contained in its price application dated January 25, 1945 shall be as follows:

(1) From the Pan Confection Factory of the National Candy Company, Inc., to wholesalers:

(i) \$0.82 per pound delivered in the states of California, Oregon and Washington.

(ii) \$0.81 per pound delivered in the New England States and Metropolitan New York.

(iii) \$0.80 per pound f. o. b. factory for shipments to all other points in the United States.

(2) From wholesalers to retailers, \$1.00 per pound delivered to the retailer.

(3) From retailers to consumers, \$1.50 per pound.

(b) The prices in this order are the highest prices for which "Gold Coast Almonds" may be sold by the respective sellers. All sellers, on sales of this item shall reduce the above appropriate maximum prices by applying their customary discounts, allowances and price differentials which have been applied to sales of other comparable candy items. In the application of any customary differentials the specific maximum prices established by this order shall not be exceeded.

(c) The Pan Confection Factory of the National Candy Company, Inc., shall mail or otherwise supply to its purchasers at the time of or prior to the first delivery to such purchaser the following notice:

The O. P. A. has authorized us to sell our "Gold Coast Almonds" to wholesalers in your location at a maximum price of (state appropriate price) per pound. Wholesalers are authorized to sell this item to retailers at a maximum delivered price of \$1.00 per pound. On sales of this item, all sellers are required to reduce their maximum prices by applying their customary discounts, allowances and price differentials which have been applied to sales of comparable candy items. In the application of any customary differentials, the specific maximum price mentioned herein shall not be exceeded.

(d) The Pan Confection Factory of the National Candy Company, Inc., for a period of at least 90 days, shall place in or on each smallest retail packing unit of this item the following notice:

The O. P. A. has authorized maximum prices for sales of "Gold Coast Almonds." Wholesalers are authorized to sell this item to retailers at a maximum delivered price of \$1.00 per pound. Retailers are authorized to sell this item at a maximum price of \$1.50 per pound. On sales of this item, all sellers are required to reduce their maximum prices by applying their customary discounts, allowances and price differentials which have been applied to sales of other comparable candy items. In the application of any customary differential, the specific maximum prices mentioned herein shall not be exceeded.

(e) This order may be revoked or amended at any time by the Price Administrator.

(f) This order shall become effective April 21, 1945.

Issued this 20th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6334; Filed, Apr. 20, 1945; 11:56 a. m.]

[RMPR 136, Order 431]

MACK MANUFACTURING CORP.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 431 under Revised Maximum Price Regulation 136. Machines,



parts and industrial equipment. Mack Manufacturing Corporation, Docket No. 6083-136.25a-243.

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Orders 9250 and 9328, and section 21 of Revised Maximum Price Regulation 136, *It is ordered:*

(a) The Mack Manufacturing Corporation, Empire State Building, New York, New York, is authorized to charge to national accounts, resellers and purchasers at retail for its Model 270 Cab when sold as original equipment a price not to exceed the list price of \$325 (subject to the discounts in effect on March 31, 1942).

(b) A reseller of a Mack truck to which is attached a Mack Model 270 Cab may include in his maximum price for the truck an allowance of \$325 (subject to discounts in effect on March 31, 1942) for the cab.

(c) Within six months after the issuance of this order the Mack Manufacturing Corporation shall submit to the Office of Price Administration, Washington, D. C., a statement of its detailed current unit costs for the Mack Model 270 Cab.

(d) Order No. 174 and 411 under Maximum Price Regulation 136, as amended, are superseded by this order to the extent that the amount that may be included for a Mack Model 270 Cab in a maximum price for a truck covered by Orders No. 174 and 411 is an allowance of \$325 (subject to discounts in effect on March 31, 1942).

(e) All requests not granted herein are denied.

This order may be amended or revoked by the Administrator at any time.

Today, a copy of this order has been filed with the Secretary of the Office of Price Administration, Washington, D. C., where it is open to inspection by the public.

This order shall become effective April 21, 1945.

Issued this 20th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6335; Filed, Apr. 20, 1945;  
11:54 a. m.]

[MPR 188, Order 86, 2d Rev. Order A-3]

THE TURNER & HARRISON STEEL PEN MFG.  
Co., Inc.

