FEDERAL REGISTER

VOLUME 7 NUMBER 147

Washington, Tuesday, July 28, 1942

Regulations

TITLE 7—AGRICULTURE

Chapter VIII—Sugar Agency

PART 802—SUGAR DETERMINATIONS

DETERMINATION OF A FARM IN THE VIRGIN ISLANDS

JULY 24, 1942.

Pursuant to the provisions of subsection (b) of section 304 of the Sugar Act of 1937, as amended, the following determination is hereby issued:

§ 802.54 *Definition of a farm in the Virgin Islands.* For the purposes of the Sugar Act of 1937, as amended, a farm in the Virgin Islands means all land which is farmed by a producer, or group of producers, as a single farming unit, with cropping practices, work stock, equipment, labor, and management substantially separate from that of any other such unit. (50 Stat. 911; 7 U.S.C. 1134)

Done at Washington, D. C. this 24th day of July, 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 42-7092; Filed, July 24, 1942; 3:23 p. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property Custodian

PART 502—VESTING ORDERS

VESTING OF CERTAIN PATENTS

§ 502.47 *Vesting Order No. 47.* Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title 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 the patents the numbers of which are listed in Exhibits A, B, C, D and E attached hereto and made a part hereof, and the titles to which stand of record in the United States Patent Office in the names of the persons appearing (a) in the case of the aforesaid Exhibits A, B, C and D at the respective tops thereof, and (b) in the case of said Exhibit E, opposite the respective numbers listed therein,

is the property of nationals of a foreign country or countries, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person (other than a national of a designated enemy country, as defined in Executive Order No. 9095, as amended) asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. 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. (E. O. 9095, 9193, 7 F.R. 1971, 5205.)

Executed at Washington, D. C. on July 8, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

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FEDERAL REGISTER

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EXHIBIT A

Patents the titles to which stand of record in the United States Patent Office in the name of Telefunken Gesellschaft fur Drahtlose Telegraphie m. b. H. and which are identified respectively as follows:

Patent No.	Patent date	Inventor	Title
Reissue 18,972	10/24/33	A. Leib	Arrangement for Wireless, Telegraphy & Telephony.
Reissue 20,189	12/ 1/36	H. Roosenstein	Oscillation Circuit for Electric Waves.
1,547,507	7/28/25	A. Leib	Inductance Coil.
1,552,781	9/ 8/25	G. Von Arco	Arrangement for Controlling the Driving Motors in High Frequency Machines.
1,556,130	10/ 6/25	O. Schriever	Circuit Arrangement for Wireless Signaling.
1,559,992	11/ 3/25	W. Schaffer	Arrangement for Frequency Transformation Particularly for Operating Relay Stations.
1,563,140	11/24/25	G. Von Arco	Arrangement for Controlling the Driving Motors in High Frequency Machines.
1,566,680	12/22/25	A. Meissner	Sending Arrangement.
1,569,325	1/12/26	A. Leib	Radio Direction Finder.
1,571,378	2/ 2/26	W. Schloemlich	Sound-Reproducing Arrangement.
1,573,789	2/16/26	M. Osnos	Transmitting Arrangement for Wireless Signaling.
1,588,047	6/ 8/26	M. Osnos	Circuit Arrangement for Wireless Signaling
1,593,662	7/27/26	A. Meissner	Sending Arrangement.
1,597,910	8/31/26	M. Lock	Controlling Arrangement for Tube Senders Supplied with Alternating Current.
1,598,144	8/31/26	A. Leib	Radio Receiving Apparatus.
1,600,348	9/21/26	E. Mayer	Arrangement for Automatic Regulation of Motor or Generator Fields.
1,603,491	10/19/26	M. Osnos	Modulating Arrangement.
1,604,129	10/26/26	A. Meissner	Transmitting Arrangement for Wireless Telegraphy and Telephony.
1,604,130	10/26/26	A. Meissner	Method of Recording and Reproducing Sound.
1,604,654	10/26/26	E. Mayer	Arrangement for High Frequency Signaling on High Tension Lines.
1,605,557	11/ 2/26	M. Osnos	Inductance Device.
1,608,003	11/23/26	W. Schaffer	Arrangement for Generating Audible Frequencies in High Frequency Signaling.
1,610,615	12/14/26	W. Schaffer	Arrangement for Maintaining Anode Voltage Constant in Tube Transmitters.
1,610,875	12/14/26	E. Mayer	Arc-Lamp Generator for Producing and Amplifying Electrical Oscillations.
1,614,494	1/18/27	H. Rukop	Circuit Arrangement for Generating Oscillations.
1,618,298	2/22/27	H. E. Rukop	Valve Amplifier.
1,621,992	3/22/27	A. Meissner	Valve Generator Arrangement.

Patent No.	Patent date	Inventor	Title
1,621,998	3/22/27	M. Osnos	Arrangement for Eliminating Disturbing Waves in Radio-Frequency Circuits.
1,622,001	3/22/27	H. Rukop	Circuit Arrangement for General Electrical Oscillations.
1,624,005	4/12/27	M. Osnos et al	Method of Wireless Signaling.
1,624,006	4/12/27	M. Osnos	Circuit Arrangement for High Frequency Sending Stations.
1,624,065	4/12/27	M. Osnos	Frequency Changes for Short Waves.
1,626,856	5/ 3/27	A. Meissner	Circuit Arrangement for Multiplex Communications.
1,628,676	5/17/27	A. Meissner	Receiving Arrangement for Wireless Telegraphy.
1,630,349	5/31/27	A. Meissner	Arrangement for Suppressing Idle Current in Radio-Transmitters.
1,631,599	6/ 7/27	A. Leib	Variable Condenser.
1,633,186	6/21/27	A. Meissner	Arrangement for Converting Acoustic Energy into Electrical Energy.
1,635,794	7/12/27	W. Kummerer	Transformer.
1,639,671	8/23/27	W. Schaffer	Vacuum Tube Oscillator.
1,639,695	8/23/27	K. Heegner	Arrangement for the Regulation of the Frequency in Frequency Changers.
1,645,536	10/18/27	M. Lock	Arrangement for Coupling High Frequency Apparatus to Power Transmission Lines.
1,645,542	10/18/27	M. Osnos	Circuit Arrangement for High Frequency Sending Stations.
1,645,556	10/18/27	G. Von Arco	Speed Governor.
1,645,537	10/18/27	O. Von Bronk	Arrangement for Generating Electric Oscillations.
1,646,517	10/25/27	W. Zeletzki	Key Circuit for Tube Senders.
1,649,499	11/15/27	G. Von Arco	Receiving Arrangement for Wireless Telegraphy.
1,650,250	11/22/27	O. Von Bronk	Two-Way Circuit Arrangement for Wireless Telephony.
1,654,762	1/ 3/28	P. Tatz	Railway Signaling.
1,656,195	1/17/28	K. Heegner	Arrangement for the Generating of Oscillation.
1,656,225	1/17/28	M. Osnos	Electric Wave Filter.
1,661,744	3/ 6/28	W. Wurst	Method and Arrangement for Transferring Signals Between Moving Vehicles and Roadbeds.
1,664,044	3/27/28	M. Osnos et al	Conductor for High Frequency Work.
1,665,632	4/10/28	M. Lock	Radio Signaling System.
1,666,024	4/10/28	N. Korshenewski	Arrangement for Multiplex Directional Receiving.
1,669,142	5/ 8/28	M. Osnos	Static Frequency Changer.
1,670,486	5/22/28	P. Tatz	Method and Arrangement for Spark Telegraphy Over High Tension Lines or Cables.
1,672,856	6/ 5/28	A Zenkner	Rotary Condenser.
1,674,784	6/26/28	M. Lock	Wireless Telegraphy and Telephony.
1,675,367	7/ 3/28	A Meissner	Method and Arrangement for Generating Oscillations by Two-Anode Electron Tubes.
1,678,653	7/31/28	E. Schroter	System for Reducing Static Disturbances.
1,678,965	7/31/28	O. Von Bronk	Frequency Multiplier.
1,681,560	8/21/28	P. Tatz	Coupling between Radio Apparatus and High Tension Transmission Lines.
1,681,568	8/21/28	O. Bohm	Arrangement for Governing Speed of Asynchronous Motors.
1,682,768	9/ 4/28	M. Osnos	Circuit Arrangement for High Frequency Systems with Frequency Amplification.
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1,684,078	9/11/28	G. Von Arco	Arrangement for Avoiding Reflections of Sound Inside Buildings.
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1,687,011	10/ 9/28	L. Fleischmann	Loud Speaker.
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1,691,618	11/13/28	G. Von Arco	Speed Indicator and Regulator for Electric Motors.
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1,697,961	1/ 8/29	A. Meissner	Reduction of Vacuum-Tube Capacitance.
1,698,284	1/ 8/29	G. Von Arco	Arrangement for Obtaining Large Outputs in Frequency Changers.
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1,706,030	3/19/29	W. Kummerer	Transferring Means for Electromagnetic Wave Energy.
1,708,515	4/ 9/29	A. Meissner	Antenna.
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1,708,524	4/ 9/29	P. Tatz	Railway Signaling.
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1,708,530	4/ 9/29	G. Von Arco	Apparatus for the Generation of Short Electrical Waves.
1,708,544	4/ 9/29	W. Kummerer	Method and Arrangement for Electrical Measurements.
1,708,546	4/ 9/29	A. Leib	Apparatus for Varying Electrical Values.
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1,716,908	6/11/29	P. Tatz	Duplex System of Telephony.
1,717,627	6/18/29	W. Runge	Balance Bridge for Autodyne Receiver Circuits.
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1,721,492	7/16/29	W. Wurst	Method of and Arrangement for Multiplex Telephony.
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1,723,485	8/ 6/29	W. Kummerer	Coupling Circuit.
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1,732,005	10/15/29	A. Esau	Wireless Receiving System.
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1,732,050	10/15/29	G. Jobst	Thermionic Tube.
1,734,772	11/ 5/29	W. Moser	Arrangement for Wireless Telegraphy and Telephony.
1,735,133	11/12/29	A. Schmidt	Support for Thermionic Tubes.
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1,735,141	11/12/29	O. Sturner	Inductance Device.
1,735,185	11/12/29	W. Schaffer	Radio Receiver.
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1,744,711	1/21/30	G. Von Arco	Radio Transmitting System.
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1,746,449	2/11/30	O. Von Bronk	Microphone.
1,748,561	2/25/30	W. Schaffer	Circuit Arrangement for Telephone or Signaling Systems with Tube Senders.
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1,751,592	3/25/30	A. Meissner	Oscillatory Circuits.
1,751,606	3/25/30	F. Schroter	Picture Transmission System.
1,751,939	3/25/30	A. Meissner	Insulation of Electrical Apparatus.
1,751,961	3/25/30	N. Korshenewsky	Alternating Current System.
1,754,326	4/15/30	A. Leib	Arrangement for Wireless Telegraphy and Telephony.
1,755,180	4/22/30	A. Herzog	Arrangement for Directional Receiving.
1,757,318	5/ 6/30	A. Leib	Vacuum Tube Cathode Supply Circuit.
1,757,325	5/ 6/30	F. Michelssen	Receiver for Undamped Oscillations.
1,757,330	5/ 6/30	M. Osnos	Wireless System.
1,757,466	5/ 6/30	W. Moser	Arrangement for Multistage Audio Amplification.
1,757,467	5/ 6/30	W. Moser	Arrangement for Wireless Telegraphy and Telephony.
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1,770,490	7/15/30	A. Meissner	Acoustics.
1,770,494	7/15/30	E. Reichel	Loud Speaker.
1,770,497	7/15/30	F. Schroter	Method and Arrangement for Amplifying Photoelectric Currents.
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1,773,556	8/19/30	G. Von Arco	Oscillation Generation.

Patent No.	Patent date	Inventor	Title
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1,775,210	9/ 9/30	M. Osnos	Arrangement and Method Adapted to Control High Frequency Circuits.
1,775,213	9/ 9/30	W. Runge	Modulating System for High Frequency Currents.
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1,860,050	5/24/32	M. Osnos	Oscillation Generator.
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1,865,646	7/ 5/32	F. Schroter et al	Intensity Control.
1,866,271	7/ 5/32	F. Schroter	Means for Receiving Waves of an Order of One Meter and One Decimeter.
1,866,573	7/12/32	H. Lux	Means for Reversing Current Impulses.
1,867,179	7/12/32	F. Schroter	Telegraphone.
1,868,033	7/19/32	R. Urtel	Modulating Arrangement for Transmitter Tubes.
1,868,034	7/19/32	R. Urtel	Modulating Arrangement for Transmitter Tubes.
1,870,017	8/ 2/32	F. Micheissen	Photoelectric Relay.
1,872,318	8/16/32	A. Meissner	Convertible Band Pass Receiver.
1,873,715	8/23/32	A. Meissner	Piezo Electric Acoustic Device.
1,874,869	8/30/32	O. Bohm	Signaling by Frequency Modulation.
1,874,891	8/30/32	W. Buschbeck	Keying Circuit Arrangement for Transmitters.
1,874,993	8/30/32	K. Heffner	Radio Apparatus for Intercommunication or Duplex Operation.
1,875,025	8/30/32	W. Kummerer	Grid Modulated Tube.
1,875,063	8/30/32	W. Ludenia et al	Narrow Tape Recorder for High Speed Telegraphy.
1,875,087	8/30/32	A. Meissner	Piezo Electric Oscillator.
1,875,165	8/30/32	F. Schroter	Method for Wireless Communication.
1,875,347	9/ 6/32	A. Meissner	Piezo Electric Crystal.
1,875,940	9/ 6/32	F. Schroter	Picture Transmission.
1,876,451	9/ 6/32	R. Gurtler	Iron Cored Inductance (Choke Coil Transformer) for Direct Current Loads.
1,879,321	9/27/32	A. Knabner et al	Thermionic Tube.
1,880,102	9/27/32	A. Meissner	Light Control Arrangement.
1,882,043	10/11/32	F. Schroter	Signal Recording.
1,882,201	10/11/32	P. Tatz	Choke Coil.
1,882,862	10/18/32	W. Moser	System for Keying Transmitters.
1,884,285	10/25/32	O. Schriever	Photo Electric Tube.
1,884,287	10/25/32	F. Schroter	Apparatus for Receiving Television Pictures.
1,884,288	10/25/32	F. Schroter	Facsimile Transmission.
1,886,234	11/ 1/32	A. Meissner	Method of Making High Grade Dielectric Materials.
1,886,235	11/ 1/32	A. Meissner	Method of Stabilizing Non-Crystalling Piezo Electric Microphone Diagrams.
1,886,236	11/ 1/32	A. Meissner	Method of Making Wound (Roll) Condensers of Greater Breakdown Strength.
1,886,263	11/ 1/32	W. Ilberg	Multiplex Communication System.
1,889,749	12/ 6/32	G. Jobst et al	Gas Tube Amplifier.
1,890,302	12/ 6/32	W. Runge	Arrangement for Oscillation Circuits.
1,890,527	12/13/32	M. Osnos	Frequency Multiplication.
1,891,362	12/20/32	P. Tatz	Apparatus Adapted to Duplex Telephony Over a Single Carrier Frequency.
1,892,220	12/27/32	W. Runge	Thermionic Tube for Directional Reception.
1,892,221	12/27/32	W. Runge	Polarization Diversity Reception.
1,892,958	1/ 3/33	A. Leib	Weatherproof Direction Finding Antenna.
1,893,605	1/10/33	G. Von Arco	Transmitter Arrangement.
1,897,219	2/14/33	F. Schroter	Apparatus for Photoelectric Exploration by Reflection Method in Copying and Picture Telegraphy.
1,897,229	2/14/33	O. Bohm	Indirectly Heated Cathode.
1,897,735	2/14/33	H. Roosenstein	Multiply Range Radio Receiving System.
1,898,477	2/21/33	O. Bohm	Fading Elimination.
1,898,599	2/21/33	F. Schroter	Piezo Electric Oscillating Crystal in a Vacuum Vessel.
1,898,661	2/21/33	G. B. Hagen	Antenna System.
1,899,493	2/28/33	O. Bohm	Receiving System.
1,899,939	3/ 7/33	W. Buschbeck	Arrangement for Radio Circuits.
1,900,292	3/ 7/33	A. Leib	Direction Finder Apparatus.
1,901,043	3/14/33	H. Roosenstein	Oscillation Generator.
1,901,060	3/14/33	O. Schmidt	Antenna.
1,902,185	3/21/33	H. Rothe	Method of Coating Electrodes of Discharge Tubes.
1,902,894	3/28/33	R. Rechnitzer	Current Sources.
1,904,165	4/18/33	E. Mullner	Variable Condenser.
1,904,517	4/18/33	H. Paesler	Duplex System o Telephony.
1,906,501	5/ 2/33	R. Urtel	Arrangement for Valve Transmitters Connected With Load-Equalizing Tube.
1,906,627	5/ 2/33	W. Kummerer	Transmitter Tube Arrangement.
1,907,653	5/ 9/33	H. Muth	Short Wave Receiver.
1,908,191	5/ 9/33	O. Schriever	Stabilizing Glow-Discharge Tubes.
1,908,533	5/ 9/33	M. Osnos	Glow Lamp Circuit.
1,909,365	5/16/33	A. Knabner	Method of Making Fluorescent Screens.
1,909,615	5/16/33	A. Gothe	Antenna.
1,909,751	5/16/33	W. Buschbeck	Transmitter.
1,909,962	5/23/33	E. Hornoff	Radio Goniometer.
1,909,981	5/23/33	M. Osnos	Transmission System.

Patent No.	Patent date	Inventor	Title
1,910,023	5/23/33	A. Leib	Direction Finder.
1,910,537	5/23/33	G. B. Hagen	Signal Receiving Means.
1,911,091	5/23/33	O. Schriever	Signaling.
1,912,731	6/ 6/33	F. Schroter	Mirror Wheel.
1,912,732	6/ 6/33	F. Schroter	Photo Electric Modulating System.
1,912,754	6/ 6/33	O. Bohm et al	Antenna.
1,912,766	6/ 6/33	A. Esau	Receiving Arrangement with Aperiodic Directional Aerial System.
1,912,995	6/ 6/33	M. Osnos	Constant Current System.
1,912,996	6/ 6/33	M. Osnos	Circuit for Heating Thermionic Tubes.
1,913,543	6/13/33	R. Gurtler	Supply Circuit.
1,914,120	6/13/33	G. B. Hagen	Regeneratively Coupled Oscillator, or Wave Generator.
1,914,593	6/20/33	W. Buschbeck	Arrangement for Valve Transmitters.
1,914,898	6/20/33	F. Schroter et al	Method of Transmitting Telegrams and Pictures on Short Waves.
1,915,378	6/27/33	M. Osnos	Wave Generation.
1,915,578	6/27/33	M. Osnos	Means for Eliminating Fading.
1,915,768	6/27/33	P. Tatz	Wired Radio Reception Regulation.
1,917,312	7/11/33	A. Meissner	Communication on Short Waves.
1,917,348	7/11/33	N. Von Korshenewsky	Antenna.
1,917,739	7/11/33	F. Schroter	Electric Discharge Device.
1,918,291	7/18/33	F. Schroter	Arrangement for Broadcasting on Waves of One Meter and One Decimeter.
1,918,850	7/18/33	A. Leib	Radio Direction Finder.
1,919,598	7/25/33	W. Schaffer	Method and Arrangement for Diminishing Noise in Vacuum Tubes.
1,920,655	8/ 1/33	F. Michelssen	Overload Protection Means for Piezo Electric Crystals.
1,921,234	8/ 8/33	A. Leib	Graduated Circle for Radio Direction Finders.
1,921,448	8/ 8/33	R. Baranowsky	Oscillation Circuit for Short Wave Generators.
1,921,640	8/ 8/33	F. Schroter	Transmitter Tube for Ultra Short Wave.
1,921,859	8/ 8/33	H. Roder	Elimination of Key Shocks.
1,921,869	8/ 8/33	W. Ewald	Method and Means for Making Coils Possessing Accurate Inductance.
1,922,032	8/15/33	P. Ehlert et al	Crystal Holder of Setting.
1,922,679	8/15/33	A. Hammer	Armature for Magnetic Loud Speakers.
1,923,406	8/22/33	E. Wiegand	Method of Making Metallic Films upon Bodies of Non-Conducting Oxides, Especially for Oxide Filament in Discharge Tubes.
1,924,408	8/29/33	A. Leib	Radio Direction Finder Apparatus.
1,924,418	8/29/33	F. Schroter	Current Supply Means.
1,925,520	9/ 5/33	W. Buschbeck	Frequency Multiplication.
1,926,082	9/12/33	W. Buschbeck	Signaling.
1,928,765	10/ 3/33	W. Schaffer	Method and Means for Wave Measurement.
1,930,693	10/17/33	F. Schroter et al	Multiplex Communication System.
1,931,070	10/17/33	G. Gullner et al	Automatic Volume Regulation.
1,931,631	10/24/33	W. Runge	Transmitting.
1,931,669	10/24/33	A. Meissner	Means for Converting Acoustic into Electric Energy.
1,931,950	10/24/33	R. Urtel	Superregenerative Receiver.
1,932,469	10/31/33	A. Leib, et al	Short Wave Signaling.
1,932,627	10/31/33	A. Leib	Method of Making Control Elements for Direction Finder Compensators.
1,933,631	11/ 7/33	W. Kummerer	Compensated Circuit Scheme for Grid Direct Current Modulation.
1,934,078	11/ 7/33	W. Ludenia	Short Wave Beam Transmitter.
1,934,097	11/ 7/33	H. Simon	Manufacture of Grid Electrodes.
1,934,211	11/ 7/33	F. Schroter et al	Receiving Arrangement for Radiosignals.
1,935,342	11/14/33	W. Zeletzky	Modulation System.
1,935,404	11/14/33	J. Leopold	Oscillating Coil for Electrodynamic Loud Speakers.
1,935,883	11/21/33	A. Leib	Radio Compass.
1,935,885	11/21/33	A. Meissner	Electrical Apparatus.
1,936,939	11/28/33	W. Halmle	Vibrator Transmission System.
1,937,131	11/28/33	F. Schroter	Facsimile Signaling System.
1,940,423	12/19/33	W. Kummerer	Modulation.
1,940,437	12/19/33	M. Osnos	Electrical Network.
1,941,472	1/ 2/34	K. Heegner	Transmitter Tube Circuit.
1,941,581	1/ 2/34	W. Runge	Means to Indicate Resonance in a Crystal Resonator.
1,941,692	1/ 2/34	G. Jobst	Indirectly Heated Cathode.
1,942,534	1/ 9/34	F. Burghardt	Centrifugal Brake for an Airplane Antenna Winch.
1,943,627	1/16/34	H. Rothe et al	High Frequency Oscillator.
1,943,730	1/16/34	P. Hermanspann	Radio Frequency Short Wave Receiver.
1,944,262	1/23/34	H. Muth	Support for High Frequency Apparatus.
1,945,355	1/30/34	F. Klaiber	Synchronizing System.
1,946,695	2/13/34	W. Ilberg	Spark Gap.
1,946,698	2/13/34	W. Kummerer	Arrangement for Quartz Oscillators.
1,946,703	2/13/34	A. Leib	Direction Finder Compensator.
1,947,229	2/13/34	W. Runge	Heterodyne Receiving System.
1,949,254	2/27/34	W. Ilberg	Alternating Current Relay.
1,949,617	3/ 6/34	F. Michelssen	Constant Voltage Device.
1,949,842	3/ 6/34	R. Rechnitzer	Unicontrolled Radio Circuit.
1,950,708	3/13/34	G. Van Arco	Antenna System.
1,951,800	3/20/34	W. Buschbeck	Keying.
1,951,533	5/30/34	F. Schroter	Television Apparatus.
1,952,411	3/27/34	O. Bohm et al	Transmission Network.
1,952,463	3/27/34	W. Runge	Frequency Control System.
1,954,203	4/10/34	R. Gurtler	Thermionic Tube Three-Phase Cathode.
1,955,079	4/17/34	F. Michelssen et al	Glow Lamp.
1,955,093	4/17/34	H. Roosenstein	Oscillation Circuit for Electric Waves.
1,955,094	4/17/34	W. Runge et al	Ultrahigh Frequency Amplifier.
1,955,095	4/17/34	W. Runge	Telephony and Telegraphy Signaling Device.
1,955,391	4/17/34	F. Schroter	Electrode Construction for Glow Discharge Tubes.
1,956,357	4/24/34	A. Leib	Flexible Insulated Conductor.
1,956,368	4/24/34	K. Wilde	Wired Wireless System.
1,958,971	5/15/34	H. Lux	Method of High Frequency Amplification for Very Short Waves.
1,959,543	5/22/34	M. Osnos	Tuning Coil.
1,960,006	5/22/34	G. B. Hagen	Antenna System.
1,962,210	6/12/34	M. Osnos	Temperature Control of Piezo Electric Crystal Holders.
1,962,211	6/12/34	M. Osnos et al	Piezo Electric Crystal Apparatus.
1,962,227	6/12/34	E. Zepler	Coupling for High Frequency Circuits.
1,963,117	6/19/34	W. Buschbeck	Signal Modulation.
1,963,243	6/19/34	M. Osnos	Constant Voltage System.
1,964,182	6/26/34	H. Schroder	Automatic Disconnecting Device for Electrically Driven Phonographs.
1,964,190	6/26/34	O. Bahm, et al	Antenna.
1,964,517	6/26/34	G. Jobst	Means to Diminish Secondary Electron Emission.
1,964,570	6/26/34	A. Gothe	Directional Antenna Arrangement.
1,964,598	6/26/34	J. Rohnfeld	Fading Elimination.
1,965,184	7/ 3/34	A. Gothe	Antenna Arrangement.
1,965,188	7/ 3/34	W. Hasenberg	Luminous Amplifier Control.
1,965,632	7/10/34	W. Ewald	Means for Measuring Distance.
1,965,640	7/10/34	G. Gullner	Coupling System.
1,965,641	7/10/34	R. Gurtler	Frequency Multiplication.
1,965,655	7/10/34	E. Klotz et al	Power Supply.
1,965,752	7/10/34	F. Schroter, et al	Device for Transmission of Pictures or of the Telegraphic Signals.
1,966,242	7/10/34	R. Gurtler	Filament for Thermionic Tubes.
1,967,589	7/24/34	M. Osnos	Inductance Having a Self Induction, Independent of Temperature.
1,967,839	7/24/34	M. Osnos	Piezo Electric Crystal.
1,968,617	7/31/34	M. Osnos	Crystal Frequency Adjustment.
1,969,239	8/ 7/34	W. Runge	Automatic Volume Control for Radiotelegraphy.
1,969,328	8/ 7/34	H. Roosenstein	Radio Transmitting Circuit.
1,969,329	8/ 7/34	H. Roosenstein	Radio Frequency Wave Reception.
1,969,379	8/ 7/34	A. Meissner	Apparatus for Making Piezo Electric Bodies.
1,971,383	8/28/34	D. Prinz	Transmitter.
1,971,463	8/28/34	W. Rothe, et al	Synchronous Motor in Particular for Talking Machines.
1,973,296	9/11/34	F. Schroter	Broadcasting System Using Ultra Short Waves.
1,974,896	9/25/34	W. Runge	Multiplex Receiving System.
1,974,904	9/25/34	G. Von Arco et al	Combined Recorder and Producer.
1,974,912	9/25/34	W. Buschbeck	Screen Grid Relay Circuits.
1,975,647	10/ 2/34	M. Osnos	Rectifier.
1,976,377	10/ 9/34	O. Von Bronk	Electric Picture Transmission.
1,976,400	10/ 9/34	W. Ilberg	Cathode Ray Scanning Device.
1,977,409	10/16/34	F. Schroter	Television Receiver.
1,977,594	10/16/34	H. Roder	Keying System.
1,977,595	10/16/34	H. Roder	Keying Circuit.
1,977,999	10/23/34	D. Prinz	Cathode Ray Oscillograph.
1,978,478	10/30/34	H. Roosenstein	Radio Receiver.
1,978,552	10/30/34	W. Runge	Automatic Volume Control.
1,978,693	10/30/34	J. Rohnfeld	Modulation.
1,978,818	10/30/34	H. Roosenstein	Frequency Stabilization.
1,981,066	11/20/34	M. Osnos	High Frequency Coupling Apparatus.
1,981,374	11/20/34	H. Roosenstein	Combined Long and Short Wave Receiver.
1,982,916	12/ 4/34	W. Kummerer	Transmitter.
1,983,643	12/11/34	H. Simon et al	Method of and Means for Operating Hot Cathode Tubes.
1,984,105	12/11/34	H. Zetzmann	Keying.
1,984,424	12/18/34	M. Osnos	Variably Tuned Piezo Electric Resonator.
1,984,433	12/18/34	W. Runge	Low Capacity Inductance Coil.
1,984,877	12/18/34	G. Jobst et al	Gaseous Discharge Amplifier Tube.
1,984,896	12/18/34	H. Rothe	Crystal Controlled Circuit.
1,984,897	12/18/34	H. Rothe	Electron Discharge Tube.
1,985,104	12/18/34	M. Osnos	Method of and Means for Varying Radio Frequency Currents.
1,985,923	1/ 1/35	H. Gutmann	Circuit Arrangement for Electronic Amplifiers.
1,987,088	1/ 8/35	L. Walter	High Frequency Cable.
1,987,089	1/ 8/35	L. Walter	Coupling System.
1,987,110	1/ 8/35	A. Karolus et al	Synchronizing System.
1,987,424	1/ 8/35	W. Wehnert	Filament for Thermionic Tube.
1,987,684	1/15/35	G. Jobst	Electron Discharge Device Circuit.
1,987,956	1/15/35	G. Jobst et al	Radio Receiver.
1,988,097	1/15/35	G. Von Arco	Frequency Multiplication.
1,988,434	1/22/35	O. Bohm et al	Antenna System.

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1,988,592	1/22/35	A. Gothe	Antenna.
1,988,605	1/22/35	F. Michelssen	Luminescent Screen.
1,989,971	2/ 5/35	C. Cretin	Film Checking Device for Synchronized Sound Pictures.
1,990,072	2/ 5/35	G. Hagen	Radio Receiver with Automatic Volume Control Switch.
1,990,649	2/12/35	W. Ilberg	Transmitting or Receiving arrangement for Concentrated Electric Waves.
1,992,433	2/26/35	E. Klotz	Receiving Volume Control.
1,993,185	3/ 5/35	F. Schroter	Photoelectric Tube.
1,993,783	3/12/35	K. Heegner	Oscillation Generator.
1,993,805	3/12/35	D. Prinz	Negative Resistance Circuits.
1,993,858	3/12/35	J. Richter et al	Braun Oscillograph.
1,994,076	3/12/35	W. Kuhle	Temperature Control.
1,994,228	3/12/35	M. Osnos	Temperature Control of Piezo Electric Crystal Apparatus.
1,994,229	3/12/35	M. Osnos	Piezo Electric Crystal Apparatus.
1,995,839	3/26/35	W. Buschbeck	Condenser Arrangement.
1,996,492	4/ 2/35	F. Schroter	Television Apparatus.
1,996,737	4/ 9/35	R. Bechmann	Quartz Oscillator Arrangement.
1,996,804	4/ 9/35	A. Gothe	Antenna Arrangement for the Reception of Short Electrical Waves.
1,996,823	4/ 9/35	M. Osnos	Self-Inductance.
1,997,014	4/ 9/35	D. Prinz	Wave Distorting Circuit.
1,997,019	4/ 9/35	J. Schloemilch	High Frequency Generator.
1,997,084	4/ 9/35	H. Roosenstein	Regenerative Tube Generator.
1,997,263	4/ 9/35	A. Meissner	Method of Manufacturing Thin Dielectric Materials for High Potential Work.
1,997,271	4/ 9/35	E. Zepler	Loop Receiver.
1,997,407	4/ 9/35	R. Hofer	Amplifier.
1,997,479	4/ 9/35	V. E. Burg	Photoconductive Device and Method of Making it.
1,998,482	4/23/35	E. Zepler	Circuit Scheme Adapted to Preclude Spurious Coupings in Radio Frequency Amplifiers.
1,999,234	4/30/35	G. B. Hagen	Cooling of High Potential Apparatus.
1,999,250	4/30/35	A. Mollath	Power Factor Meter for High Frequency Measurements.
1,999,473	4/30/35	M. Osnos	Temperature Regulating System.
1,999,892	4/30/35	W. Buschbeck	Modulation.
2,000,679	5/ 7/35	L. Walter	Flexible High Frequency Line.
2,000,770	5/ 7/35	E. Mayer	Modulation.
2,000,771	5/ 7/35	O. Bohm	Modulation.
2,000,986	5/14/35	E. Rechnitzer	Rectifier and Filter Circuit.
2,001,747	5/21/35	W. Runge	Receiving Apparatus.
2,001,891	5/21/35	H. Roosenstein	Modulation.
2,002,167	5/21/35	R. Bechmann	Quartz Crystal Oscillator.
2,002,181	5/21/35	W. Ilberg	Transmitter.
2,002,191	5/21/35	W. Runge	Oscillation Generator.
2,002,338	5/21/35	W. Buschbeck	Bridge Arrangement.
2,003,301	6/ 4/35	F. Michelssen et al	Electron Tube.
2,003,372	6/ 4/35	W. Kuhlewind	Directional Receiver.
2,003,375	6/ 4/35	A. Leib	Direction Finding Coil Antenna.
2,004,170	6/11/35	W. Moser et al	Crystal Holder.
2,004,171	6/11/35	H. Muth et al	Oscillation Generator.
2,004,176	6/11/35	F. Schroter et al	Photo Electric Tube.
2,004,177	6/11/35	O. Schriever	Light Amplifier.
2,005,779	6/25/35	A. Gothe	Directive Aerial System.
2,005,798	6/25/35	W. Moser	Directional Apparatus.
2,006,466	7/ 2/35	M. Osnos	Induction Coil.
2,006,806	7/ 2/35	G. B. Hagen	Rectifier Arrangement.
2,006,817	7/ 2/35	W. Voigtmann	High Potential Electric Condenser.
2,006,904	7/ 2/35	W. Runge et al	Arrangement for Generating High Power by Ultra Short Waves.
2,006,969	7/ 2/35	K. Steimel et al	Amplifying Device.
2,007,662	7/ 9/35	D. Prinz	Valve Transmitter for Short Waves.
2,007,875	7/ 9/35	H. Roosenstein	Transmitter Arrangement.
2,008,286	7/16/35	A. Leib	Circuit Connection for Ultra Short Waves.
2,008,505	7/16/35	G. Jobst	Thermionic Tube.
2,009,070	7/23/35	R. Rechnitzer	Power Supply Means for Vacuum Tubes.
2,009,071	7/23/35	F. Saar	Power Supply Circuit.
2,011,260	8/13/35	D. Prinz	Cathode Ray Intensity Control System.
2,011,376	8/13/35	H. Scharlau	Beacon System.
2,013,773	9/10/35	W. Weihe	Arrangement for Producing and Receiving Short Waves.
2,013,792	9/10/35	E. Schafer	Seamless Diaphragm.
2,013,806	9/19/35	M. Osnos	Frequency Multiplier.
2,014,509	9/17/35	H. Roosenstein et al	Radio Receiver.
2,014,852	9/17/35	A. Leib	Direction Finder Loop Aerial.
2,015,178	9/24/35	A. Frum	Method for the Stabilization of Electro-Magnetic Oscillations.
2,015,185	9/24/35	G. Jobst	Electron Tube Circuit Scheme.
2,015,189	9/24/35	M. Osnos	Modulation Circuit Arrangement.
2,015,498	9/24/35	F. Schroter et al	Glow Discharge Lamp.
2,015,523	9/24/35	W. Ilberg	Method of Generating Ultra-Radio Frequency Sound Modulated Oscillations.
2,015,836	10/ 1/35	R. Bechmann et al	Quartz Crystal Oscillator.
2,017,112	10/15/35	W. Wehnert	Amplifier.
2,017,127	10/15/35	F. Michelssen	Cathode Ray Scanning Device.
2,017,908	10/22/35	A. Leib	Direction Finding Apparatus.
2,017,909	10/22/35	A. Leib	Direction Finder.
2,018,273	10/22/35	H. Lux	Short Wave Reflector.
2,018,321	10/22/35	H. Roosenstein	Thermostatically Controlled Piezo-Electric Crystal Holder.
2,018,324	10/22/35	O. Schmidt	High Frequency Transmission Line.
2,018,329	10/22/35	K. Steimel	Electron Discharge Tube Circuit.
2,018,342	10/22/35	R. Bechmann	Antenna for Directed Rays.
2,018,353	10/22/35	A. Gothe	Transmission Tube.
2,019,765	11/ 5/35	M. Osnos	Frequency Stabilization.
2,019,770	11/ 5/35	D. Prinz	Vacuum Tube Arrangement and Circuit.
2,020,914	11/12/35	O. Schriever	Electrode Arrangement in Glow Discharge Tubes.
2,021,891	11/26/35	H. Hollmann	Double Receiver Tube for Ultra Short Waves.
2,022,412	11/26/35	L. Egyed	Detector Circuit.
2,023,436	12/10/35	D. Prinz	Arrangement for Producing Rectangular Alternating Currents.
2,023,439	12/10/35	R. Rechnitzer	Radio Receiving System.
2,023,446	12/10/35	F. Schroter	Signaling.
2,024,582	12/17/35	E. Klotz et al	Amplifying Arrangement.
2,025,104	12/24/35	R. Hermannspann	Radio Course Indicator.
2,025,955	12/31/35	M. Osnos	Modulation.
2,026,114	12/31/35	W. Wurst	Arrangement for Multiplex Radio Frequency Traffic Over High Potential Lines.
2,026,361	12/31/35	W. Runge	Receiver.
2,026,372	12/31/35	W. Buschbeck	Amplifier Arrangement.
2,026,382	12/31/35	A. Frum	Transmitter Control.
2,026,800	1/ 7/36	R. Rechnitzer	Receiver Circuit.
2,027,044	1/ 7/36	R. Hofer et al	Modulating Means.
2,027,193	1/ 7/36	H. Muth	Thermostat Arrangement.
2,027,935	1/14/36	F. Saar	Metallic Chassis for Electron Tube Amplifiers.
2,027,939	1/14/36	R. Urtel et al	Automatic Demodulator Sensitivity Control.
2,028,880	1/28/36	W. Runge et al	Radio Transmission System.
2,029,015	1/28/36	O. Bohm	Antenna.
2,029,391	2/ 4/36	H. Roosenstein	Electron Discharge Tube.
2,029,537	2/ 4/36	K. Lucas	Deformable Plate for Variable Condensers.
2,030,254	2/11/36	B. Hensel et al	Tube Socket.
2,030,872	2/18/36	H. Hollmann	Ultra Short Wave Receiver.
2,031,072	2/18/36	H. Roosenstein	Method of and Means for Signaling.
2,031,073	2/18/36	H. Scharlau	Direction Finder Compensator for Direct Reading of True Bearings.
2,031,101	2/18/36	E. Fetterowsky et al	Arrangement Adapted to Generate Ultra Short Electromagnetic Waves.
2,031,106	2/18/36	K. Heegner	Production of Oscillations.
2,031,112	2/18/36	W. E. Kuhle	Power Tube.
2,031,130	2/18/36	J. Rohnfeld	Short Wave-Long Wave Receiver.
2,031,137	2/18/36	K. Steimel	Electron Discharge Tube and Circuit Arrangement.
2,031,778	2/25/36	W. E. Kuhle et al	Magnetron.
2,031,846	2/25/36	H. Muth	Electric Oscillation Circuit.
2,031,859	2/25/36	C. Schapira	Acoustic Apparatus.
2,032,433	3/ 3/36	M. Osnos	Temperature Regulating System.
2,032,436	3/ 3/36	R. Rechnitzer	Recording Gain Regulation System.
2,033,390	3/10/36	W. Moser	Antenna System.
2,033,937	3/17/36	H. E. Hollmann	Receiver for Ultra Short Waves.
2,033,984	3/17/36	G. B. Hagen	Modulation Scheme for Barkhausen-Kurz Generators.
2,034,011	3/17/36	R. Urtel	Electron Tubes in a Retarding Field Circuit Arrangement.
2,034,520	3/17/36	A. Leib	Radio Receiver Arrangement for Landing Aircraft.
2,034,769	3/24/36	M. Osnos	Fading Elimination.
2,034,775	3/24/36	H. Roosenstein	Receiving System Adapted to Practice Secret Communication Method.
2,035,013	3/24/36	H. Roosenstein	Circuit Scheme for Suppression of Carrier Waves.
2,035,289	3/24/36	H. Bartels	Amplifier Circuits.
2,036,002	3/31/36	L. Walter	High Frequency Cable System.
2,036,203	4/ 7/36	H. G. Engel	Antenna and Lead-in Device.
2,036,456	4/ 7/36	W. Buschbeck	Variable Antenna Arrangement.
2,036,495	4/ 7/36	M. Pohontsch	Generator.
2,036,562	4/ 7/36	R. Bechmann	Ultra Short Wave Oscillation Generator.
2,036,719	4/ 7/36	D. Prinz et al	Arrangement for the Generation of Relaxation Waves.
2,036,833	4/ 7/36	A. Schmidt	Tuning Condenser Arrangement.
2,037,168	4/14/36	G. Jobst	Tube Construction and Circuit Arrangement.
2,037,258	4/14/36	P. Mueller	Radio Amplifier with Arrangement for Electro-Phonograph Reproduction.
2,037,267	4/14/36	R. Rechnitzer	Power Supply Network for Thermionic Tubes.
2,037,756	4/21/36	O. Bohm et al	Modulation System.
2,038,738	4/28/36	G. Jobst	Electron Discharge Tube.
2,038,744	4/28/36	H. Lissauer	Volume Control and Switching Device.
2,038,796	4/28/36	G. Leifer et al	Dial Arrangement for Broadcast Receivers.
2,038,804	4/28/36	H. Roosenstein	Piezo Electric Crystal Holder.
2,038,872	4/28/36	M. Osnos	Selective Radio Receiver.
2,039,113	4/28/36	R. Rechnitzer	Amplifier Circuits.