#### 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 Second Revised Order A-3 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* The Turner & Harrison Steel Pen Manufacturing Company, Inc., Philadelphia,

Pennsylvania, may sell and deliver the plain lacquered steel pens which it manufactures, at prices no higher than its net maximum prices for such sales in effect immediately prior to the effective date of this order, plus an adjustment charge of three percent of each such maximum price. This adjustment charge applies to every item currently being produced for which a maximum price was established under Maximum Price Regulation No. 188, prior to the effective date of this order, and may be made and collected only if it is separately stated. The adjusted prices are subject to the manufacturer's customary discounts, allowances, and other price differentials in effect during March 1942 on sales to each class of purchaser.

(b) *Purchasers for resale.* Each purchaser for resale, who handles the plain lacquered steel pens for which the manufacturer's maximum prices have been adjusted as provided in paragraph (a) in the course of their distribution from the manufacturer to the user, may add to his properly established maximum prices for those articles, in effect immediately prior to the effective date of this order, the dollar-and-cents amount of the adjustment charge which he is required to pay his supplier, provided such amount is separately stated. The adjusted prices are subject to the seller's customary discounts, allowances, and other price differentials in effect during March 1942, on sales to each class of purchaser.

(c) *Notification.* To every purchaser for resale at an adjusted price permitted by this order, each seller shall furnish the purchaser with an invoice containing the following notice:

#### NOTICE OF OPA ADJUSTMENT

Order No. 86 under 2d Revised Order A-3 under MPR 188 authorizes all sellers of the articles covered by this invoice to adjust their ceiling prices in effect prior to April 21, 1945, by adding no more than the exact dollar-and-cents amount of the adjustment charge appearing on this invoice provided that amount is separately stated on an invoice which contains this notice.

(d) *Profit and loss statement.* After the effective date of this order, The Turner and Harrison Steel Pen Manufacturing Company, Inc., shall submit to the Office of Price Administration, Washington, D. C., a detailed quarterly profit and loss statement within thirty days after the close of each quarter.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of April 1945.

Issued this 20th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6315; Filed, Apr. 20, 1945;  
11:53 a. m.]

[MPR 188, Rev. Order 2074]

JOHN WILLIAM CHAPMAN

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed

with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of a tool set manufactured by John William Chapman of Kensington, Connecticut, which set is known as the Chapman Midget Ratchet Set.

(1) For all sales and deliveries to the following classes of purchasers by the sellers, indicated below, the maximum prices are those set forth below:

For sales by the manufacturer to General Merchandise and Hardware Company, \$2.40 per set.

For sales by any person to jobbers, \$3.00 per set.

For sales by any person to retailers, \$4.00 per set.

For sales by any person to consumers, \$6.00 per set.

These maximum prices are for the article described in the letter of General Merchandise and Hardware Company, dated July 18, 1944.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory, and they are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. These prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sale to consumers is established under this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$6.00 per set  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on April 21, 1945.

Issued this 20th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6308; Filed, Apr. 20, 1945;  
11:53 a. m.]

[MPR 188, Rev. Order 3366]

#### TROPICAL-SUN CO.

#### APPROVED MAXIMUM PRICES

Order No. 3366 under § 1499.158 of Maximum Price Regulation No. 188 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 pursuant to § 1499.158, *It is ordered:*

(a) This revised order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Tropical-Sun Company, 150 South Raymond Avenue, Pasadena 2, California.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

| Article          | Model No. | Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock | Maximum price for sales to retailers by the manufacturer, and by persons, other than retailers, who sell from the manufacturer's stock |
|------------------|-----------|-------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|
| Metal table..... | 42        | Each \$12.75                                                                                          | Each \$15.00                                                                                                                           |
| Metal chair..... | 10        | 7.86                                                                                                  | 9.25                                                                                                                                   |
| Metal table..... | 60        | 16.15                                                                                                 | 19.00                                                                                                                                  |

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment at the end of the month of invoice, and are for the articles described in the manufacturer's application dated December 13, 1944.

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since the effective date of MPR 188. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effective date of this order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective the 21st day of April 1945.