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2,039,139	4/28/36	J. Babler	Circuit Arrangement for Indirectly Heated Vacuum Tubes.
2,039,812	5/ 5/36	A. Leib et al	Signaling System.
2,040,967	5/19/36	K. Wilhelm	Automatic Volume Control.
2,042,506	6/ 2/36	H. Cohn	Electron Discharge Tube.
2,042,606	6/ 2/36	P. Kotowski	Variable Resistor Unit.
2,042,636	6/ 2/36	O. Schriever	Superheterodyne Circuit Arrangement.
2,042,864	6/ 2/36	D. Prinz et al	Ultra Short Wave Oscillation Generator.
2,042,939	6/ 2/36	P. Hermanspann	Signaling Device.
2,042,957	6/ 2/36	M. Osnos	Variable Condenser.
2,043,624	6/ 9/36	A. Leib	Method and Means for Direction Finding.
2,043,659	6/ 9/36	F. Herriger	Electron Discharge Device.
2,044,003	6/16/36	H. Hollmann	Electron Discharge Device Circuit.
2,044,100	6/16/36	R. Rechnitzer	Indicator.
2,045,656	6/30/36	G. Jobst et al	Electron Tube.
2,046,141	6/30/36	K. Wilhelm et al	Automatic Gain Control Circuit.
2,046,144	6/30/36	G. Anders	Automatic Gain Control Receiver.
2,046,473	7/ 7/36	A. Leib	Direction Finder Antenna.
2,046,476	7/ 7/36	A. Meissner	Dielectric Material
2,046,849	7/ 7/36	W. Runge et al	Antenna System.
2,046,850	7/ 7/36	W. Runge	Method of Marking Traveling Lanes by Means of Electro-Magnetic Waves.
2,047,204	7/14/36	H. Hollmann	Large Power Ultra Short Wave Generator.
2,047,381	7/14/36	A. Poggendorff	Electrodynamic Loudspeaker.
2,048,409	7/21/36	H. Rothe	Electron Discharge Tube.
2,048,726	7/28/36	O. Bohm	Transmitting Antenna for Obtaining Reduced High Angle Radiation.
2,048,739	7/28/36	H. Friedrich	Power Supply Circuit.
2,048,752	7/28/36	M. Osnos	Ultra Short Wave Conductor.
2,049,588	8/ 4/36	A. Leib	Submarine Antenna.
2,049,677	8/ 4/36	R. Urtel	Heterodyne Receiver.
2,050,628	8/11/36	D. Prinz	Cathode Ray Television System.
2,050,737	8/11/36	O. Schriever	Light Translating Apparatus.
2,050,808	8/11/36	H. Roosenstein	Tuning Indicator for Receiver Sets.
2,051,179	8/18/36	H. Rothe	Constant Control Gas Discharge Tube.
2,051,181	8/18/36	F. Saar	Tuning and Switch Device.
2,051,950	8/25/36	G. Jobst et al	Electron Discharge Tube.
2,051,966	8/25/36	W. Runge	Transmitter and Receiver.
2,052,686	9/ 1/36	J. Winkler	Multirange Regenerative Receiver.
2,052,712	9/ 1/36	G. Jobst	Electron Discharge Tube.
2,054,126	9/15/36	H. Hollmann	Magnetically Controlled Electron Discharge Device.
2,054,160	9/15/36	A. Leib	Directional Receiver.
2,054,423	9/15/36	G. Jobst et al	Discharge Tube.
2,054,452	9/15/36	K. Steimel	Electron Discharge Device.
2,054,658	9/15/36	M. Osnos	Temperature Regulating System.
2,054,659	9/15/36	M. Osnos	Electric Condenser.
2,054,799	9/22/36	W. Kautter	High Frequency Distribution System.
2,054,931	9/22/36	H. Engel et al	Scale or Dial Arrangement for Broadcast Receivers or the Like.
2,055,100	9/22/36	A. Gothe	Short Wave Antenna.
2,056,301	10/ 6/36	F. Schroter	Method of and Apparatus for Picture Transmission.
2,056,872	10/ 6/36	K. Steimel	Electron Discharge Device.
2,057,097	10/13/36	A. Hammer et al	Variable Electric Condenser.
2,057,115	10/13/36	H. Rothe	Supporting and Spacing Means for Electrodes in Discharge Tubes.
2,057,857	10/20/36	K. Steimel et al	Variable Gain Amplifier Arrangement.
2,057,998	10/20/36	O. Bohm	Vacuum Tube Circuits.
2,058,262	10/20/36	H. Roder	Method of Modulation.
2,058,482	10/27/36	F. Michelssen	Electron Tube.
2,058,636	10/27/36	F. Shroter	Picture Reproducing System.
2,058,829	10/27/36	H. Rothe	Means for operating an Electron Discharge Device.
2,058,921	10/27/36	K. Steimel	Thermionic Device.
2,058,972	10/27/36	H. Friedrich	Gain Control Circuits.
2,058,999	10/27/36	W. Kummerer	Transmitter Circuit Arrangement.
2,059,034	10/27/36	H. Roosenstein	Ohmic Resistance for High Frequencies.
2,059,283	11/ 3/36	F. Saar	Polarity Reverser.
2,059,581	11/ 3/36	H. Hollmann	Receiving Circuit.
2,059,587	11/ 3/36	E. Klotz et al	Oscillation Generator.
2,059,809	11/ 3/36	H. Rothe	Indirectly Heated Cathode.
2,059,810	11/ 3/36	H. Rothe	Discharge Tube.
2,060,142	11/10/36	R. Urtel et al	Demodulation Circuit.
2,060,216	11/10/36	W. Huber et al	Tuning Arrangement for Radio Receiving Sets.
2,061,387	11/17/36	D. Printz	Electron Discharge Tube.
2,061,733	11/24/36	G. Jobst	Thermionic Device.
2,061,740	11/24/36	R. Rechnitzer	Receiving Circuit for Broadcast Apparatus.
2,062,663	12/ 1/36	W. Kautter et al	Shielded Electron Discharge Device.
2,063,093	12/ 8/36	H. Gutman	Frequency Multiplier Circuits.
2,063,307	12/ 8/36	H. Gurtler	Wave Generation System.
2,064,112	12/15/36	P. Hermanspann	Antenna.
2,064,171	12/15/36	A. Leib	Directional System for Landing of Aircraft.
2,064,204	12/15/36	A. Gothe et al	Broadcast Antenna.
2,064,346	12/15/36	G. Jobst	Electron Discharge Device.
2,064,372	12/15/36	W. Bushbeck	Cooling Device.
2,064,981	12/22/36	M. Knoll	Braun Tube for Television Receiver Apparatus.
2,065,774	12/29/36	G. Von Arco et al	Electrical Music Transmission.
2,065,787	12/29/36	W. Berndt et al	Symmetrical Antenna for Short or Ultra-Short Electrical Waves.
2,065,826	12/29/36	H. Roosenstein et al	Signaling.
2,066,874	1/ 5/37	O. Bohm et al	Antenna.
2,067,156	1/ 5/37	H. Lux	Double Grid Electron Tube and Circuit.
2,067,330	1/12/37	F. Michelssen	Electron Device.
2,067,337	1/12/07	M. Polatzek	Antenna for Submarines.
2,067,536	1/12/37	E. Klotz	Regenerative Receiver Arrangement.
2,068,388	1/19/37	F. Schroter	Electron Tube in a Retarding Field Circuit.
2,069,337	2/ 2/37	K. Steimel	Multigrid Tube Regenerative Circuit.
2,069,868	2/ 9/37	O. Wohlfarth	Microphone Amplifier.
2,071,774	2/23/37	A. Spottel	Radio Control Device.
2,072,370	3/ 2/37	G. Jobst et al	Gas Discharge Tube with Control Cathode.
2,072,637	3/ 2/37	G. Jobst	Electron Discharge Tube.
2,072,638	3/ 2/37	G. Jobst	Electrode Mounting for Discharge Tubes.
2,072,651	3/ 2/37	F. Schroter et al	Electron Tube.
2,072,658	3/ 2/37	O. Von Bronk	Receiver Arrangement for Electric Picture Transmission.
2,072,973	3/ 9/37	K. Wilhelm	Quiet Automatic Volume Control System.
2,073,352	3/ 9/37	H. Schlarlau	Adjustable Direction Finder Chart.
2,073,701	3/16/37	E. Lazzarini	Time-Lag Cathode Circuit Arrangement.
2,074,447	3/23/37	H. Wunning	Control Device for Radio Receivers.
2,074,687	3/23/37	H. Feussner	Keying.
2,074,857	3/23/37	D. Prinz et al	Transmitter.
2,076,060	4/ 6/37	R. Bechmann et al	Piezoelectric crystal Holder.
2,076,289	4/ 6/37	R. Bechmann et al	Frequency Modulation.
2,076,351	4/ 6/37	H. Roosenstein	Modulation.
2,076,662	4/13/37	F. Michelssen	Electron Tube.
2,076,671	4/13/37	J. Richter et al	Incandescent Cathode.
2,076,674	4/13/37	F. Schroter	Television Apparatus.
2,076,731	4/13/37	E. Krueger	Centralized Radio System.
2,077,069	4/13/37	R. Rechnitzer	Radio Receiver.
2,077,139	4/13/37	H. Bartels et al	Automatic Gain Control Circuit.
2,077,204	4/13/37	R. Bechmann	Piezoelectric Oscillating Crystal.
2,078,234	4/27/37	W. Buschbeck	Variable Antenna Tuned to an Odd Number of Quarter Waves.
2,078,245	4/27/37	H. Hollmann	Modulation and Frequency Stabilization.
2,078,246	4/27/37	H. Hollmann	Short Wave Shield.
2,078,447	4/27/37	W. Grundler	Variable Condenser.
2,078,449	4/27/37	M. Knoll	Braun Cathode Ray Tube.
2,078,459	4/27/37	F. Schroter	Combined Television and Audio Broadcasting.
2,078,765	4/27/37	W. Kuhlewind	Direction Finding Receiver Circuit.
2,079,085	5/ 4/37	J. Richter	Electron Tube.
2,079,248	5/ 4/37	K. Fritz	Ultra High Frequency Magnetron Discharge Tube Circuit.
2,079,809	5/11/37	W. E. Kuhle et al	Electron Discharge Tube.
2,079,894	5/11/37	R. Bechmann et al	Piezoelectric Crystal Holder.
2,079,921	5/11/37	M. Osnos	Variable Condenser.
2,080,098	5/11/37	K. Steimel	Electron Discharge Tube.
2,080,571	5/18/37	H. Hollmann	Modulation Controlled Magnetron Oscillator.
2,080,572	5/18/37	H. Hollmann	Modulation System for Ultra-High Frequency Waves.
2,081,277	5/25/37	E. Klotz	Radio Receiver.
2,081,584	5/25/37	H. Hasse	Tuning System.
2,081,705	5/25/37	G. Jobst et al	Detector Circuit.
2,081,714	5/25/37	H. Rothe et al	Electron Discharge Device.
2,081,739	5/ 25/37	W. Dissier	Sensitivity Meter.
2,082,347	6/ 1/37	A. Leib et al	Radio Direction System.
2,082,860	6/ 8/37	L. Walter	High Frequency Cable.
2,083,105	6/ 8/37	R. Weber	Remote Control of Radio Apparatus.
2,083,242	6/ 8/37	W. Runge	Method of Direction Finding.
2,083,747	6/15/37	W. Runge	Signaling System.
2,084,762	6/22/37	W. Buschbeck et al	Transmitter Power Control.
2,084,836	6/22/37	W. Buschbeck	Alternating Current Meter.
2,084,867	6/22/37	D. Prinz et al	Magnetically Biased Electron Discharge Device.
2,084,913	6/22/37	A. Kauffeldt	Seal for Electron Discharge Devices.
2,085,022	6/29/37	H. Hollmann	Method of Tuning Receivers Operating on Potential Resonance.
2,085,226	6/29/37	W. Moser	Antenna System.
2,085,231	6/29/37	H. Rothe	Mechanical Mounting of Electrodes in Discharge Tubes.
2,085,232	6/29/37	H. Rothe	Resiliently Supported Electrode in Electron Discharge Device.
2,085,440	6/29/37	W. Moser et al	Volume Control Device.
2,085,798	7/ 6/37	E. Gerhard	Radio System for Locating Objects.
2,085,905	7/ 6/37	H. Friedrich	Circuit Arrangement for Regulating Transmission Measure in Sound Transmission Equipment.
2,086,229	7/ 6/37	P. Kotowski	Radio Receiving System.
2,086,271	7/ 6/37	G. Jobst et al	Electron Discharge Device.

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2,086,718	7/13/37	M. Kroll	Electron Tube.
2,086,742	7/13/37	H. Scharlau	Radio Receiving System.
2,087,737	7/20/37	W. Runge	Amplifier Circuit Organization, Especially for Short Waves
2,088,061	7/27/37	H. Hollmann	Amplifying Circuit Arrangement.
2,088,206	7/27/27	G. Jobst	Automatic Gain Control.
2,088,217	7/27/37	H. Roosenstein	Temperature Regulator.
2,088,231	7/27/37	H. Cohen	Amplifier Gain Control.
2,088,419	7/27/37	M. Knoll et al	Cathode Ray Tube.
2,088,439	7/27/37	H. Rothe	Impedance Regulating System.
2,088,653	8/ 3/37	H. Hollmann	Electron Tube and Circuit Therefor.
2,088,918	8/ 3/37	W. Moser	Control Type Thermostat.
2,089,039	8/ 3/37	F. Schroter	Relaxation Circuit.
2,089,260	8/10/37	H. Hollmann	Grid Detection Circuit for Wave Lengths Below One Decimeter.
2,089,667	8/10/37	O. Schriever	Method of Transmitting Half Tone Pictures by Telegraph.
2,089,781	8/10/37	W. Buschbeck	Keying.
2,090,004	8/17/37	W. Ilberg	Televisor Transmission System.
2,090,006	8/17/37	M. Knoll et al	Electron Discharge Tube.
2,090,051	8/17/37	G. Jobst et al	Single Tube Radio Receiver.
2,091,047	8/24/37	A. Kauffeldt	Electron Assembly.
2,092,069	9/ 7/37	H. Hollmann	Ultra-Short Wave Radio System.
2,092,804	9/14/37	G. Jobst	Screen Grid Electron Discharge Tube.
2,092,886	9/14/37	W. Kuhle	Electron Tube for Producing Ultra Short Waves.
2,092,991	9/14/37	A. Spottel	Tuning Device for Broadcast Receivers.
2,093,560	9/21/37	H. Hollmann	Automatic Volume Control Circuit.
2,093,561	9/21/37	H. Hollmann	Automatic Detector Gain Control Circuit.
2,093,563	9/21/37	E. Klotz	Arrangement for Connecting a Phonograph Pick-up Device with a Radio Receiving Set.
2,093,564	9/21/37	E. Klotz et al	Automatic Volume Control Circuit.
2,093,765	9/21/37	D. Prinz	Methods of Transmitting Messages by Means of Ultra Short Waves.
2,094,606	10/ 5/37	M. Knoll	Cathode Ray Tubes.
2,094,751	10/ 5/37	H. Roosenstein	Tuning Means for Receiver Sets.
2,095,079	10/ 5/37	H. Pitsch	Radio Receiver.
2,095,083	10/ 5/37	G. Renatus	Directional Antenna System.
2,095,371	10/12/37	J. Rohnfeld	Modulation.
2,095,376	10/12/37	R. Beehmann	Piezoelectric Oscillator Crystal.
2,096,156	10/19/37	F. Breyer	Electric Discharge Tube.
2,097,072	10/26/37	M. Lock	Transmitter Arrangement for Guiding Airplanes.
2,097,302	10/26/37	G. Passarge	Cathode for Discharge Devices.
2,097,306	10/26/37	H. Rothe et al	Discharge Tube with Beam Forming Grids.
2,097,765	11/ 2/37	E. Klotz	Regenerative Radio Receiver.
2,097,879	11/ 2/37	A. Hammer	Receiving Arrangement.
2,097,880	11/ 2/37	P. Hermanspann	Radio Receiving System.
2,097,902	11/ 2/37	R. Urtel	Detector Circuit.
2,097,918	11/ 2/37	K. Fritz	Magnetron Detector.
2,098,370	11/ 9/37	H. Bartels	Automatic Control of Amplification.
2,098,380	11/ 9/37	A. Engelmann et al	Gas Discharge Device.
2,098,393	11/ 9/37	E. Klotz et al	Coupling Arrangement.
2,098,597	11/ 9/37	F. Saar	Variable Condenser.
2,098,598	11/ 9/37	F. Schroter	Synchronizing System.
2,099,294	11/16/37	W. Buschbeck	Carrier Wave Modulation and Suppression.
2,099,300	11/16/37	K. Fritz	Oscillation Generator.
2,099,531	11/16/37	G. Passarge	Electron Discharge Device.
2,099,533	11/16/37	D. Prinz	Magnetron.
2,099,997	11/23/37	H. Benecke	Coil Body for Field Coils of Electro Dynamic Loudspeakers.
2,100,156	11/23/37	W. Buschbeck	Phase Modulation.
2,100,162	11/23/37	K. Fritz	Magnetron Discharge Tube Apparatus.
2,100,618	11/30/37	R. Urtel	Cathode Ray Apparatus.
2,101,137	12/ 7/37	K. Fritz	Wave Modulation.
2,101,153	12/ 7/37	H. Muth et al	Electrical Condenser.
2,101,436	12/ 7/37	A. Leib	Directive Signaling.
2,101,525	12/ 7/37	H. Bartels	Linear Amplifier Circuit.
2,101,688	12/ 7/37	R. Rechnitzer	Tone Control Device.
2,101,715	12/ 7/37	E. Klotz et al	Selective Circuit Arrangement.
2,102,150	12/14/37	A. Hammer	Diaphragm.
2,103,357	12/28/37	E. Gerhard	Ultra-Short Wave System.
2,103,358	12/28/37	A. Gothe	Method of Eliminating Re-radiation.
2,103,487	12/28/37	P. Muller	Rectifying and Filtering System.
2,103,498	12/28/37	K. Schroter	Photocell.
2,103,873	12/28/37	E. Severin et al	Variable Resistor Device.
2,104,541	1/ 4/38	H. E. Hollmann	Modulation System.
2,104,563	1/ 4/38	G. Kurlbaum	Temperature Regulation.
2,104,569	1/ 4/38	H. Muth	Variable Mechanical Means for an Oscillation Circuit.
2,104,816	1/11/38	H. Rothe	Electron Discharge Device.
2,105,081	1/11/38	G. Jobst et al	Amplifying Tube and Circuit.
2,106,159	1/25/38	W. Runge	Automobile Radio Apparatus.
2,106,250	1/25/38	M. Knoll	Television Receiver Tube.
2,107,025	2/ 1/38	W. Bushbeck et al	Electrical Coupling Arrangement.
2,107,037	2/ 1/38	H. Kippenberg et al	Radio Mounting Device.
2,107,408	2/ 8/38	W. Buschbeck	Method of Matching the Impedance of a Load to a Source of Power.
2,107,425	2/ 8/38	C. Protze	Monitor.
2,108,617	2/15/38	F. Schroter	Electron Tube.
2,109,321	2/22/38	F. Schroter	Television.
2,109,536	3/ 1/38	W. Keutter	Method of Stray Compensation in Tuned Antennas.
2,109,602	3/ 1/38	O. Weiss	Connection Device for Loudspeakers.
2,109,760	3/ 1/38	R. Urtel	Amplifier Circuit Scheme with Push-Pull Output.
2,110,179	3/ 8/38	A. Schmidt	Variable Condenser.
2,110,553	3/ 8/38	M. Knoll	Electron Tube.
2,110,763	3/ 8/38	E. Gerlach	Microphone.
2,110,911	3/15/38	M. Knoll et al	Electron Tube.
2,111,263	3/15/38	K. Fritz	Magnetron.
2,111,396	3/15/38	H. Hollmann	Ultra-Short Wave Circuit.
2,111,398	3/15/38	H. Kippenberg	Antenna Device.
2,111,595	3/22/38	L. Leng	Control Arrangement for Energy leads.
2,111,694	3/22/38	H. Schroder	Remote Control Mechanism.
2,111,778	3/22/38	H. Hollmann	Fading Elimination.
2,112,050	3/22/38	H. Rothe et al	Electron Discharge Device.
2,112,279	3/29/38	K. Hagenhaus	Automatic Gain Control Circuits.
2,112,282	3/29/38	K. Fritz	Ultra-Short Wave Antenna System.
2,112,283	3/29/38	K. Fritz	Direction Finding System.
2,112,301	3/29/38	W. Moser	Radiant Energy Guide Channel.
2,112,320	3/29/38	K. Wilhelm	Receiving System for Receiving a Wide Range of Frequencies.
2,112,547	3/29/38	K. Vogt	Antenna Counterpoise System.
2,112,956	4/ 5/38	E. Ebbinghausen	Receiving Circuit.
2,113,148	4/ 5/38	R. Weber	Amplifier.
2,114,154	4/12/38	K. Steimel	Receiver Tuning Indication Circuits.
2,114,332	4/12/38	R. Bruckner et al	Keying.
2,114,346	4/19/38	B. Hensel et al	Cathode Ray Tube.
2,114,688	4/19/38	O. Schriever	Television Apparatus.
2,115,070	4/26/38	H. Hollmann	Ultra Short Wave Resonance System.
2,115,129	4/26/38	E. Thienhaus	Loudspeaker.
2,115,373	4/26/38	M. Pohontach	Tube Charging Device.
2,115,521	4/26/38	K. Fritz et al	Magnetron.
2,115,787	5/ 3/38	W. Runge	Antenna.
2,115,788	5/ 3/38	H. Scharlau	Ultra-Short Wave System.
2,115,789	5/ 3/38	K. Schmid	Directional Antenna System.
2,115,854	5/ 3/38	R. Hofer	Push-Pull Amplifier.
2,115,866	5/ 3/38	H. Lux	Double Grid Electron Tube and Circuit.
2,115,871	5/ 3/38	H. Pitsch	Automatic Receiver Gain Control Circuits.
2,115,881	5/ 3/38	H. Roosenstein	Relay Circuits.
2,115,889	5/ 3/38	K. Steimel	Circuit Arrangement for Coupling Electron Tubes.
2,115,916	5/ 3/38	M. Osnos	Electric Condenser.
2,116,217	5/ 3/38	K. Schwarz	Visual Indicator for Tuning Means.
2,116,717	5/10/38	H. Scharlau	Distance and Direction Determining System.
2,116,719	5/10/38	W. Wehnert	Amplifier.
2,116,901	5/10/38	M. Knoll	Mosaic Electrode for Television Tubes.
2,117,858	5/17/38	A. Schleede et al	Screen Material.
2,118,115	5/24/38	F. Schroter	Television Apparatus.
2,118,419	5/24/38	H. Scharlau	Ultra-Short Wave Reflector.
2,119,115	5/31/38	J. Rohnfeld	Mica Condenser.
2,119,194	5/31/38	J. Babler	Modulation Meter.
2,119,315	5/31/38	W. Buschbeck	Neutralizing Circuit for Screen-Grid Tubes.
2,119,333	5/31/38	F. Kreinenfeld	Variable Coupling Device.
2,119,357	5/31/38	J. Schalkwijk	Oscillation Generator.
2,119,692	6/ 7/38	W. Voigt	Rod Antenna for Short Waves.
2,119,694	6/ 7/38	K. Wilhelm	Amplifier Tube Arrangement.
2,120,303	6/14/38	G. Ulibricht	Gain Control Device.
2,120,366	6/14/38	A. Leib et al	Direction Finder.
2,121,148	6/21/38	G. Hagen	Reactance Independent of Temperature.
2,121,356	6/21/38	M. Knoll	Electron Tube.
2,121,855	6/28/38	W. Buschbeck	Coupling High-Frequency Apparatus.
2,121,990	6/28/38	F. Schroter et al	Television.
2,122,562	7/ 5/38	W. F. Ewald	Tuning Indicator Circuit.
2,123,242	7/12/38	H. E. Hollmann	Ultra-Short Wave Receiver.
2,123,727	7/12/38	H. E. Hollmann	Modulation Circuit for Retarding Field Generators.
2,123,728	7/12/38	H. E. Hollmann	Magnetron.
2,123,968	7/19/38	H. O. Roosenstein	Power Supply System.
2,124,191	7/19/38	M. Geiger	Demodulation System in Superheterodyne Receiver.
2,124,404	7/19/38	F. Schroter	Television Scanning System.
2,124,719	7/26/38	R. Urtel	Electric Wave Generator.
2,125,953	8/ 9/38	R. Prochnow	Receiver of Telephonic or Telegraphic Signals.
2,126,027	8/ 9/38	H. Muth, et al	Electrical Condenser.
2,126,894	8/16/38	M. Knoll, et al	Indirectly Heated Cathode.
2,127,336	8/16/38	L. Leng	Change-Over or Switch Device for Radio Frequency Feed Leads.
2,128,395	8/30/38	W. Berndt, et al	Measuring Instrument.
2,128,553	8/30/38	H. Bartels	Variable Amplifier.

Patent No.	Patent date	Inventor	Title
2,128,561	8/30/38	P. Peeck et al	Radio Receiver Control.
2,128,639	8/30/38	K. Diels	Electronic Device.
2,128,750	8/30/38	W. Kriebel	Ultra-Short Wave Receiving Apparatus.
2,128,759	8/30/38	J. Riehter et al	Electron Tube.
2,129,078	9/ 6/38	E. Zepler	Automatic Volume Control Circuit.
2,129,287	9/ 6/38	R. Schienemann	Alternating Current Measuring Device.
2,129,293	9/ 6/38	R. Weber	Band-Pass Filter for Change of Wave.
2,129,852	9/13/38	A. Leib	Antenna for an Airplane with a Metallic Body.
2,130,002	9/13/38	K. Fritz	Magnetron Generator.
2,130,033	9/13/38	H. Scharlau	Directive Beam Radiator.
2,130,124	9/13/38	K. Fritz	Electron Discharge Device.
2,130,132	9/13/38	H. E. Hollmann	Magnetron.
2,130,280	9/13/38	M. Knoll	Electron Discharge Tube.
2,130,281	9/13/38	M. Knoll	Electron Discharge Tube.
2,130,389	9/20/38	A. Gothe	Antenna.
2,131,185	9/27/38	M. Knoll	Electrooptical Device.
2,131,443	9/27/38	W. Kummerer et al	Signaling.
2,131,563	9/27/38	M. Knoll	Cathode Ray Tube.
2,132,946	10/11/38	K. Fritz	Electron Discharge Device.
2,133,615	10/18/38	E. Gerhard	Ultra-Short Wave Receiving System.
2,134,094	10/25/38	R. Andrieu	Oscilliograph Device.
2,134,535	10/26/38	W. Runge	Distance Determining System.
2,134,794	11/ 1/38	H. Muth et al	Temperature Independent Oscillatory Circuits.
2,135,740	11/ 8/38	R. Urtel	Serrated Wave Form Generator.
2,135,953	11/ 8/38	R. Weber	Variable Resistance Bridge Circuit.
2,136,101	11/ 8/38	K. Fritz	Magnetron.
2,136,105	11/ 8/38	G. Jobst	Electron Discharge Device.
2,137,118	11/15/38	A. Schleede et al	Fluorescent Screen.
2,137,202	11/15/38	W. Federmann et al	Electron Tube.
2,137,265	11/22/38	W. Buschbeck	Circuit for Suppressing Disturbance Waves and Upper Harmonies.
2,137,411	11/22/38	M. Osnos	Electric Condenser.
2,138,138	11/29/38	R. Bruckner	Transmitter Circuit.
2,138,448	11/29/38	A. Gothe	Directional Landing Beam Transmitter.
2,138,898	12/ 6/38	H. Bartels	Push-Pull Amplifier.
2,138,900	12/ 6/38	W. Berndt et al	Short Wave Antenna System.
2,138,920	12/ 6/38	H. E. Hollmann	Secondary Emission Tube and Circuit.
2,139,432	12/ 6/38	R. Andrieu	Oscillation Producing System.
2,139,467	12/ 6/38	H. O. Roosenstein	Serrated Wave Form Generator.
2,139,683	12/13/38	M. Knoll	Cathode Ray Tube.
2,139,684	12/13/38	M. Knoll	Cathode Ray Tube.
2,139,820	12/13/38	M. Knoll	Cathode Ray Tube.
2,140,016	12/13/38	W. Kautter	Wave Meter.
2,140,769	12/20/38	R. Schienemann	Amplitude and Phase Modulation.
2,142,186	1/ 3/39	K. Fritz	Magnetron Modulation Method.
2,142,192	1/ 3/39	W. Ilberg	Modulation System for Magnetron Oscillators.
2,143,366	1/10/39	R. Andrieu	Serrated Wave Form Generator.
2,143,390	1/10/39	F. Schroter	Electron Tube.
2,143,540	1/10/39	W. Buschbeck	Resistance Coupled Amplifier.
2,143,915	1/17/39	G. Jobst	Indirectly Heated Cathode.
2,144,085	1/17/39	H. Rothe et al	Electron Discharge Tube.
2,144,222	1/17/39	H. E. Hollman	Electron Discharge Device.
2,144,325	1/17/39	R. Buchardt	Tuning Dial Arrangement.
2,144,349	1/17/39	K. Steimel et al	Amplifier Circuit.
2,144,370	1/17/39	E. Gerlach	Method of Cutting Bodies Soluble in Liquid.
2,144,509	1/17/39	G. Renatus	Circuit Arrangement for a Variable Electric Resistance.
2,145,836	1/24/39	H. L. Dietrich	Arrangement for Duplex Operation.
2,145,288	1/31/39	W. Beuermann	Direction Finder.
2,145,318	1/31/39	O. Bohm et al	Method of and Means for Influencing the Field of Sound.
2,141,676	1/31/39	W. Schenk et al	Loudspeaker Arrangement.
2,145,676	1/31/39	E. Zepler	Multiwave Range Receiver.
2,146,526	2/ 7 39	W. Buschbeck	Frequency Measurement Means.
2,146,769	2/14/39	O. Schriever et al	Separately Controlled Relaxation Oscillator.
2,146,994	2/14/39	F. Schroter et al	Television Screen.
2,146,229	2/14/39	R. Andrieu	Oscillation Producing System.
2,417,372	2/14/39	M. Knoll	Cathode Ray Tube.
2,148,114	2/21/39	K. Fritz	System for and Method of Modulating Magnetrons.
2,148,994	2/28/39	W. Mennerich	Receiving Apparatus Equipped with Several Loudspeakers.
2,149,001	2/28/39	O. Von Bronk	Television Transmitting and Receiving Apparatus.
2,149,175	2/28/39	L. Krugel	Radio Receiving System.
2,149,415	3/ 7/39	W. Berndt	Vertical Antenna.
2,150,752	3/14/39	R. Schienemann	Electrical Impulse Segregation Circuit.
2,151,070	3/21/39	H. Bartels	Amplification Control Circuit.
2,151,158	3/21/39	F. Schroter	Television Scanner.
2,151,323	3/21/39	H. E. Hollmann	Radio Apparatus for Determining Distance and Direction.
2,151,336	3/21/39	H. Scharlau	Radio Signaling Apparatus.
2,151,506	3/21/39	W. F. Ewald et al	Automatic Frequency Control Circuit.
2,151,765	3/28/39	H. E. Hollmann	Device for Generating Electrical Oscillations.
2,151,777	3/28/39	M. Knoll et al	Electron Optics.
2,151,789	3/28/39	F. Michelssen	Electron Tube.
2,152,035	3/28/39	K. Fritz et al	Wave Generation and Modulation.
2,152,329	3/28/39	K. Schussler	Duplex Communication Apparatus.
2,153,158	4/ 4/39	H. O. Roosenstein	Relaxation Circuit Arrangement.
2,153,172	4/ 4/39	W. Buschbeck	Transmitter Tube Circuit.
2,153,181	4/ 4/39	E. Gerhard et al	Ultra Short Wave Circuit.
2,153,190	4/ 4/39	H. E. Hollmann	Oscillator.
2,153,209	4/ 4/39	H. Scharlau	Method of and Means for Reducing Disturbances.
2,153,216	4/ 4/39	R. Urtel	Electron Tube System.
2,153,292	4/ 4/39	W. Berndt	Antenna.
2,153,616	4/11/39	K. Diels	Cathode Ray Tube Apparatus.
2,153,628	4/11/39	M. Knoll	Electron Tube.
2,153,643	4/11/39	H. O. Roosenstein et al	Cathode Ray Deflection Apparatus.
2,153,646	4/11/39	F. Schroter	Television Scanner
2,153,655	4/11/39	R. Urtel et al	Cathode Ray Tube Control Circuits.
2,153,752	4/11/39	R. Gurtler	Direct Current Amplifier Circuits.
2,153,782	4/11/39	R. Weber	Automatic Adjusting Means for Rotary Systems, Particularly Direction Finders.
2,154,705	4/18/39	R. Schultz	Loudspeaker Support.
2,155,163	4/18/39	E. Gerlach	Reflector Microphone.
2,155,509	4/25/39	F. Schroter	Electro-Optical Signaling.
2,155,652	4/25/39	A. Gothe et al	Arrangement for Coupling High Frequency Circuits.
2,156,435	5/ 2/39	F. Schroter et al	Cathode Ray Tube.
2,156,653	5/ 2/39	W. Ilberg	Ultra-Short Wave System.
2,156,659	5/ 2/39	R. Urtel	Amplifier Device.
2,156,915	5/ 2/39	M. Knoll	Arrangement for Reflecting of Cathode Rays.
2,156,932	5/ 2/39	R. Urtel	Signaling System.
2,157,523	5/ 9/39	W. Buschbeck	Coupling Device.
2,157,529	5/ 9/39	P. Drewell et al	Relaxation Oscillator.
2,157,533	5/ 9/39	M. Gelger	Oscillator.
2,157,576	5/ 9/39	W. Schneider	Arrangement of Oscillation Crystals.
2,157,582	5/ 9/39	K. Wilhelm	Aperiodic Coupling Device.
2,157,665	5/ 9/39	H. E. Hollmann	Crystal Mounting with Temperature Compensation.
2,157,677	5/ 9/39	W. Runge	Receiver for Observing Two Different Signals.
2,157,715	5/ 9/39	E. M. Meggenhofen	Electrical Condenser.
2,157,720	5/ 9/39	E. Severin	Microphone.
2,158,114	5/16/39	K. Fritz	Ultra-High Frequency Multiplier.
2,158,156	5/16/39	H. Schroter	Ball Bearing and Balls of Ceramic Material.
2,158,261	5/16/39	R. Urtel et al	Television Receiver Operating Level Control.
2,158,271	5/16/39	W. Buschbeck	Short Wave Antenna.
2,158,314	5/16/39	N. Von Korschenewsky	Cathode Ray Tube.
2,158,376	5/16/39	W. Moser et al	Antenna System.
2,158,662	5/16/39	P. Kotowski et al	Secret Telephony
2,159,478	5/23/39	E. Gerhard	Magnetron System for Simultaneous Transmission and Reception.
2,159,731	5/23/39	W. Buschbeck et al	Neutralizing High Frequency Push-Pull Amplifiers.
2,159,753	5/23/39	K. Steimel	Receiver Noise Quieting Circuits.
2,159,767	5/23/39	G. Liebich	Electron Discharge Device.
2,159,792	5/23/39	M. Geiger	Relaxation Oscillation Generator.
2,159,803	5/23/39	E. Klotz	Automatic Volume Control Receiver.
2,159,970	5/30/39	F. Kreienfeld	Radio Receiver.
2,160,088	5/30/39	W. Runge	Band Pass Filter.
2,160,135	5/30/39	K. Fritz	Direction Finding System.
2,160,853	6/ 6/39	E. Gerhard et al	Reflector Arrangement.
2,160,857	6/ 6/39	A. Gothe	High Frequency System.
2,160,913	6/ 6/39	H. Scharlau et al	Relaying.
2,161,315	6/ 6/39	R. Rechnitzer	Filter Network for Radio Receivers.
2,161,318	6/ 6/39	A. Sauerland	Magnetic System for Dynamic Loudspeakers.
2,161,860	6/13/39	E. Gentsch	Means to Secure Electrical Lines to a Support.
2,161,977	6/13/39	H. O. Roosenstein	Cathode Ray Reflection Apparatus.
2,161,980	6/13/39	W. Runge et al	Elastically Oscillating Oscillator.
2,162,239	6/13/39	W. Beuermann	Electric Indicating Device.
2,162,470	6/13/39	W. Kautter	Regenerative Circuit Arrangement.
2,162,807	6/20/39	K. Fritz	Magnetron.
2,162,875	6/20/39	H. Bartels et al	Dynamic Expansion Circuit.
2,162,976	6/20/39	F. Schroter	Circuit and Series Resistance for Indirectly Heated Cathodes.
2,163,266	6/20/39	B. Bartels	Double Mosaic Screen.
2,163,582	6/27/39	W. Bushbeck	Short Wave Transmitter.
2,163,707	6/27/39	G. Schaffstein	Wide Band Modulation.
2,163,743	6/27/39	W. Berndt	Antenna.
2,163,770	6/27/39	R. Von Radinger	Antenna.
2,164,891	7/ 4/39	R. Andrieu	Electromagnetic Cathode Ray Deflection Apparatus.
2,164,899	7/ 4/39	W. Buschbeck	Wide Band Amplifier.
2,164,922	7/ 4/39	H. E. Hollmann	Cross Field Control Tube.
2,164,968	7/ 4/39	R. Urtel et al	Saw Tooth Wave Form Generator.
2,164,979	7/ 4/39	K. Wilhelm	Tuning Indicator Circuit.
2,165,304	7/11/39	W. Runge et al	Radio Receiver.
2,165,726	7/11/39	H. Pigge	Means for Detecting and Measuring Ultra Short Wave Oscillations.