Issued this 20th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6309; Filed, Apr. 20, 1945; 11:49 a. m.]

[MPR 188, Order 3664]

W. J. VOIT RUBBER CORP.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed

with the Division of the Federal Register, and pursuant to § 1499.156 of Maximum Price Regulation 188, and section 6.4 of Second Revised Supplementary Regulation No. 14, It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by W. J. Voit Rubber Corporation, 1600 East 25th Street, Los Angeles, California.

(1) For all sales and deliveries to the following classes of purchasers by the sellers, indicated below, the maximum prices are those set forth below:

| Article              | Model        | Maximum prices for all sales including sales of the same article under a private label or special brand name, to— |                     |                           |                  |
|----------------------|--------------|-------------------------------------------------------------------------------------------------------------------|---------------------|---------------------------|------------------|
|                      |              | Distributors (jobbers)                                                                                            | Retailers (dealers) | Schools and clubs (trade) | Consumers (list) |
| Basketball.....      | J. B. 2..... | \$3.52                                                                                                            | \$3.91              | \$6.02                    | \$8.00           |
|                      | C. B. 2..... | 4.55                                                                                                              | 5.06                | 7.78                      | 10.37            |
| Volley ball.....     | J. F. 1..... | 3.42                                                                                                              | 3.80                | 5.85                      | 7.80             |
|                      | C. V. 4..... | 4.28                                                                                                              | 4.76                | 7.32                      | 9.75             |
| Soccer ball.....     | J. V. 4..... | 3.39                                                                                                              | 3.77                | 5.80                      | 7.75             |
|                      | J. S. 3..... | 3.39                                                                                                              | 3.77                | 5.80                      | 7.75             |
| Water polo ball..... | C. S. 3..... | 4.34                                                                                                              | 4.82                | 7.42                      | 9.90             |
|                      | C. W. 5..... | 4.23                                                                                                              | 4.70                | 7.23                      | 9.65             |
| Foot ball.....       | C. F. 6..... | 3.98                                                                                                              | 4.42                | 6.80                      | 9.05             |
|                      | C. F. 7..... | 3.98                                                                                                              | 4.42                | 6.80                      | 9.05             |
|                      | C. F. 9..... | 4.24                                                                                                              | 4.71                | 7.25                      | 9.65             |

These maximum prices are for the articles described in the manufacturer's application dated January 11, 1945. They do not include the manufacturer's Federal excise tax.

(2) For sales by all persons, the maximum prices apply to all sales and deliveries after the effective date of this order. These prices are subject to each seller's customary terms and conditions of sales of similar articles to each class of purchaser.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) Unless the context requires otherwise, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(c) At the time of, or prior to the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 21st day of April 1945.

Issued this 20th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6310; Filed, Apr. 20, 1945; 11:48 a. m.]

[MPR 188, Order 3665]

CEDARBURG MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.188 of Maximum Price Regulation No. 188, It is ordered:

(a) This order establishes maximum prices for sales and deliveries of a plumbers furnace and a utility furnace manufactured by the Cedarburg Manufacturing Company, 527-529 South Fourth Street, Minneapolis 15, Minn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

| Article               | Maximum prices for sales by—           |              |                    |
|-----------------------|----------------------------------------|--------------|--------------------|
|                       | The manufacturer and other sellers to— |              | Retailers to users |
|                       | Jobbers                                | Retailers    |                    |
| Plumbers furnace..... | Each \$9.20                            | Each \$12.27 | Each \$18.40       |
| Utility furnace.....  | 9.20                                   | 12.27        | 18.40              |

These maximum prices are for the articles described in the manufacturer's applications dated May 5 and May 17, 1944.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are subject to a cash discount of 2% for payment within 10 days, net 30 days, and are subject to freight allowances as follows: On sales of these articles in quantities of less than twelve the prices are f. o. b. Minneapolis, Minnesota. On sales of these articles in quantities of twelve or more shipped to one destination located in the Eastern zone the prices include freight. On sales of these articles in quantities of twelve or more shipped to one destination located in the Western Zone, the prices include a freight allowance of \$1.50 per hundred-weight. For the purpose of this order, the Western Zone comprises all that portion of the United States which lies west of a line drawn along the westernmost boundary lines of North Dakota, South Dakota, Nebraska, then south through Denver and Colorado Springs, Colorado, then along the westernmost boundary of Oklahoma, and then southeast through Amarillo, San Angelo and Laredo, Texas. The rest of the United States comprises the Eastern zone.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. These prices are subject to each seller's customary terms and conditions of sale or similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on any other terms and conditions of sale, he must apply to the Office of Price Administration, Wash-

ington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188 for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to users is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$18.40  
Do Not Remove

(c) At the time of or prior to the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser.