Patent No.	Patent date	Inventor	Title
2,165,764	7/11/39	H. Pitsch	Demodulator.
2,165,781	7/11/39	E. Brandt	Loudspeaker System.
2,165,836	7/11/39	W. Buschbeck	Modulation Meter.
2,165,847	7/11/39	E. Gerhard	Method of Modulating Ultra Short Waves.
2,165,848	7/11/39	A. Gothe et al	Protection of High Frequency Lines.
2,166,124	7/18/39	F. Breyer	Method of Detecting High Frequency Oscillations.
2,166,210	7/18/39	K. Fritz	Magnetron Discharge Tube for Frequency Multiplication.
2,167,033	7/25/39	H Rothe et al	Demodulating Device.
2,167,461	7/25/39	H. Muth	Telegraphy.
2,167,462	7/25/39	R. Rechnitzer	Variable Electric Fliter.
2,168,251	8/ 1/39	R. Urtel	Synchronizing System.
2,168,403	8/ 8/39	M. Geiger	Saw Tooth Wave Generator.
2,168,860	8/ 8/39	W. Berndt	Variable Length Antenna.
2,169,019	8/ 8/39	O. Bohm et al	Modulation Circuit.
2,169,352	8/15/39	W. Buschbeck	Short Wave Communication Circuit.
2,169,358	8/15/39	H. E. Hollmann	Receiver for Ultra-Short Waves.
2,169,377	8/15/39	L. Walter	Antenna.
2,169,714	8/15/39	R. Urtel	Black Spot Correcting Means.
2,169,725	8/15/39	K. Fritz	Magnetron Discharge Tube Oscillator and Frequency Multiplier.
2,169,742	8/15/39	H. Scharlau	Receiving Apparatus for Direction Finding.
2,169,883	8/15/39	G. Paffrath	Television and Sound Receiver.
2,170,219	8/22/39	R. Seiler	Ultra-High Frequency Oscillator.
2,170,653	8/22/39	W. Buschbeck	Electron Discharge Tube for Ultra-High Frequency Systems.
2,170,849	8/29/39	W. Berndt	Vertical Antenna.
2,170,860	8/29/39	P. Hermanspann	Direction Finder.
2,171,151	8/29/39	R. Urtel	Circuit for Amplitude Modulation Carrier Wave.
2,171,212	8/29/39	H. E. Hollmann	Electron Discharge Device.
2,171,215	8/29/39	A. Kauffeldt	Gaseous Discharge Tube.
2,171,231	8/29/39	W. Brauuschweig	Electric Condenser.
2,171,638	9/ 5/39	E. Zepler	Automatic Volume Control.
2,171,649	9/ 5/39	W. F. Ewald et al	Automatic Frequency Control Circuits.
2,171,657	9/ 5/39	E. Klotz	Delayed Automatic Volume Control Circuit.
2,172,733	9/12/39	E. Federman et al	Deflection Coil.
2,172,735	9/12/39	M. Knoll	Electrical Lens.
2,172,775	9/12/39	H. D. Schmidt Ott et al	Optical System.
2,173,252	9/19/39	K. Fritz	Magnetron.
2,173,643	9/19/39	W. Moser	Radio Frequency Cable Terminal.
2,173,918	9/26/39	K. Schmid et al	Multiple Beam Radio Beacon.
2,173,925	9/26/39	O. Tuxen	Noise Reduction Circuit.
2,175,263	10/10/39	H. E. Hollmann	Detector.
2,175,335	10/10/39	R. Andrieu	Television Synchronizing Circuits.
2,175,573	10/10/39	F. Schroter	Electron Beam Converter.
2,176,190	10/17/39	F. Schroter	Television Scanning Apparatus.
2,176,451	10/17/39	W. Berndt	Variable Capacitive Voltage Divider.
2,176,589	10/17/39	H. E. Hollmann	Electron Beam Tube.
2,176,948	10/24/39	R. Andrieu	Synchronizing System.
2,177,050	10/24/39	H. Barteis	Automatic Control of Amplification.
2,177,061	10/24/39	E. Gerhard	Object Detecting System.
2,177,065	10/24/39	H. E. Hollmann	Modulation Arrangement for Magnetron Transmitter.
2,177,841	10/31/39	F. Schiigen	Means for Converting Direct Current into Alternating Current.
2,177,850	10/31/39	G. Vogt et al	Remote Control Means.
2,178,074	10/31/39	P. Jakel et al	Electrical Measuring System.
2,178,226	19/31/39	K. Diels	Method of Making Flat Bottom Cathode Ray Tubes.
2,178,340	10/31/39	M. Geiger	Wave Form Modifying Circuit.
2,178,374	10/31/39	H. Knobiaugh et al	Cathode Ray Image Scanner with Magnetic Deflection of Scanning Ray.
2,179,928	11/14/39	K. Hagenhaus	Receiver Gain Control Circuits.
2,180,710	11/21/39	M. Knoll et al	Cathode Ray Tube Screen.
2,180,957	11/21/39	H. E. Hollmann	Electronic Device.
2,180,958	11/21/39	H. E. Hollmann	Electronic System.
2,181,171	11/28/39	W. Buschbeck	Antenna.
2,181,181	11/28/39	E. Gerhard	Short Wave Reflector.
2,181,309	11/28/39	R. Andrieu	Electrical Impulse Segregation Circuit.
2,181,328	11/28/39	D. Hermann	Electrical Wave Generator.
2,181,568	11/28/39	P. Kotowski et al	Impulse of Pulse Transmitter.
2,182,326	12/ 5/39	R. Urtel	Television Receiving Apparatus.
2,182,352	12/ 5/39	R. Prochnow	Tuning Arrangement with Selective Setting or Predetermined Frequencies.
2,182,555	12/ 5/39	M. Geiger	Saw Tooth Wave Generator.
2,182,608	12/ 5/39	R. Andrieu	Saw Tooth Wave Generator.
2,182,881	12/12/39	H. O. Roosenstein et al	Cathode for Cathode Ray Tube.
2,182,960	12/12/39	W. Buschbeck	Neutralized High Frequency Amplifier.
2,183,260	12/12/39	R. Hofer	Phase Displacement Detector.
2,183,632	12/19/39	K. Wilhelm	Capacitive Coupling Arrangement.
2,183,707	12/19/39	W. Buschbeck	Resistance Coupled Amplifier.
2,183,714	12/19/39	E. Franke et al	Interference Eliminator.
2,183,723	12/19/39	E. Paschke	Tuning Means of Communication or Signal.
2,183,724	12/19/39	H. Schroder	Remote Control Device.
2,183,748	12/19/39	F. Kreienfeld	Amplifier Device.
2,184,771	12/26/39	H. O. Roosenstein	Antenna Coupling Means.
2,184,955	12/26/39	E. Gerlach	Grinding and Polishing Machine.
2,185,609	1/ 2/40	F. Schroter	Cathode Ray Tube for Television Picture Scanning.
2,185,874	1/ 2/40	R. Urtel	Arrangement for Amplitude Modulation.
2,187,014	1/16/40	W. Buschbeck	Antenna Transformer.
2,187,575	1/16/40	H. Schroder	Antenna Winch for Aircraft.
2,187,584	1/16/40	A. Gothe	High Frequency Energy Line.
2,187,588	1/16/40	A. Lelb	Direction Finder Compensator.
2,187,618	1/16/40	E. Gerhard	Radio Beacon System.
2,187,775	1/23/40	K. Fritz	Push-Pull Tube Arrangement.
2,188,062	1/23/40	H. Schroder	Antenna Winch.
2,188,661	1/30/40	M. Knoll	Electronic Device.
2,189,283	2/ 6/40	K. Franz	Beacon Aerial.
2,189,284	2/ 6/40	K. Franz	Adjustable Two Pole Capacitive Coupler.
2,189,315	2/ 6/40	A. Karolus	Television Receiver.
2,189,351	2/ 6/40	F. Schroter	Television Transmission.
2,189,517	2/ 6/40	A. Gothe	Radio Gonlometer.
2,189,584	2/ 6/40	H. E. Hollmann	Transmitter.
2,190,436	2/13/40	H. W. Steinhausen	Receiver Arrangement.
2,190,717	2/20/40	R. Kummich et al	Radio Direction Finder.
2,191,515	2/27/40	O. Von Bronk	Color Television.
2,191,634	2/27/40	R. Urtel	Rectifier.
2,192,306	3/ 5/40	W. Graffunder	Ultra Short Wave Tube Circuit.
2,192,975	3/12/40	P. Kotowski et al	Method of Sending and Receiving Radio Frequency Impulses.
2,193,101	3/12/40	M. Knoll	Electrode Structure.
2,193,859	3/19/40	W. Buschbeck	Ultra Short Wave Antenna.
2,193,868	3/19/40	M. Geiger	Circuit Arrangement for Producing an Impulse Series.
2,194,456	3/19/40	H. O. Roosenstein et al	Signaling Apparatus.
2,194,676	3/26/40	W. Schneider	Piezoelectric Oscillator.
2,195,103	3/26/40	R. Urtel	Television System.
2,195,455	4/ 2/40	H. E. Hollmann	Electronic System.
2,195,456	4/ 2/40	H. E. Hollmann	Electronic Device.
2,195,460	4/ 2/40	M. Knoll et al	Cathode Ray Tube.
2,195,470	4/ 2/40	H. O. Roosenstein et al	Cathode Ray Tube Deflection System.
2,196,130	4/ 2/40	R. Urtel	Cathode Ray Picture Scanner.
2,196,825	4/ 9/40	M. Geiger	Oscillator.
2,196,845	4/ 9/40	R. Andrieu	Oscilliograph Circuit.
2,197,033	4/16/40	K. Diels	Electron Device.
2,197,329	4/16/40	R. Andrieu	Electrodynamic Loudspeaker More Especially for Television Receiver with Braun Tube.
2,197,338	4/16/40	K. Fritz	Electromagnetic Microwave System.
2,197,346	4/16/40	H. Pitsch	Detector Amplifier Circuit Arrangement.
2,197,353	4/16/40	G. Uibright et al	Impulse Receiving System for Direction Finders.
2,197,691	4/16/40	E. Gerlach	Microphone Arrangement.
2,198,334	4/23/40	K. Fritz	Electron Discharge Device.
2,200,048	5/ 7/40	R. Urtel	Television System.
2,201,022	5/14/40	H. Barteis et al	Control of Audio Frequency Transmission.
2,201,337	5/21/40	E. Franke	Circuit Arrangement for Reducing Interference.
2,201,563	5/21/40	H. Pfister	Regulation of Sound in Low Frequency Circuits.
2,201,565	5/21/40	G. Uibright	Guide Ray or Beacon Course Method.
2,201,587	5/21/40	G. Krawinkel	Electron Discharge Device System.
2,201,666	5/21/40	H. E. Hollmann	Magnetron.
2,201,807	5/21/40	W. Berndt	Direction Finder Loop.
2,202,368	5/28/40	W. Berndt	Loop Antenna.
2,202,380	5/28/40	H. E. Hollmann	Confined or Space Resonance Antenna.
2,202,511	5/28/40	R. Andrieu	Black Spot Compensation Apparatus.
2,202,527	5/28/40	A. Karolus et al	Cathode Ray Switch.
2,202,589	5/28/40	H. Kohler	Adjustable Support for Electrical Apparatus.
2,202,605	5/28/40	F. Schroter	Television System.
2,202,612	5/28/40	R. Urtel	Electron Beam Control System.
2,202,613	5/28/40	R. Urtel	Television Transmission Apparatus.
2,202,614	5/28/40	M. Abrahamsohn	Cathode Ray Transmitting Tube.
2,203,467	6/ 4/40	A. Leifer	Arrangement for Converting Direct Current into Alternating Current.
2,203,487	6/ 4/40	R. Burgholz	Superheterodyne Receiver.
2,203,715	6/11/40	H. Benecke	Loud Speaker Arrangement.
2,203,736	6/11/40	W. Mahnken	Tuning Control for Radio Receivers.
2,203,865	6/11/40	M. Geiger	Signaling System.
2,204,058	6/11/40	R. Urtel	Signaling System.
2,204,061	6/11/40	R. Andrieu	Modulator Circuit.
2,204,180	6/11/40	E. Gerlach	Apparatus for Cultivating Crystals.
2,204,973	6/18/40	J. Steinmetz	Automatic Volume Control Circuits.
2,205,075	6/18/40	K. Wilhelm	Variable Width Band Pass Filter.
2,205,475	6/25/40	H. E. Hollmann	Ultra High Frequency Receiver.
2,205,504	6/25/40	R. Urtel	Signaling Circuit.
2,205,582	6/25/40	K. Steimel	Method of Sealing Glass.
2,205,852	6/25/40	H. E. Hollmann	Short Wave Resonant Circuit.