This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 21st day of April 1945.

Issued this 20th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6311; Filed, Apr. 20, 1945;  
11:55 a. m.]

[MPR 188, Order 3666]

S & K PRODUCTS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by S & K Products, Sikeston, Missouri.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

| Article           | Model No. | Maximum prices for sales to purchasers by the sellers indicated below |                        |                 |
|-------------------|-----------|-----------------------------------------------------------------------|------------------------|-----------------|
|                   |           | Wholesalers                                                           | Chain and dept. stores | Other retailers |
| Juvenile set..... | 500-R     | Each \$2.65                                                           | Each \$2.81            | Each \$3.31     |

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated February 12, 1945.

(2) For sales by the manufacturer the maximum prices apply to all sales and

deliveries since the effective date of MPR 188. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effective date of this order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of April 1945.

Issued this 20th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6312; Filed Apr. 20, 1945;  
11:49 a. m.]

[MPR 188, Order 3667]

STRAIT-JACKSON PRODUCTS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Strait-Jackson Products, 100 South 4th Street, Memphis 5, Tennessee.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

| Article           | Model No. | Maximum prices for sales to purchasers by the sellers indicated below |                        |                 |
|-------------------|-----------|-----------------------------------------------------------------------|------------------------|-----------------|
|                   |           | Wholesalers                                                           | Chain and dept. stores | Other retailers |
| Glider chair..... |           | Each \$4.80                                                           | Each \$5.10            | Each \$5.00     |

These prices are f. o. b. factory, are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated January 3, 1945.

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since the effective date of MPR 188. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effective date of this order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of April, 1945.

Issued this 20th day of April, 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6313; Filed, Apr. 20, 1945;  
11:50 a. m.]

[MPR 188, Order 3694]

UTILITY HOOK Co.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Abraham Landau doing business as Utility Hook Company, 2325 18th Street, N. W., Washington, D. C.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

| Article       | Model                                                                  | Maximum prices for sales by all persons to— |                        |                      |                |
|---------------|------------------------------------------------------------------------|---------------------------------------------|------------------------|----------------------|----------------|
|               |                                                                        | Wholesalers                                 | Chain and dept. stores | Other retailers      | Consumers      |
| Utility Hook. | UT-Rak.....<br>Set of 6 on card or in envelope with instruction sheet. | Per doz. sets \$0.60                        | Per doz. sets \$0.72   | Per doz. sets \$0.80 | Per set \$0.10 |
|               | Set of 18 on card or in envelope with instruction sheet.               | 1.50                                        | 1.50                   | 2.00                 | .25            |



These maximum prices for the articles described in the manufacturer's application dated January 5, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. Maximum prices for sales to all persons except consumers are f. o. b. plant, subject to a discount of 2% for payment in 10 days, net 30 days. Maximum prices for sales to consumers are net, delivered prices.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. These prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall stamp, or attach a tag or label to every package for articles for which a maximum price for sales to consumers is established by this order. That stamp, tag or label shall contain the following statement with the blank properly filled in:

OPA Retail Ceiling Price—\$-----  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 20th day of April 1945.

Issued this 20th day of April 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-6314; Filed, Apr. 20, 1945;  
11:49 a. m.]

## SECURITIES AND EXCHANGE COMMISSION.

[File No. 54-122]

SPOKANE GAS & FUEL CO.

### NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 17th day of April, A. D. 1945.

Notice is hereby given that Spokane Gas & Fuel Company (Spokane), a public utility subsidiary of Cities Service Power & Light Company (Power & Light), a registered holding company, has filed an application seeking approval

of a plan of recapitalization for the stated purpose of complying with the order of this Commission dated September 8, 1944 pursuant to the provisions of section 11 (b) (2) of the Public Utility Holding Company Act of 1935, directed to such company, which provides as follows:

\* \* \* that Spokane Gas & Fuel Company shall forthwith diligently prepare and file with the Commission a plan of compliance with section 11 (b) (2) of the said act which plan shall, without limiting the scope thereof, include provisions for a recapitalization of Spokane Gas & Fuel Company on a sound financial basis with a capital structure consisting of not more than one class of debt and one class of stock, in amounts appropriate to the assets and earnings of the company and the applicable standards of the act, and shall include appropriate action to restate the plant and property and other accounts of the company in accordance with sound accounting principles and not inconsistent with the findings and opinion issued herein.

All interested persons are referred to said plan, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

(1) The \$474,600 principal amount of Bonds and all accrued and unpaid interest thereon held by Power & Light shall be surrendered to Spokane, thereby reducing the principal amount of the bonded indebtedness of Spokane by \$474,600.

The principal amount of the remaining \$524,100 of Bonds shall be reduced to 80% of the principal amount thereof, that is to \$419,280 aggregate principal amount, the maturity date thereof shall be extended to August 1, 1974 and the interest rate reduced from 5% to 4%, said interest at the rate of 4% to accrue from and after August 1, 1943. The Indenture provision for interest on overdue interest installments shall be cancelled. The Sinking Fund provisions of the Indenture securing the Bonds shall be changed to the following: On February 1, 1946, and annually thereafter on each subsequent February 1, to and including February 1, 1974, the Company will pay into the Sinking Fund, to be used for the redemption of Bonds either (i) an amount sufficient to redeem \$4,000 principal amount of Bonds or (ii) an amount equal to 25% of the net income of the Company applicable to its common stock for the twelve months ended the December 31 immediately preceding each February 1, whichever shall be less.

The Indenture shall be further amended to provide for a maintenance and replacement fund of 12½% of the gross operating revenue of Spokane (deducting in computing gross revenue the purchase price of purchased gas) to be used for maintenance, replacements, property additions or bond retirement.

(2) The \$459,615 principal amount of indebtedness of Spokane to Power & Light, represented by a 6% Demand Note for \$349,000, a 6% Income Demand Note for \$93,615, and an open account debt of \$17,000, and all accrued and unpaid interest thereon, shall be cancelled, thereby eliminating all funded debt of Spokane other than the aforesaid \$419,280 principal amount of Bonds.

(3) The \$1,000,000 par value of common stock of Spokane, divided into 10,000 shares of the par value of \$100 per share, all of which is owned by Power & Light, will be surrendered to Spokane and cancelled, and Spokane will thereupon issue to Power & Light 10,000 shares of common stock having a stated value of \$412,720, the consideration therefor, to the extent of such stated value, being the Bonds and indebtedness surrendered to Spokane as set forth in paragraphs (1) and (2).

(4) The \$300,000 par value of preferred stock, of which \$297,300 par value is owned by Power & Light, shall have no participation under the Plan but shall be cancelled.

(5) The utility plant of Spokane, carried on its books at \$3,014,605 at December 31, 1943, shall be written down to the amount determined by the Department of Public Service of the State of Washington as the original cost thereof, namely \$1,215,299.02 at December 31, 1943.

The applicants have requested the Commission, if it approves the plan, to apply to an appropriate United States District Court pursuant to the provisions of sections 11 (e) and 18 (f) of the act to enforce and carry out the terms and provisions of the plan.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to the plan filed by Spokane.

*It is hereby ordered,* That a hearing on such plan under the applicable provisions of the said act and the rules and regulations of the Commission thereunder be held on the 7th day of May at 10:00 A. M., e. w. t., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk will advise as to the room where such hearing will be held.

*It is further ordered,* That any person desiring to be heard or otherwise wishing to participate herein shall notify the Commission to that effect in the manner provided in Rule XVII of the Commission's rules of practice on or before May 5, 1945.