Patent No.	Patent date	Inventor	Title
2,205,866	6/25/40	G. Schweitzer	Capacitive Radio Frequency Voltage Divider.
2,205,873	6/25/40	W. Buschbeck	Method of Measuring Power on High Frequency Energy Lines.
2,205,874	6/25/40	W. Buschbeck	Arrangement for Matching a High Frequency Radiator To a Transmission Line.
2,205,881	6/25/40	K. Franz	Antenna Supervisory System.
2,206,096	7/ 2/40	E. Klotz	Band Pass Filter Arrangement.
2,206,668	7/ 2/40	H. E. Hollmann	Electronic Device.
2,207,511	7/ 9/40	M. Geiger	Oscillation Generator.
2,207,788	7/16/40	B. Elchholz	Neutralized Amplifier.
2,207,886	7/16/40	B. Johannesson	Noise Reduction Circuit.
2,208,349	7/16/40	G. Ulbright	Direction Finder.
2,208,933	7/23/40	E. Lowenhaupt	Battery Eliminator.
2,210,381	8/ 6/40	R. Rechnitzer	Automatic Control of Band Width in Band Pass Filters.
2,210,410	8/ 6/40	F. Johnske et al	Compensator for Radio Direction Finders.
2,210,987	8/13/40	F. Schroter	Cathode Ray Tube.
2,210,992	8/13/40	R. Urtel	Television Scanning Apparatus.
2,211,132	8/13/40	P. Kotowski et al	Method of Transmitting Secret Messages.
2,211,852	8/20/40	M. Geiger	Blocking Oscillator Apparatus.
2,211,939	8/20/40	K. Stelmel et al	Modulation System.
2,212,110	8/20/40	W. Beuermann	Radio Beacon System.
2,212,249	8/20/40	F. Schroter	Electronic Device.
2,212,829	8/27/40	E. Gerlach	Switch with Visible Indicating Means.
2,214,627	9/10/40	H. Rothe et al	Variable Band Width Amplifier.
2,216,112	10/ 1/40	W. Ilberg	Magnetron Discharge Tube Circuit.
2,216,168	10/ 1/40	M. Geiger	Distortion Correction Circuits.
2,216,176	10/ 1/40	H. E. Hollmann	Oscillatory Circuit.
2,216,454	10/ 1/40	H. Pfister	Voltage Range Control Circuits.
2,216,940	10/ 8/40	K. Fritz	Modulation.
2,216,950	10/ 8/40	R. Kummich	Direction Finder.
2,217,297	10/ 8/40	L. Siegert	Amplifier Circuits.
2,217,321	10/ 8/40	W. Runge et al	Beam Antenna.
2,217,396	10/ 8/40	R. Andrieu	Circuit Arrangement in Television Receivers.
2,218,094	10/15/40	H. Pitsch	Receiver or Amplifier with Means for Saving Current at Lower Volume.
2,218,095	10/15/40	H. Pitsch et al	Volume Control in Receiver Sets.
2,218,101	10/15/40	T. Tillmann	Receiver or Amplifier.
2,218,361	10/15/40	W. Runge et al	Direction Finder.
2,218,389	10/15/40	A. Warmbier	Electroacoustic Megaphone.
2,218,636	10/22/40	R. Bruckner	Radio Transmitter Synchronization.
2,218,658	10/22/40	W. Runge	Radio Beacon System.
2,218,707	10/22/40	K. Franz	Antenna Array.
2,219,449	10/29/40	R. Hofer et al	Modulation.
2,219,506	10/29/40	K. Stelmel et al	Tuning Indicator Circuit.
2,219,653	10/29/40	L. Krugel	Transmission Line.
2,220,158	11/ 5/40	H. Kohler	Electrical Connector.
2,220,183	11/ 5/40	G. Ulbricht	Impulse Direction Finder.
2,220,688	11/ 5/40	F. Schroter et al	Arrangement for Receiving Television Images.
2,220,964	11/12/40	H. Knoblauch et al	Television Transmitter Tube.
2,221,069	11/12/40	R. Andrieu	Saw Tooth Wave Generator.
2,222,169	11/19/40	W. Buschbeck et al	Short-Wave Tuning.
2,222,414	11/19/40	H. Kudal	Projection System.
2,222,423	11/19/40	E. Rahn et al	Neutralized Amplifier Circuit.
2,222,784	11/26/40	F. Schierl	Protection Circuit.
2,223,173	11/26/40	W. Haase	Noninductive Condenser.
2,223,198	11/26/40	E. Zittrich et al	Flexible High Voltage Line.
2,223,995	12/ 3/40	P. Kotowski	Impulse Reception.
2,224,200	12/10/40	R. Schienemann	Circuit for Amplifying Carrier Frequencie.
2,224,207	12/10/40	K. Wilhelm	Receiver Circuit Arrangement.
2,225,300	12/17/40	M. Geiger	Saw Tooth Generator.
2,226,379	12/24/40	R. Kummich et al	Direction Finder.
2,226,694	12/31/40	W. Buschbeck	Neutralization Circuit for Short Wave Transmitters.
2,227,045	12/31/40	R. Urtel	Television System.
2,227,053	12/31/40	R. Andrieu et al	Magnetic Coil for Deviating Cathode Rays.
2,227,088	12/31/40	H. E. Hollmann	Directional Antenna System.
2,227,108	12/31/40	H. O. Roosenstein	Signalling System.
2,227,480	1/ 7/41	R. Andrieu	Energy Generator for Cathode Ray Deflection Means.
2,227,513	1/ 7/41	H. O. Roosenstein et al	Saw Tooth Wave Generator.
2,229,461	1/21/41	R. Kummich	Coil Coupling for Goniometers.
2,230,554	2/ 4/41	K. Wilhelm	Multiband Radio Receiver.
2,230,557	2/ 4/41	D. Babik et al	Multiband Superheterodyne Receiver.
2,231,159	2/11/41	E. Gerlach	Piezoelectric Device.
2,231,372	2/11/41	H. Rothe et al	Amplifier Tube Arrangement.
2,233,261	2/25/41	H. E. Hollmann	Magnetron Discharge Tube and Method of Operating the Same.
2,233,770	3/ 4/41	K. Fritz	Electron Discharge Device.
2,234,334	3/11/41	K. Dziewior	Impulse Method of Direction Finding.
2,234,654	3/11/41	W. Runge	Direction Finder.
2,235,053	3/18/41	R. Urtel	Cathode Ray Control Apparatus.
2,235,198	3/18/41	W. Buschbeck	Anode Neutralizing Circuit for Short Waves.
2,237,425	4/ 8/41	M. Geiger et al	Saw Tooth Wave Generator.
2,237,448	4/ 8/41	W. Reinhard	Overload Protection for Dynamic Loud Speakers.
2,237,765	4/ 8/41	W. Moser	Antenna.
2,237,895	4/ 8/41	G. Ulbricht	Impulse Direction Finding Receiver.
2,238,129	4/15/41	H. E. Paul	Directional Radio Receiver.
2,238,763	4/15/41	J. Winkler	Arrangement for Variable Adjustment of Band Width.
2,239,748	4/29/41	R. Urtel	Television Scanning Apparatus.
2,239,909	4/29/41	W. Buschbeck et al	Antenna and Coaxial Transmission Line Circuit.
2,240,136	4/29/41	M. Geiger	Signaling Apparatus.
2,240,580	5/ 6/41	E. Severin	Coupled Amplifier Cascade.
2,241,170	5/ 6/41	G. Ulbricht	Method for Receiving Periodic Impulses.
2,245,149	6/10/41	A. Leifer	Converter.
2,245,150	6/10/41	F. E. Lutz	Controlling Arrangement for Setting Organs.
2,248,476	7/ 8/41	W. Kleen	Amplifier Circuit for Frequency Band Expansion.
2,248,763	7/ 8/41	F. Krelenfeld	Receiver with Control of Selectivity through Variation of the Coupling.
2,249,414	7/15/41	F. Bihl et al	Iron Goniometer.
2,250,526	7/29/41	E. Franke	Oscillator Control Circuit.
2,250,708	7/29/41	F. Herz	Time Interval Measuring Means.
2,252,447	8/12/41	G. Ulbricht	Impulse Direction-Finding Method.
2,253,654	8/26/41	H. Schroder	System for Remotely Controlling Regulators.
2,254,025	8/26/41	R. Andrieu	Saw Tooth Wave Generator.
2,254,122	8/26/41	A. Schone et al	Tone Control Device.
2,254,344	9/ 2/41	R. Andrieu	Sawtooth Wave Generator.
2,256,090	9/16/41	W. Ilberg et al	Method and Means for Guiding Aircraft.
2,256,202	9/16/41	R. Hofer	Modulation.
2,258,283	10/ 7/41	R. Held	Disturbance Suppression Arrangement.
2,265,397	12/ 9/41	H. Rothe	Mixing Tube Circuit Arrangement.
2,265,988	12/16/41	R. Andrieu	Circuit. Electrical Impulse Segregation.
2,266,013	12/16/41	P. Ehlert	Clip for Radio Frequency Coils.
2,267,371	12/23/41	W. Buschbeck	Feeder Network.
2,270,169	1/13/42	P. Muller	Short Wave Electron Condenser.
2,270,773	1/20/42	T. Sonnentag	Impulse Direction Finder.

EXHIBIT B

Patents the titles to which stand of record in the United States Patent Office in the name of Daimler-Benz Aktiengesellschaft, and which are identified respectively as follows:

Patent No.	Patent date	Inventor	Title
Reissue 21,091	5/16/39	M. Wagner	Power Driven Vehicle.
1,548,551	8/ 4/25	F. Porsche	Switching Mechanism in Connection with Motor Cars.
1,550,429	8/18/25	Paul Daimler	Change Speed Mechanisms.
1,555,421	9/29/25	L'Orange & Geutzen	Internal Combustion Engine.
1,557,325	10/13/25	F. Porsche	Steering Wheel Brake Mechanism for Motor Vehicle.
1,576,831	3/16/26	Hanns Klemm	Locking Device for Window Wings, Doors and the like.
1,589,789	6/22/26	Paul Daimler	Regulating Mechanism for Combustion Engines.
1,592,311	7/13/26	F. Porsche	Method of & Self-Ignition with Internal Combustion Engines.
1,603,697	10/19/26	H. Klemm	Aeroplanes.
1,610,881	12/14/26	A. Reinsch	Tilting Mechanism for Load Cars.
1,617,501	2/15/27	W. Schwerdtfeger	Device for Feeding the Fuel in Combustion Engines with Compressor.
1,630,634	5/31/27	F. Porsche	Coupling Device for Blowers of Combustion Machines.
1,639,784	8/23/27	F. Porsche	Charging Device for Combustion Motors.
1,643,266	9/20/27	G. Aichele	Typewriting Machines.
1,644,029	10/ 4/27	F. Porsche	Carburetor for Super-charging Internal Combustion Engines.
1,645,400	10/11/27	F. Porsche	Hydraulic Pneumatic Brakes for Power Driven Road Vehicles.
1,651,716	12/ 6/27	Hanns Klemm	Flying Machine.
1,656,867	1/17/28	F. Porsche	Rotary Piston Blower.
1,657,536	1/31/28	A. Heess-O. Schilling	Roller Bearings.
1,660,091	2/21/28	F. Porsche	Method of and Apparatus for Braking Motor Vehicles.
1,667,983	5/ 1/28	F. Porsche	Lubricating Arrangement for Blowers of Internal Combustion Machines.
1,677,619	7/17/28	M. Wagner	Steering Mechanism for Road Vehicles.
1,698,026	1/ 8/29	H. Schildknecht	Driving Device for Multi-Axle Vehicle.
1,724,310	8/13/29	F. Porsche	Power-Driven Vehicles.
1,739,859	12/17/29	F. Porsche	Blower Set for Combustion Machines.
1,758,533	5/13/30	F. Porsche	Dynamo-Electric Driving Set for Vehicles.

Patent No.	Patent date	Inventor	Title
1,789,036	1/13/31	K. Eitze	Compression Reducing Device for Internal Combustion Engines.
1,801,174	4/14/31	F. Porsche	Vacuum Brakes of Motor Vehicles.
1,809,477	6/ 9/31	K. Eitze	Internal Combustion Engine.
1,826,638	10/ 6/31	W. Schwerdtfeger	Internal Combustion Engines and the Method of Working the same.
1,831,648	11/10/31	J. Bauer-A. Umbach	Process for the Complete Filling and Emptying of Receptables such as Dust Cars.
1,838,557	12/29/31	O. Kohler	Driving Mechanism for Power-Driven Vehicles.
1,841,217	1/12/32	O. Seizer	Pneumatically or Hydraulically Actuated Tool.
1,849,113	3/15/32	F. Porsche	Vacuum-Operated Brake System.
1,850,769	3/22/32	F. Porsche	Dynamo Electric Driving Set for Vehicles.
1,851,416	3/29/32	J. Bauer	Self-Igniting Explosion Motors.
1,859,663	5/24/32	P. Fritzsche	Diesel Engines.
1,863,964	6/21/32	G. Brenner	Rubbish Cart.
1,877,736	9/13/32	M. Wagner	Change Speed Gearing.
1,880,556	10/4/32	O Weber	Internal Combustion Engines.
1,888,897	11/22/32	M. Wagner	Underframes for Automobile Vehicles.
1,889,506	11/29/32	M. Wagner	Springing for Vehicles.
1,891,010	12/13/32	F. Porsche	High Speed Diesel Oil Engines.
1,898,190	2/21/33	O. Kohler	Change Speed Gear for Power-Driven Vehicles.
1,899,832	2/28/33	F. Steinecke	Roller Hoods for Power-Driven Vehicles.
1,907,262	5/ 2/33	F. Nallinger	Underframes for Automobile Vehicles.
1,909,242	5/16/33	M. Wagner	Variable Speed Tranmission Gear.
1,918,659	7/18/33	F. Nallinger	Air Temperature Regulator.
1,920,620	8/ 1/33	G. Aichele	Die Casting Machines.
1,920,714	8/ 1/33	F. Roller	Lubricating Means.
1,923,498	8/22/33	F. Nallinger	Air Purifiers for Carburetors of Internal Combustion Engines.
1,928,176	9/26/33	A. Halier	Springs for Vehicles.
1,958,935	5/15/34	G. Aichele—A. Heehs	Protective Means for Spring Plates or Washers of Valves.
1,968,524	7/31/34	O. Kohler	Internal Combustion Engines.
1,968,527	7/31/34	T. Kummich	Change Speed Gears.
1,973,353	9/11/34	F. Nallinger	Carburettor.
1,974,033	9/18/34	F. Nallinger	Power-Driven Vehicles.
1,974,785	9/25/34	F. Porsche	Vaporiser for Oil Engines.
1,974,793	9/25/34	S. Bildstein	Sliding Windows.
1,981,412	11/20/34	P. Fritzsche	Internal Combustion Engines.
1,987,218	1/ 8/35	O. Seizer	Atomising Devices.
2,001,082	5/14/35	M. Wagner	Change Speed Gear Mechanism for Motor Vehicles.
2,005,269	6/18/35	H. Schildknecht	Clutch Operating Mechanisms.
2,010,175	8/ 6/35	F. Boysen	Silencers.
2,010,415	8/ 6/35	F. Roller	Spring for Vehicles.
2,015,700	10/ 1/35	M. Wagner	Motor Vehicles.
2,015,969	10/ 1/35	H. Schildknecht	Rear Axle Gear Casings.
2,026,909	1/ 7/36	F. Nallinger	Springing Arrangements for Vehicles.
2,030,557	2/11/36	M. Wagner	Vehicle Suspension.
2,033,731	3/10/36	F. Nallinger	Motor Vehicles.
2,035,032	3/24/36	M. Wagner	Power Driven Vehicles.
2,038,326	4/21/36	M. Wagner	Motor vehicles.
2,039,670	5/ 5/36	M. Wagner	Springing Arrangement for Wheels of Vehicles.
2,039,671	5/ 5/36	M. Wagner	Wheel Axle Suspension.
2,045,210	6/23/36	M. Wagner	Springing Arrangements for Power Driven Vehicles.
2,050,451	8/11/36	F. Nallinger	Cooling of Motor Car Engines.
2,055,594	9/29/36	F. Steinecke	Vehicle Bodies.
2,057,318	10/13/36	K. Schwaiger	Heating Devices for Internal Combustion Engines.
2,065,148	12/22/36	F. Nallinger	Cooling Apparatus Operating with Thermostats.
2,070,817	2/16/37	M. Wagner	Springing Arrangements for Wheels of Vehicles.
2,071,241	2/16/37	K. Thomas	Internal Combustion Engines.
2,072,994	3/ 9/37	M. Wagner	Motor Vehicles.
2,073,029	3/ 9/37	F. Roller	Motor Vehicles.
2,080,189	5/11/37	K. Schwaiger	Injection Nozzles for Internal Combustion Engines.
2,087,543	7/20/37	F. Nallinger	Springing for Vehicles.
2,090,561	8/17/37	M. Wagner	Suspension Means of Parts on Vehicle Frames.
2,096,770	10/26/37	M. Wagner	Change Speed Gears.
2,101,627	12/ 7/37	F. Nallinger	Motor Vehicles with Compressed Air Cooling.
2,104,539	1/ 4/38	W. Hacker	Motor Cars.
2,108,576	2/15/38	A. Bokemuller	Scavenging Proceeding for Two-Stroke Combustion Power Engine.
2,118,895	5/31/38	F. Nallinger	Precombustion Chamber for Diesel Engine.
2,126,084	8/ 9/38	M. Balz	Springing Arrangements for Wheels of Power-Driven Vehicles.
2,126,085	8/ 9/38	M. Balz	Motor Driven Vehicles.
2,126,130	8/ 9/38	F. Nallinger	Springing of Vehicles.
2,132,842	10/11/38	A. Berger	Cylinder of a Combustion Engine Connected with the Crank Case.
2,132,963	10/11/38	F. Nallinger	Chassis of Motor Driven Vehicles.
2,135,314	11/ 1/38	M. Wagner	Motor Driven Vehicles.
2,138,438	11/29/38	M. Wagner	Means for Connecting the Frame with the Axles of Vehicles.
2,138,618	11/29/38	W. Seyerle	Internal Combustion Engines for Motor Cars.
2,145,415	1/31/39	A. Bokemuller	Internal Combustion Engines.
2,146,131	2/ 7/39	O. Schilling	Internal Combustion Engines.
2,148,854	2/28/39	A. Bokemuller	Two-Stroke Internal Combustion Engines.
2,151,075	3/21/39	A. Berger	Liquid Cluteh Transmissfon.
2,151,865	3/28/39	F. Nallinger	Heating Device for Motor Cars.
2,152,710	4/ 4/39	K. Schwaiger	Mechanisms for Absorbing Torsional Oscillation of a Shaft.
2,155,950	4/25/39	F. Nallinger	Controlling Apparatus for an Internal Combustion Engine.
2,159,863	5/23/39	O. Schilling	Regulation of Internal Combustion Engines of the Liquid Injection Compression Ignition Type and Governor Therefor.
2,165,033	7/ 4/39	J. Dauben	Chassis of Motor Driven Vehicles.
2,166,525	7/18/39	A. Heess	Internal Combustion Engine.
2,167,902	8/ 1/39	F. Nallinger	Device for Adjusting the Ignition Timing of Internal Combustion Engines.
2,169,670	8/15/39	M. Wagner	Axle Arrangements for Motor Driven Vehicles.
2,186,748	1/ 9/40	A. Berger	Hydraulic Transmission for Automotive Purposes.
2,194,715	3/26/40	F. Nallinger	Liquid Clutch.
2,198,979	4/30/40	K. Schwaiger	Ante-Chamber Diesel Engine with Re-Adjustable Control Body.
2,199,063	4/30/40	M. Balz	Shock Absorber Assembly Especially for Motor Vehicles.
2,201,014	5/14/40	G. Scheerer	Arrangement for Drawing Fuel out of Induction Conduit of Internal Combustion Engines.
2,201,220	5/21/40	A. Bokemuller	Internal Combustion Engine.
2,201,221	5/21/40	A. Bokemuller	Internal Combustion Engine Receiving Fuel by Injection.
2,202,643	5/28/40	A. Berger	Internal Combustion Engines.
2,205,751	6/25/40	H. Scherenberg	Diesel Engines.
2,206,409	7/ 2/40	T. Kummich	Change Speed Gear Especially for Motor Vehicles.
2,221,405	11/12/40	F. Nallinger	Internal Combustion Engine.
2,223,715	12/ 3/40	A. Berger	Liquid Clutch Control.
2,228,740	1/14/41	M. Wagner—J. Muller	Motor Driven Vehicles.
2,232,154	2/18/41	M. Wagner	Automobile Vehicle.
2,237,369	4/ 8/41	W. Seyerle	Rear Engine Vehicle.
2,238,879	4/22/41	J. Dauben	Vehicles.
2,242,761	5/20/41	W. Seyerle	Cooling Device for Internal Combustion Engines.
2,243,713	5/27/41	H. Maruhn	Motor Driven Vehicles.
2,244,306	6/ 3/41	S. Meiswinkel	Injection Pump Control.
2,253,666	8/26/41	M. Wagner	Suspension for Independently Guided Wheels on the Chasis Especially of Motor Vehicles.
2,256,009	9/16/41	M. Wagner	Vehicle Axle Suspension.
2,263,038	11/18/41	G. Helm	Welding Appliance.
2,280,496	4/21/42	S. Meiswinkel	Liquid Pressure Regulator for Injection Pumps.
2,280,839	4/28/42	F. Nallinger	Internal Combustion Engines.
2,283,644	5/19/42	F. Nallinger	Arrangement of a Charging Blower for Internal Combustion Engines.

EXHIBIT C

Patents the titles to which stand of record in the United States Patent Office in the name of Dr. ing. h. c. F. Porsche, K.-G., and which are identified respectively as follows:

Patent No.	Patent date	Inventor	Title
2,042,189	5/26/36	K. Rabe	Hydrodynamic Gear.
2,044,809	6/23/36	K. Rabe	Steering Arrangement for Power-Driven Vehicles.
2,059,908	11/ 2/36	K. Rabe	Spring Arrangement for Vehicles.
2,082,509	6/ 1/37	K. Rabe	Springing Arrangement.
2,088,340	7/27/37	K. Rabe	Springing Arrangement for Motor Cars and the Like.
2,088,341	7/27/37	K. Rabe	Springing Arrangement for Motor Cars and the Like.
2,088,342	7/27/37	K. Rabe	Springing Means for Vehicles or the Like.
2,091,652	8/31/37	F. Porsche	Motor Vehicle.
2,099,312	11/16/37	F. Porsche	Spring Suspension of Independent Car Wheels especially for Motor Vehicles.
2,099,316	11/16/37	K. Rabe	Precombustion Chamber Engine.
2,104,259	6/ 4/38	J. Kales	Generator and/or Starting Motor for Motor Vehicles.
2,110,275	3/ 8/38	K. Rabe	Method of Making Splined Shafts.
2,112,112	3/22/38	F. Porsche	Springing Means for Vehicles.
2,123,684	7/12/38	K. Rabe	Differential Mechanism for Motor Vehicles and the Like.
2,130,431	9/20/38	K. Rabe	Springing of Wheels.
2,132,759	10/11/38	K. Rabe	Wheel Supporting Means.
2,158,776	5/16/39	K. Rabe	Wheel Supporting Means for Vehicles.
2,161,431	6/ 6/39	K. Rabe	Spring Suspension.
2,163,131	6/20/39	F. Porsche	Springing Arrangement for the Wheels of Vehicles.
2,164,838	7/ 4/39	F. Porsche	Springing of the Wheels of Motor Vehicles.
2,166,769	7/18/39	K. Rabe	Spring Mechanism for Railway Vehicles.