*It is further ordered,* That William W. Swift or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearings in such matter. The officer so designated to preside at the hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act, and to a trial examiner under the Commission's rules of practice.

*It is further ordered,* That notice of this hearing be given to the following: Cities Service Power & Light Company, Spokane Gas & Fuel Company and the Department of Public Service of the State of Washington, by registered mail and to all other persons by publication in the FEDERAL REGISTER.

*It is further ordered,* That Spokane shall give additional notice of said hearing to all known security holders by causing a copy of this notice and order for hearing to be mailed to such holders at their last-known addresses, such mail-

ing to be made not less than 15 days prior to the date of said hearing.

*It is further ordered,* That without limiting the scope of the issues presented in the said proceedings particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed plan as filed or as hereafter modified is necessary to effectuate the provisions of section 11 (b) of the act and is fair and equitable to the persons affected thereby.

(2) Whether the proposed plan as filed or as hereafter modified is in compliance with the order of this Commission dated September 8, 1944.

(3) Whether, in the event that the Commission shall approve such plan as filed or as modified, the Commission shall approve such plan for purposes of section 11 (d) of the act (as well as section 11 (e)) so as to permit the Commission of its own motion to apply to a court for the enforcement of such plan pursuant to section 11 (d).

(4) Whether in the event that the Commission shall not approve such plan as filed or as modified, the Commission shall itself propose and approve a plan for purposes of section 11 (d) or shall approve for purposes of section 11 (d) any plan that may be proposed by any person having a bona fide interest in the change in the capitalization of Spokane.

(5) Whether the proposed transactions incidental to the consummation of the plan comply with all of the requirements of the applicable provisions of the act and the rules, regulations and orders thereunder.

(6) Whether the fees and expenses to be paid in connection with the plan or the proceedings with respect thereto and the allocation thereof are reasonable and appropriate.

(7) Whether the plan should be modified to include a provision for the payment by the applicant of such fees and expenses in connection with the plan or the proceedings with respect thereto as the Commission may determine, award or allow.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-6250; Filed, Apr. 19, 1945;  
2:45 p. m.]

[File No. 59-24]

CITIES SERVICE CO., ET AL.

NOTICE OF FILING OF APPLICATION FOR EXTENSION OF TIME AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 17th day of April, 1945.

The Commission having entered its order on May 5, 1944, pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935, directing Cities Service Company to sever its relationships with all of the companies in which it has any interest, except Kansas City Gas Company, The Wyandotte County Gas Company and The Gas Service Company, which Cities Service Com-

pany was allowed to retain as a single integrated gas utility system, and Cities Service Gas Company, which it was allowed to retain as reasonably incidental or economically necessary or appropriate to said system; and a supplemental order having been entered on October 12, 1944 providing in substance that in lieu of complying with the provisions of said order of May 5, 1944, Cities Service Company may dispose of its utility interests and may retain all of its interests in companies engaged in the oil, wholesale natural gas and other non-utility businesses;

Notice is hereby given that Cities Service Company has filed an application pursuant to section 11 (c) of the act, requesting that the time for compliance with the order of the Commission, dated May 5, 1944, as supplemented by the order dated October 12, 1944, be extended for an additional year.

All interested persons are referred to the application which is on file in the offices of the Commission for full details.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held to consider said application;

*It is ordered,* That a hearing on the application under the applicable provisions of the act and the Rules of the Commission thereunder be held on the 1st day of May, 1945, at 11:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pa., in such room as may be designated on that day by the hearing room clerk in Room 318.

*It is further ordered,* That William W. Swift, or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside 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 particular attention will be directed at said hearing to the following matters:

1. Whether Cities Service Company has been or will be unable in the exercise of due diligence to comply with the Commission's order of May 5, 1944, as supplemented by the order dated October 12, 1944, within the initial statutory period of one year from the date thereof.

2. Whether an extension of an additional year for compliance with the order of May 5, 1944, as supplemented by the order dated October 12, 1944, is necessary or appropriate in the public interest or for the protection of investors or consumers.

*It is further ordered,* That any person desiring to be heard or otherwise wishing to participate in this proceeding shall file with the Secretary of the Commission on or before April 28, 1945 his application therefor as provided in Rule XVII of the Commission's rules of practice.