Patent No.	Patent date	Inventor	Title
2,169,373	8/15/39	F. Porsche	Vehicle Suspension.
2,169,850	8/15/39	K. Rabe	Spring Mechanism.
2,174,996	10/ 3/39	K. Rabe	Springing Means for Vehicles.
2,175,562	10/10/39	K. Frohlich	Springing Arrangements.
2,183,940	12/19/39	F. Porsche	Vehicle Wheel Suspension.
2,207,268	7/ 9/40	K. Rabe	Finish Grinding Mechanism.
2,209,538	7/30/40	K. Rabe	Means and Methods of Producing Cams.
2,216,456	10/ 1/40	F. Reimspiess	Power Vehicle.
2,223,741	12/ 3/40	K. Rabe	Springing Arrangement.
2,226,759	12/31/40	E. Fitzner	Power Vehicles.
2,227,142	12/31/40	E. Komenda	Motor Vehicle.
2,228,732	1/14/41	K. Rabe	Vehicle Frame Construction.
2,232,173	2/18/41	K. Froehlich	Vehicle.
2,234,591	3/11/41	E. Fitzner	Locking Differential Mechanisms.
2,234,592	3/11/41	E. Fitzner	Self-Locking Differential Mechanism.
2,235,418	3/18/41	J. Buchhart	Power Transmission.
2,236,223	3/25/41	J. Mickl	Internal Combustion Engines.
2,237,937	4/ 8/41	J. Kales	Tractors.
2,240,933	5/ 6/41	E. Komenda	Body Wall Lining Covering and Connecting Device.
2,241,826	5/13/41	K. Rabe	Auxiliary Spring Means for Vehicles.
2,241,827	5/13/41	K. Rabe	Vehicle Spring Suspension.
2,243,721	5/27/41	K. Rabe	Vehicle Body.
2,248,917	7/ 8/41	W. Effenberger	Seat Cushion.
2,249,326	7/15/41	K. Rabe	Fuel Transfer Pump.
2,252,860	8/19/41	F. Porsche	Brake Mechanism for Vehicle Road Wheels.
2,252,861	8/12/41	F. Porsche	Tractors.
2,252,862	8/19/41	K. Rabe	Spring Suspension for Vehicles.
2,257,571	9/30/41	K. Rabe	Spring Suspension Means for Vehicles.
2,259,266	10/14/41	K. Rabe	Brake.
2,264,260	11/25/41	K. Schmitt-K. Volkert	Fuse Block.
2,267,423	12/23/41	F. Reimspress	Oil Cooler.
2,270,895	1/27/42	K. Rabe	Splined Connection.
2,271,649	2/ 3/42	E. Komenda	Velride Body Construction.
2,274,180	2/24/42	J. Zahradnik	Traction Wheels.
2,277,454	3/24/42	F. Porsche	Fluid Operated Control Apparatus for Clutches.
2,277,839	3/31/42	W. Becht	Internal Combustion Engines.
2,278,496	4/ 7/42	K. Schmitt	Electrical Distribution System.
2,283,231	5/19/42	K. Schmitt	Electrical Distribution System.

EXHIBIT D

Patents the titles to which stand of record in the United States Patent Office in the name of I. G. Farbenindustrie A. G. and which are identified respectively as follows:

Patent No.	Patent date	Inventor	Title
1,631,170	6/ 7/27	P. Weise	Process for the Manufacture of Chromium.
1,687,433	10/ 9/28	J. Drucker	Purifying Brine to be used in Electrolytic Processes.
1,723,536	8/ 6/29	P. Weise	Process for the Manufacture of Chromium Compounds.
1,813,649	7/ 7/31	P. Weise	Dehydration and Decomposition of Iron Sulfates.
1,837,199	12/22/31	J. Brode	Production of Aluminum Chloride Free from Iron.
1,849,153	3/15/32	F. Raspe—P. Weise	Highly Concentrated Titanium Sulfato Solutions.
1,850,154	3/22/32	F. Raspe—P. Weise	Solid Titanic Sulfates.
1,850,286	3/22/32	A. Mittasch R. Lucas—R. Griesbach	Process of Making finely divided Metal Oxides.
1,866,731	7/12/32	K. Staib	Process of Producing Anhydrous Aluminum Chloride.
1,878,013	9/20/32	K. Staib	Production of Anhydrous Chlorides.
1,891,210	12/13/32	H. Wolff	Green Mineral Pigment.
1,891,911	12/27/32	J. Brode—G. Kab	Titanium Ores.
1,934,778	11/14/33	L. Teichmann F. Specht.	Titanium Sulfuric Acid Compounds.
1,941,285	12/26/33	L. Teichmann H. Noerr.	Titanium Sulfate Compounds.
2,028,980	1/28/36	E. Korinth—G. Meder	Inorganic Colored Pigments and a Process of Preparing the same.
2,118,916	5/31/38	J. Drucker	Titanium Containing Pigments.
2,121,408	6/21/38	F. Raspe—H. Giese	Artificial Cellulose Material.
2,122,180	6/28/38	E. Lederle—R. Brill	Synthetic Spinels.
2,138,384	11/29/38	G. Meder	Titanium Pigments.
2,144,577	1/17/39	K. Petersen	Titanium Dioxide Pigments.
2,161,975	6/13/39	K. Petersen	Titanium Dioxide Pigments.
2,187,821	1/23/40	J. Nelles	Preparation of Metallo-Organic Compounds.

EXHIBIT E

Patents which are identified as follows and the titles to which stand of record in the United States Patent Office in the names of the persons indicated, respectively:

Patent No.	Date	Record owner	Inventor	Title
1,612,460	12/28/26	J. Mickl, Robert Alt & Co., F. Mannsbarth & J. Labut.	J. Mickl	Resilient Supports or Bases for Chairs, Fauteuils, Benches and the Like.
1,710,825	4/30/29	Chemische Forschungsgesellschaft m. b. H.	W. Herrmann & W. Haehnel.	Process for the Production of Polymerized Vinylacetate.
1,761,888	6/ 3/30	Junkers-Flugzeug-und-Motorenwerke.	H. Junkers	Method and Means for Upsetting Sheet Metal.
1,835,941	12/ 8/31	Carl Still	P. Fritzsche	Process of Recovering Sulphuric Acid from the Acid-Tar of Benzol Purification.
1,860,557	5/31/32	Gustav Schwarz G. m. b. H.	H. Sukohl	Propellers for Air Craft.
1,867,123	7/12/32	Deutsche Celluloid-Fabrik	A. Weihe	Mixed Cellulose Esters.
1,871,868	8/16/32	Deutsche Celluloid-Fabrik	A. Weihe O. Leuchs & E. Dorr	Nitrated Cellulose. Ethers.
1,895,259	1/24/33	Motorenfabrik Deutz A. G.	R. Muller	Fuel Pump for Diesel Engines of the Vehicle Type.
1,980,306	11/13/34	Deutsche Celluloid-Fabrik	A. Weihe, K. Thinius	Mixed Cellulose Esters.
1,987,760	1/15/35	Gustav Schwarz G. m. b. H.	H. Suhokl & L. Hoffman	Aeronautical Propellers.
1,995,580	3/26/35	Titangesellschaft A. G.	J. Rockstroh, F. Raspe & H. Kircher.	Manufacture of Rutile.
2,003,408	6/ 4/35	Deutsche Celluloid-Fabrik	A. Weihe	Cellulose Esters of partly Esterified Polybasic Acids.
2,016,611	10/ 8/35	Paul Franke & Reinhold Heidecke.	R. Muller	Film Feed Mechanism for Photographic Roll Film Cameras.
2,019,927	11/ 5/35	F. Porsche	F. Porsche	Screw & Nut Steering Gear for Automobiles.
2,048,773	7/28/36	Paul Franke & Reinhold Heidecke.	W. Baumgartner	Devices for Parallax Adjustment in Cameras.
2,054,562	9/15/36	Dr. ing. h. c. F. Porsche G. m. b. H. & R. Haag.	R. Haag	Injection Internal Combustion Engines.
2,087,090	7/13/37	Deutsch Celluloid-Fabrik	O. Hauffe	Manufacture of Safety Glass.
2,092,229	9/ 7/37	Deutsche Celluloid-Fabrik	K. Thinius	Nitro-Cellulose Lacquer.
2,133,633	10/18/38	Dr. ing. h. c. F. Porsche G. m. b. H. & Karl Rabe.	K. Rabe & W. Boxan	Motor Vehicle Chassis.
2,154,203	4/11/39	Deutsche Celluloid-Fabrik	O. Hauffe	Manufacture of Shaped Articles of Highly Polymeric Compounds.
2,275,856	3/10/42	E. Lederle & R. Brill	E. Lederle & R. Brill	Synthetic Spinels.
2,280,223	4/21/42	R. Dumpelman & P. Ehlers.	R. Dumpelman & P. Ehlers.	Coated Electrodes and Welding Rod.
2,285,178	6/ 2/42	Deutsche Celluloid-Fabrik	K. Thinius	Polyamides Combined with Cellulose Derivatives.

[F. R. Doc. 42-7139; Filed, July 27, 1942; 11:00 a. m.]

PART 502—VESTING ORDERS

VESTING ALL OF THE CAPITAL STOCK OF PACIFIC HOG COMPANY

§ 502.48 *Vesting order No. 48.* Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All of the capital stock of Pacific Hog Company (a California corporation),

is property of nationals, and represents ownership of a business enterprise within the United States which is a national, of a designated enemy country (Japan), and determining that to the extent that any or all of 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, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. 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", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order. (E.O. 9095, 9193, 7 F.R. 1971, 5205)

Executed at Washington, D. C. on July 8, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–7140; Filed, July 27, 1942; 11:00 a. m.]

PART 502—VESTING ORDERS

VESTING ALL OF THE CAPITAL STOCK OF L. & N. FEEDING CORPORATION

§ 502.49 *Vesting Order No. 49.* Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All of the capital stock of L. & N. Feeding Corporation, a California corporation,

is property of nationals, and represents ownership of a business enterprise within the United States which is a national, of a designated enemy country (Japan), and determining that to the extent that any or all of 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, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. 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", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in Section 10 of said Executive Order. (E.O. 9095, 9193, 7 F.R. 1971, 5205.)

Executed at Washington, D. C. on July 8, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–7141; Filed, July 27, 1942; 11:00 a. m.]

PART 502—VESTING ORDERS

VESTING ALL OF THE CAPITAL STOCK OF UFA FILMS, INC.

§ 502.50 *Vesting Order No. 50.* Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All of the capital stock of Ufa Films, Inc., a New York corporation, consisting of 200 shares of $100 par value common stock owned by Universum Film, A. G., Krausenstrasse 37–39, Berlin, Germany.

is property of, and represents ownership of a business enterprise within the United States which is, a national of a designated enemy country (Germany), and determining that to the extent that either or both of 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, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. 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", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in Section 10 of said Executive Order. (E.O. 9095, 9193, 7 F.R. 1971, 5205)

Executed at Washington, D. C. on July 8, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–7142; Filed, July 27, 1942; 11:01 a. m.]

PART 502—VESTING ORDERS

VESTING 29 ITALIAN AND GERMAN VESSELS

§ 502.52 *Vesting Order No. 52.* Under the authority of the Trading with the enemy Act of October 6, 1917, as amended, including particularly but not limited to sections 5 (b) and 7 (c) thereof, as amended, and of Executive Order No. 9095 of March 11, 1942,[1] as amended, and pursuant to law, the undersigned, finding upon investigation that the right, title and interest, if any, of the persons, firms and corporations listed in Exhibit A attached hereto and made a part hereof (which persons, firms and corporations are herein called "Claimants") in the vessels designated on said Exhibit A opposite the names of Claimants, respectively, are the property of Nationals of a Foreign Country designated in Executive Order No. 8389, as amended,[2] as defined therein, and that each of said Claimants is an enemy as defined in sec. 2 of said Act of October 6, 1917, not holding a license from the President, and that the action herein taken is in the public interest, hereby demands and seizes, and declares vested in the Alien Property Custodian, forthwith and upon the terms herein provided, all right, title and interest, if any, of Claimants, and each of them, in any or all of the aforesaid vessels (as hereinafter defined), to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "vessels" as used in this order means the vessels, their engines, boilers, tackle, apparel, furniture, spare parts and equipment, and all stores and fuel whether aboard such vessels or appertaining thereto and the proceeds of said vessels, and includes any claim against the United States for compensation for

[1] 7 F.R. 1971.
[2] 6 F.R. 2897, 3715, 6348, 6785.

anything heretofore or hereafter done under the Act of June 6, 1941 (Public Law 101, 77th Congress) in respect of said vessels. In the case of the *M. S. Odenwald* (*Willmoto*) the term "vessel" includes also the cargo that was on board at the time the libel for salvage against the same was filed in the United States District Court for Puerto Rico, and the proceeds of said cargo, and includes also any claim against the United States for compensation for anything heretofore or hereafter done under the Act of October 10, 1940 in respect of said cargo. In the case of the *SS. Brennero* the term "vessel" includes also the proceeds of the cargo that was on board at the time the libel for forfeiture against the *SS. Brennero* was filed in the United States District Court for the District of New Jersey, which cargo has since been sold by order of said court.

The divesting and seizure hereunder of all right, title and interest of Claimants, and each of them, and the vesting thereof in the Alien Property Custodian is unconditional and without redress or right of compensation to said Claimants, or any of them, except as may be otherwise provided by future legislation.

Nothing in this order shall be construed as impairing the right of compensation in accordance with the applicable provisions of the Act of June 6, 1941, and of section 902 of the Merchant Marine Act of 1936, as amended, of any person interested except claimants, and each of them, and except other enemies; but nothing in this order shall be construed as impairing such rights as the United States may already have in respect of said vessels, including specifically but not exclusively rights of forfeiture and salvage rights, whether or not already established by adjudication. Nothing in this order shall be construed as recognizing any right of compensation for any interests found subject to defeasance or without value by reason of the paramount rights of the United States.

Nothing in this order shall be construed as impairing any authority which the United States Maritime Commission or the War Shipping Administration may have to take any action in respect of said vessels which the Act of June 6, 1941, or Executive Order No. 8771,[3] or any amendment thereof, heretofore or hereafter made, authorizes with respect to vessels taken under the Act of June 6, 1941, or to continue, modify or revoke any arrangements heretofore made by them in respect of said vessels.

Nothing in this order shall be construed as recognizing that Claimants, or any of them, have any right, title or interest in said vessels. This order and all action taken pursuant thereto is in strict subordination to the rights of the United States including rights of forfeiture and salvage rights. It is the intention of this order to effect a complete substitution of the Alien Property Custodian for Claimants, and each of them, in respect of any right, title or interest they, or any of them, may have in any or all of said vessels.

Copies of this order shall be served by mail on the proctors for the Claimants in the various proceedings in admiralty heretofore brought by the United States against said vessels (E.O. 9095, 7 F.R. 1971).

Executed at Washington, D. C., on July 22, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[3] 6 F.R. 2759.

EXHIBIT A

Claimants	*Vessels*
1. Navigazione Odero Societa Anonima; Societa Navigation Odero.	1. The vessel formerly known as S. S. *Ada O*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States, District Court for the Eastern District of Louisiana, In Admiralty No. 523.
2. "Italia" Societa Anonima di Navigazione.	2. The vessel formerly known as S. S. *Alberta*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the District of New Jersey, In Admiralty No. A151a.
3. G. Bozzo fu L; Giuseppe Bozzo fu Lorenzo.	3. The vessel formerly known as S. S. *Antoinetta*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the Eastern District of Pennsylvania, In Admiralty No. 65 of 1941.
4. "Italia" Societa Anonima di Navigazione.	4. The vessel formerly known as S. S. *Arsa*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the District of New Jersey, In Admiralty No. A139a.
5. "Italia" Societa Anonima di Navigazione.	5. The vessel formerly known as S. S. *Aussa*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the District of New Jersey, In Admiralty No. A124a.
6. "Italia" Societa Anonima di Navigazione.	6. The vessel formerly known as S. S. *Belvedere*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the Eastern District of Pennsylvania, In Admiralty No. 71 of 1941.
7. Societa Anonima Cooperativa di Navigazione Garibaldi; Royal Italian Government; Italian Navy.	7. The vessel formerly known as S. S. *Brennero*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the District of New Jersey, in Admiralty No. A135a.
8. "Italia" Societa Anonima di Navigazione.	8. The vessel formerly known as S. S. *Clara*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the Eastern District of Virginia, In Admiralty No. 6694.
9. "Petroleum" Societa Anonima di Navigazione.	9. The vessel formerly known as S. S. *Colorado*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the District of Puerto Rico, In Admiralty No. 5.
10. "Corrado" Societa Anonima di Navigazione.	10. The vessel formerly known as S. S. *Confidenza*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the Southern District of Florida, In Admiraly No. 32J.
11. Lloyd Triestino Societa Anonima di Navigazione; Linee Triestine per l'Oriente S. A. di Navigazione.	11. The vessel formerly known as S. S. *Conte Biancamano*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the District of the Canal Zone, In Admiralty No. 1742.
12. Societa Ligure di Armamento; Societa Navigazione Ligure di Armamento.	12. The vessel formerly known as S. S. *Euro*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the District of Maryland, In Admiralty No. 2499.