*It is further ordered,* That the Secretary of the Commission shall serve notice of this order by mailing a copy thereof by registered mail to Cities Service Company and that notice shall be given to all

other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-6251; Filed, Apr. 19, 1945;  
2:45 p. m.]

WILLIAM F. MOORE & CO.

ORDER REVOKING REGISTRATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 12th day of April, A. D. 1945.

1. William F. Moore, doing business as William F. Moore & Co., a sole proprietor, hereinafter referred to as registrant, is registered as broker and dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934.

2. The Commission, on the basis of facts reported to it, instituted this proceeding under section 15 (b) to determine whether the registration of the registrant should be revoked. The facts alleged, if true, tended to show that the registrant (a) is permanently enjoined by a decree of the Supreme Court of the State of New York, County of New York entered on or about October 5, 1944 from engaging in or continuing certain conduct and practices in connection with the purchase and sale of securities, and (b) had been convicted on a plea of guilty in the Court of General Sessions of the County of New York, State of New York, on or about October 5, 1944 of a felony involving the purchase or sale of securities and arising out of the conduct of his business as a broker and dealer.

3. After appropriate notice a hearing was held, at which there was introduced in evidence an "answer and consent to revocation", in which registrant acknowledged service of adequate notice, waived his opportunity to be heard, admitted the facts alleged in the order for proceedings, and consented to the entry of an order by the Commission revoking his registration as a broker and dealer. The record shows, and the Commission finds, that the registrant is permanently enjoined by a decree of the Supreme Court of the State of New York, County of New York, entered on or about October 5, 1944, from directly or indirectly engaging in the business of a broker or dealer in securities within or from the State of New York and from any act in aid or furtherance thereof. The record also shows, and the Commission finds, that the registrant was convicted on a plea of guilty, on or about October 5, 1944, in the Court of General Sessions of the County of New York, State of New York, of a felony involving the sale of securities and arising out of the conduct of his business as a broker and dealer. Among other things, the indictment charged that the registrant had misappropriated money and securities of a customer.

4. In view of the nature of registrant's offenses, the Commission finds that revocation of his registration as a broker and dealer is in the public interest.



Accordingly, *It is ordered*, Pursuant to section 15 (b) of the Securities Exchange Act of 1934, that the registration of William F. Moore, doing business as William F. Moore & Co., be, and the same hereby is, revoked effective April 18, 1945.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-6261; Filed, Apr. 20, 1945;  
9:37 a. m.]

[File Nos. 54-63, 59-47, 70-922, 70-923]

REPUBLIC SERVICE CORP. ET AL.

ORDER APPROVING PLAN, GRANTING APPLICATIONS AND PERMITTING DECLARATIONS 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 16th day of April, A. D. 1945.

In the matters of Republic Service Corporation, et al, File Nos. 54-63 and 59-47; The Potomac Edison Company, File No. 70-922; American Gas and Electric Company, File No. 70-923.

Republic Service Corporation having filed applications and declarations and amendments thereto for approval of a plan submitted under section 11 (e) and other applicable sections of the act for the purpose of effecting compliance with section 11 (b) of the act and with the Commission's order dated February 19, 1943 directing that Republic Service Corporation take certain specified steps to comply with the provisions of section 11 (b); said plan providing for the sale of all of Republic Service Corporation's interests in its wholly-owned subsidiary companies, Holston River Power Company, Page Power Company, Madison Power Company, Massanutten Power Corporation, and Massanutten Water Corporation, for base prices of \$688,189, \$1,333,248, \$274,538, \$283,958, and \$44,325, respectively (subject to the payment by the purchasers of additional amounts to be determined in each case at date of closing), and the use of the proceeds of said sale, together with other funds, for the reduction of Republic Service Corporation's funded debt by a pro rata payment of 60% and accrued interest thereon to date of payment of the principal amount of its outstanding First Lien Collateral Trust Twenty-five Year Bonds, 5% Series A, due 1951; said plan providing that distribution of the proposed payment to Republic Service Corporation's bondholders may be made in two installments, one of 16% with respect to the sale of the Holston stock and one of 44% with respect to the sale of the stocks of Page Power Company, Madison Power Company, Massanutten Power Corporation and Massanutten Water Corpora-

tion, in the event that delay occurs in the consummation of either of said sales; and

Republic Service Corporation having requested that the Commission's order to issue herein conform to the formal requirements of sections 371 (b), 371 (f), and 1808 (f) of the Internal Revenue Code, as amended; and having further requested, pursuant to the provisions of section 11 (e) of the act, that the Commission apply, in accordance with the provisions of section 18 (f) of the act, to an appropriate Federal Court to enforce and carry out the terms and provisions of the plan; and

American Gas and Electric Company, a registered holding company and a subsidiary of Electric Bond and Share Company, also a registered holding company, having filed an application and amendments thereto pursuant to sections 9 (a) (1) and 10 of the act for an order approving the acquisition of the securities of Holston River Power Company; and

The Potomac Edison Company, a registered holding company and a subsidiary of American Water Works and Electric Company, Incorporated, also a registered holding company, having filed an application and amendments thereto pursuant to sections 9 (a) (1) and 10 of the act for an order approving the acquisition of the securities of Page Power Company, Madison Power Company, Massanutten Power Corporation, and Massanutten Water Corporation; and

The proceedings relating to the above-described transactions having been ordered consolidated; and

Public hearings having been held on such matters after appropriate notice, the Commission having considered the record, and having filed its findings and opinion; and

The Commission having found therein, among other things, that the said plan of Republic Service Corporation, providing for the sale of its interests in its aforementioned wholly-owned subsidiaries and for the reduction of the principal amount of its outstanding First Loan Collateral Trust Twenty-five Year Bonds, 5% Series A, due 1951, by a pro rata payment or payments, as hereinbefore described, to the holders thereof of 60% of the principal amount of said bonds and accrued interest thereon to date of such payment, is necessary to effectuate the provisions of section 11 (b) of the act, and is fair and equitable to the persons affected thereby;

*It is ordered* Subject to the terms and conditions set forth below and to the provisions of Rule U-24 promulgated under the act, pursuant to section 11 (e) and other applicable sections of the act, that the said plan of Republic Service Corporation be, and hereby is, approved, and that the applications and declarations in respect of such plan and the applications and declarations filed by

American Gas and Electric Company and The Potomac Edison Company be, and hereby are, granted and permitted to become effective.

*It is further ordered*, That the sales by Republic Service Corporation of all of the outstanding securities of Holston River Power Company, Page Power Company, Madison Power Company, Massanutten Power Corporation, and Massanutten Water Corporation, consisting of the common stocks of said companies, and the use of the proceeds thereof in making a pro rata payment of 60% of the principal amount of Republic Service Corporation's First Lien Collateral Trust Twenty-five Year Bonds, 5% Series A, due 1951, by a single payment or in two installments of 16% and 44% as hereinbefore described, are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

This order is subject to the following terms and conditions:

1. That jurisdiction be, and it hereby is, reserved to the Commission as to all fees and expenses of counsel for Republic Service Corporation and of counsel for Pennsylvania Company for Insurance on Lives and Granting Annuities incurred by or on behalf of Republic Service Corporation in connection with the plan;

2. That the applicants undertake to pay such fees and reimburse such expenses incurred or to be incurred in connection with said plan, the transactions incident thereto, and the consummation thereof, as are approved, allocated or awarded by further order or orders of this Commission;

3. That jurisdiction be, and it hereby is, reserved to the Commission as to the retainability of the securities of Massanutten Water Corporation proposed to be acquired by The Potomac Edison Company;

4. That jurisdiction be, and it hereby is, reserved to the Commission to make such further and supplemental findings and to take such additional and further action as may be found by the Commission to be appropriate in the premise in connection with the plan of Republic Service Corporation, the transactions incident thereto, the consummation thereof and all other matters relating to these consolidated proceedings;

5. That this order shall not be operative to authorize the consummation of the transactions proposed in the plan of Republic Service Corporation until an appropriate United States District Court shall, upon application thereto, enter an order enforcing such plan.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 45-6262; Filed, Apr. 20, 1945;  
9:37 a. m.]