Claimants	*Vessels*
13. Giovanni Gavarone; Giovanni Gaviarione, fu.	13. The vessel formerly known as S. S. *Giuan*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the Eastern District of Virginia, In Admiralty No. 6693.
14. A. Lauro; Achille Lauro.	14. The vessel formerly known as S. S. *Guidonia*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the Eastern District of Virginia, In Admiralty No. 6692.
15. Navigazione Odero Societa Anonima; Navigazione Odera S. A.	15. The vessel formerly known as S. S. *Ida Z. O.*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the Southern District of Alabama, In Admiralty No. 2352.
16. Societa Anonima Cooperativa di Navigazione "Garibaldi"; Garibaldi Societa Anonima Cooperativa di Navigazione.	16. The vessel formerly known as S. S. *Ircania*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the Southern District of Florida, In Admiralty No. 33J.
17. Laconia SS. Co; D. Tripcovich; D. Tritcovich.	17. The vessel formerly known as S. S. *Laconia*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the Eastern District of Virginia, In Admiralty No. 6691.
18. "Ttalia" Societa Anonima di Navigazione; (Italia) Societa' Anonima Di Navigazione.	18. The vessel formerly known as M. S. *Leme*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the District of Oregon, In Admiralty No. 783.
19. M. Maresca & Co.; Mariano Maresca and Company.	19. The vessel formerly known as S. S. *Mar Glauco*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the Eastern District of Pennsylvania, In Admiralty No. 69 of 1941.
20. Navigazione Alta Italia Societa Anonima; Societa Navigation Odero.	20. The vessel formerly known as S. S. *Monflore*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the Eastern District of Louisiana, In Admiralty No. 522.
21. Navigazione Alta Italia Societa Anonima; Navigazione Alta Italia.	21. The vessel formerly known as S. S. *Mongioia*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the Southern District of Texas, In Admiralty No. 1753.
22. Reederei Eugen Friederich; Reederei Eugen Friedrich.	22. The vessel formerly known as S. S. *Pauline Friederich*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the District of Massachusetts, In Admiralty No. 6403 Misc. Civil.
23. Tito Campanella Societa di Navigazione; Societa Navigazione Tito Campanella.	23. The vessel formerly known as S. S. *Pietro Campanella*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the District of Maryland, In Admiralty No. 2498.
24. Societa Anonima per l'Industria ed il Commercio Maritimo "Nova Genuensis"; Messrs. Ravano and Corrado.	24. The vessel formerly known as S. S. *San Giuseppe*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the Eastern District of Virginia, In Admiralty No. 6685.
25. Compagne Ligure di Navigazione S. A.; Cia Ligure di Navigazione.	25. The vessel formerly known as S. S. *San Leonardo*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the Eastern District of New York, In Admiralty No. M567.
26. A. T. Rosasco.	26. The vessel formerly known as S. S. *Santa Rosa*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the Eastern District of Pennsylvania, In Admiralty No. 67 of 1941.
27. Societa Commerciale di Navigazione.	27. The vessel formerly known as M. S. *Villarperosa*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the Eastern District of New York, In Admiralty No. M568.
28. Comm. Giuseppe Bozzo; Giuseppe Bozzo fu L.	28. The vessel formerly known as S. S. *Vittorin*, being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the Eastern District of Virginia, In Admiralty No. 6686.
29. Hamburg-Amerikanische Packetfahrt Actien-Gesellschaft; (Hamburg-Amerika Linie); Hamburg American Line.	29. The vessel formerly known as M. S. *Odenwald* (*Willmoto*), being the vessel against which are pending proceedings in admiralty brought by the United States in the United States District Court for the District of Puerto Rico, In Admiralty No. 6.

[F. R. Doc. 42-7094; Filed, July 24, 1942; 3:40 p. m.]

PART 502—VESTING ORDERS

VESTING INTERESTS OF PARTNERS IN HARA AND COMPANY

§ 502.53 *Vesting Order No. 53.* Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title and interest of Ryozebura Hara, Tasaburo Hara, Takeo Saigo, Kenichiro Saigo and Sue Hara, and each of them, as copartners in and to the partnership known as Hara and Company under which name such copartners are doing business and maintaining an office at 1 Park Avenue, New York, New York.

is property of nationals, and represents ownership of a business enterprise within the United States which is a national, of a designated enemy country (Japan), and determining that to the extent that any or all of 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, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. 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", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order. (E.O. 9095, 9193, 7 F.R. 1971, 5205)

Executed at Washington, D. C., on July 22, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–7143; Filed, July 27, 1942; 11:01 a. m.]

PART 502—VESTING ORDERS

VESTING 245 SHARES OF THE CAPITAL STOCK OF AMERICAN FELSOL COMPANY

§ 502.54 *Vesting Order No. 54.* Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

245 shares of the capital stock of American Felsol Company, an Ohio corporation, represented by Certificate Number 2 and owned by Roland Kommandit Gesellschaft, G. m. b. H., Essen, Germany,

is property of, and represents an interest in a business enterprise within the United States which is, a national of a designated enemy country (Germany), and determining that to the extent that either or both of 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, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, and administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person other than a national of a designated enemy country asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. 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", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order. (E.O. 9095, 9193, 7 F.R. 1971, 5205)

Executive at Washington, D. C., on July 22, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–7144; Filed, July 27, 1942; 11:01 a. m.]

PART 502—VESTING ORDERS

VESTING ALL OF THE CAPITAL STOCK OF JOH. BARTH & SOHN, INC.

§ 502.55 *Vesting Order No. 55.* Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All of the capital stock of Joh. Barth & Sohn, Inc., a New York corporation, consisting of 300 shares of $100 par value common stock registered in the name of Joh. Barth & Sohn, Nurnberg, Germany,

is property of, and represents ownership of a business enterprise within the United States which is, a national of a designated enemy country (Germany), and determining that to the extent that either or both of 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, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. 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", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order. (E.O. 9095, 9193, 7 F.R. 1971, 5205)

Executed at Washington, D. C., on July 22, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–7145; Filed, July 27, 1942; 11:01 a. m.]

PART 502—VESTING ORDERS

VESTING 15,388 SHARES OF THE CAPITAL STOCK OF ARUSHEE COMPANY

§ 502.56 *Vesting Order No. 56.* Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

15,388 shares of $1.00 par value common capital stock of Arushee Company, a New Jersey corporation, the names of the owners of which (the last known address of each of whom was represented to the undersigned to be Hanau, Germany), and the number of shares owned by them respectively, are as follows:

Name:	*Number of shares*
Wilhelm Heraeus	4,653
Bertha Heraeus	2,510
Annemarie Noll	978
Clara Andre	980
Paula Emge	334
Emma Kraemer	30
Werner Canthal	200
Hertha Jeep	684
Wilhelm H. Heraeus	760
Reinhard Heraeus	1,250

Name—Continued.	*Number of shares*
W. C. Heraeus, G.m.b.H.	450
Mrs. W. Canthal	635
Carl Heraeus	445
Mrs. Platzhoff	410
Mrs. Corning	465
F. Kuech	107
Mrs. Auguste Heraeus	385
Mrs. Else Heraeus	83
Mrs. Gertraud Heraeus	7
Rudolph Noll	22

is property of nationals, and represents control of a business enterprise within the United States which is a national, of a designated enemy country (Germany), and determining that to the extent that any or all of 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, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. 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", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in Section 10 of said Executive Order. (E.O. 9095, 9193, 7 F.R. 1971, 5205)

Executed at Washington, D. C., on July 23, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–7146; Filed, July 27, 1942; 11:01 a. m.]

PART 502—VESTING ORDERS

VESTING 3,398 SHARES OF THE CAPITAL STOCK OF GOSHO CONCENTRATION & COMPRESS COMPANY

§ 502.57 *Vesting Order No. 57.* Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

3,398 shares of the capital stock of Gosho Concentration & Compress Company, a Texas corporation, the names and last known addresses of the owners of which, and the number of shares owned by them, respectively, are as follows:

Name	Last known address	Number of shares
H. Nose	Osaka, Japan	300
R. Murato	Osaka, Japan	500
K. Yamada	Osaka, Japan	500
T. Nishikawa	Osaka, Japan	48
C. Nishikawa	Osaka, Japan	300
I. Asahi	Osaka, Japan	100
M. Yoshida	Osaka, Japan	500
G. Kikkawa	Osaka, Japan	100
M. Nakao	Osaka, Japan	300
K. Akashi	Alien detention camp	300
R. Sasaki	Alien detention camp	450
Total		3,398

is property of nationals, and represents control of a business enterprise within the United States which is a national, of a designated enemy country (Japan), and determining that to the extent that any or all of 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, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. 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", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in Section 10 of said Executive Order. (E.O. 9095, 9193, 7 F.R. 1971, 5205)

Executed at Washington, D. C., on July 23, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–7147; Filed, July 27, 1942; 11:02 a. m.]

PART 502—VESTING ORDERS

VESTING ALL OF THE CAPITAL STOCK OF ATAKA & CO., LTD., AND CERTAIN INDEBTEDNESS OWING BY IT

§ 502.58 *Vesting Order No. 58.* 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:

(a) That the property described as follows:

All of the capital stock of Ataka & Co., Ltd., a New York corporation, consisting of 300 shares of common stock owned by Ataka & Co., Ltd., Osaka, Japan,

is property of, and represents ownership of a business enterprise within the United States which is, a national of a designated enemy country (Japan); and

(b) That the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of the aforesaid Ataka & Co., Ltd., Osaka, Japan, in and to all indebtedness, contingent or otherwise and whether or not matured, owing to it by said Ataka & Co., Ltd., a New York corporation, including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness,

is an interest in the aforesaid business enterprise held by a national of an enemy country, and also is property within the United States owned or controlled by a national of a designated enemy country (Japan), and determining that the property described in this sub-paragraph (b) is necessary for the maintenance or safeguarding of other property [namely, that hereinbefore described in sub-paragraph (a)] belonging to the same national 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 determining that to the extent that either or both of 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, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests all such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any

claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. 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", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in Section 10 of said Executive Order. (E.O. 9095, 9193, 7 F.R. 1971, 5205)

Executed at Washington, D. C., on July 23, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–7148; Filed, July 27, 1942; 11:02 a. m.]

PART 502—VESTING ORDERS

INTERESTS OF PARTNERS IN SOUTHERN COTTON CO., LTD.

§ 502.59 *Vesting Order No. 59.* Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title and interest as copartners in and to Southern Cotton Co., Ltd., a Texas partnership, of each of the persons whose names and last known addresses are, respectively, as follows:

Name:	Last known addresses
J. Arakawa	Osaka, Japan.
K. Ito	Osaka, Japan.
S. Nakamura	Osaka, Japan.
K. Otani	Osaka, Japan.
T. Okamota	Nagoya, Japan.
R. Toyoda	Nagoya, Japan.
H. Yamanouchi	Tokyo, Japan.
E. Fujise	Tokyo or Osaka, Japan.
J. Inouye	Ishiyama or Osaka, Japan.
Y. Shinohara	Alien detention camp.
S. Takebe	Alien detention camp.

is property of nationals, and represents an interest in a busines enterprise within the United States which is a national, of a designated enemy country (Japan), and determining that to the extent that any or all 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, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act, or otherwise, and deeming it necessary in the national interest, hereby vests such property, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. 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", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in Section 10 of said Executive Order. (E.O. 9095, 9193, 7 F.R. 1971, 5205)

Executed at Washington, D. C., on July 24, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–7149; Filed; July 27, 1942; 11:02 a. m.]

TITLE 15—COMMERCE

Chapter I—Bureau of the Census, Department of Commerce

[Foreign Commerce Statistical Decision—32]

PART 30—FOREIGN TRADE STATISTICS

COUNTRY OF DESTINATION OF EXPORTS—PORT AND COUNTRY OF UNLADING OF EXPORTS BY VESSEL

JULY 25, 1942.

Section 30.11 is amended to read as follows:

§ 30.11 *Country of destination of exports; port and country of unlading of exports.* (a) The place (city) and country of ultimate destination must be shown on the Shipper's Export Declaration. If the country of ultimate destination of the commodities exported is different from that for which the vessel or car clears or departs, collectors will require exporters and shippers or their agents to state in the Shipper's Export Declaration as the country of ultimate destination, the country to which the commodities are sold or destined for market. Special care should be taken to state the final destination of goods shipped through Canada to Europe and of goods shipped through Chile or Peru destined to Bolivia.

(b) For shipments by vessel the foreign port and country of unlading must be shown on the Shipper's Export Declaration in addition to the country of ultimate destination. (R.S. 161, Sec. 4, 32 Stat. 826; 5 U.S.C. 22, 601)

[SEAL] WAYNE C. TAYLOR,
Acting Secretary of Commerce.

[F. R. Doc. 42–7130; Filed, July 25, 1942; 12:23 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4088]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

NATIONAL LACQUER MANUFACTURING CO. ETC.

§ 3.6 (r) *Advertising falsely or misleadingly—Prices—Exaggerated as regular and customary:* § 3.6 (r) *Advertising falsely or misleadingly—Prices—Usual as reduced, special, etc.* In connection with offer, etc., in commerce, of respondent's reclaimed or reconditioned paint, and among other things, as in order set forth, (1) representing as the customary or regular price of respondent's paint any price which is in excess of the price at which such paint is regularly and customarily sold by respondent in the normal and usual course of business; and (2) representing, directly or by implication, that the price at which respondent offers his paint for sale constitutes a special, reduced, or sacrifice price, when in fact such price is the usual and customary price at which respondent sells his paint in the normal and usual course of business; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, National Lacquer Manufacturing Co., etc., Docket 4088, July 20, 1942]

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Plant and equipment:* § 3.6(a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertising—Stock:* § 3.6 (dd) *Advertising falsely or misleadingly—Special offers:* § 3.72 (n) *Offering deceptive inducements to purchase—Special offers, savings and discounts.* In connection with offer, etc., in commerce, of respondent's reclaimed or reconditioned paint, and among other things, as in order set forth, representing, directly or by implication, (1) that respondent maintains any warehouse other than that maintained at his manufacturing plant in Vernon, California; (2) that respondent has any specified quantity of paint warehoused or on hand in the vicinity of prospective purchasers, when respondent does not in fact have such quantity warehoused or on hand in the designated locality; and (3) that the quantity of respondent's paint available to prospective purchasers is limited, when respondent is in fact prepared to fill all orders received; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, National Lacquer Manufacturing Co., etc. Docket 4088, July 20, 1942]

§ 3.6 (o) *Advertising falsely or misleadingly—Old as new:* § 3.6 (cc) *Advertising falsely or misleadingly—Source or origin—History.* In connection with offer, etc., in commerce, of respondent's reclaimed or reconditioned paint, and among other things, as in order set forth, (1) using the words "fresh stock" to designate or describe respondent's paint, or otherwise representing, directly or by implication, that such paint is new paint or is made from new and unused mate-

rials; and (2) representing, directly or by implication, that respondent's paint is obtained by him direct from paint manufacturers; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, National Lacquer Manufacturing Co., etc., Docket 4088, July 20, 1942]

§ 3.71 (a) *Neglecting, unfairly or deceptively, to make material disclosure—Composition:* § 3.71 (c) *Neglecting, unfairly or deceptively, to make material disclosure—Old, used or reclaimed as unused or new.* In connection with offer, etc., in commerce, of respondent's reclaimed or reconditioned paint, and among other things, as in order set forth, advertising, offering for sale, or selling respondent's paint without clearly disclosing in all sales letters and other advertising media, and on labels affixed to the containers in which such paint is sold, that such paint is a reclaimed or reconditioned product made principally from salvage material; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, National Lacquer Manufacturing Co., etc., Docket 4088, July 20, 1942]

In the Matter of Jacob Swimmer, an Individual, Trading as National Lacquer Manufacturing Co. and as National Titanium Co.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 20th day of July, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the amended complaint of the Commission, the answer of the respondent, testimony and other evidence in support of the allegations of the complaint and in opposition thereto, taken before trial examiners of the Commission theretofore duly designated by it, report of the trial examiners upon the evidence, and brief in support of the complaint (no brief having been filed by respondent and oral argument not having been requested), and the Commission having made its findings as to the facts and its conclusion that the respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Jacob Swimmer, individually and trading as National Lacquer Manufacturing Co. and as National Titanium Co., or trading under any other name, and his representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of respondent's reclaimed or reconditioned paint in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing as the customary or regular price of respondent's paint any price which is in excess of the price at which such paint is regularly and customarily sold by respondent in the normal and usual course of business.

2. Representing, directly or by implication, that the price at which respondent offers his paint for sale constitutes a special, reduced, or sacrifice price, when in fact such price is the usual and customary price at which respondent sells his paint in the normal and usual course of business.

3. Representing, directly or by implication, that respondent maintains any warehouse other than that maintained at his manufacturing plant in Vernon, California.

4. Representing, directly or by implication, that respondent has any specified quantity of paint warehoused or on hand in the vicinity of prospective purchasers, when respondent does not in fact have such quantity warehoused or on hand in the designated locality.

5. Representing, directly or by implication, that the quantity of respondent's paint available to prospective purchasers is limited, when respondent is in fact prepared to fill all orders received.

6. Using the words "fresh stock" to designate or describe respondent's paint, or otherwise representing, directly or by implication, that such paint is new paint or is made from new and unused materials.

7. Representing, directly or by implication, that respondent's paint is obtained by him direct from paint manufacturers.

8. Advertising, offering for sale, or selling respondent's paint without clearly disclosing in all sales letters and other advertising media, and on labels affixed to the containers in which such paint is sold, that such paint is a reclaimed or reconditioned product made principally from salvage material.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 42-7118; Filed, July 25, 1942; 11:26 a. m.]

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Corporation

[Bulletin 87]

PART 402—LOAN SERVICE DIVISION

The second paragraph of § 402.19-16 is amended to read as follows:

§ 402.19-16 *Legal advice required.* * * *

In all other jurisdictions, however, where the Corporation's lien may be affected by the giving of such consent, the form shall be forwarded to the Regional Counsel for the completion of Block V, unless the Regional Counsel has advised the Regional Manager that in all cases within a particular jurisdiction, liens prior to the Corporation's lien may arise out of consents to such repairs, improvements, removals or demolitions.

Section 402.19-17 is amended to read as follows:

§ 402.19-17 *Indemnity bond.* In cases where the granting of consent may result in a lien superior to the Corporation's lien, the Regional Manager shall determine whether an indemnity bond or other form of protection should be required in order to protect the Corporation. When, in his opinion, the probability of such liens arising from the granting of the consent are remote, indemnity bonds or other forms of protection need not be required.

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by sec. 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529)

Effective July 20, 1942.

[SEAL] J. FRANCIS MOORE, *Secretary.*

[F. R. Doc. 42-7131; Filed, July 27, 1942; 10:11 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1370]

PART 323—MINIMUM PRICE SCHEDULE, DISTRICT NO. 3

AMENDMENT OF RELIEF ORDER

Order correcting order granting relief in the matter of the petition of the Bituminous Coal Producers Board for District No. 3 for the establishment of certain price classifications and minimum prices and for revision of certain price classifications and minimum prices for the coals of Mine Index Nos. 287 and 385, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

In the Findings of Fact, Conclusions of Law, Memorandum Opinion and Order in this matter dated June 4, 1942, (7 F.R. 4446) the Consolidation Coal Company was inadvertently referred to as the "Consolidated Coal Company";

Now, therefore, it is ordered, That the Findings of Fact, Conclusions of Law, Memorandum Opinion and Order in the above-entitled matter dated June 4, 1942, and Supplement R (7 F.R. 4446), be, and it hereby is, corrected so that "Consolidated Coal Company" shall read "Consolidation Coal Company" in all instances where it appears in said document and Supplement R.

Dated: July 24, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

[F. R. Doc. 42-7164; Filed, July 27, 1942; 11:30 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment No. XII]

PART 801—GENERAL REGULATIONS
PART 802—GENERAL LICENSES
PART 804—INDIVIDUAL LICENSES

Section 801.2 *Prohibited exportations*[1] is amended in the following particulars:

[1] 7 F.R. 4952, 5080, 5115, 5343, 5591, 5638.

In the column headed "Gen. Lic. Group", the group designations assigned to the commodities listed below (at every place where said commodities appear in said section) are amended to read as follows:

Commodity	Gen. Lic. group
Citric acid	1, 47
Potassium bitartrate (cream of tartar)	1, 47
Tartaric acid	1, 47

This amendment shall become effective July 28, 1942.

(Sec. 6, 54 Stat. 714, Pub. Law 75, 77th Cong., Pub. Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

Dated: July 18, 1942.

F. R. KERR,
Export Control Branch,
Office of Exports.

[F. R. Doc. 42-7091; Filed, July 24, 1942; 1:53 p. m.]

[Amendment No. XIII]

PART 801—GENERAL REGULATIONS

PART 802—GENERAL LICENSES

PART 804—INDIVIDUAL LICENSES

Section 802.13 *Ship and plane stores, supplies and equipment,*[1] is hereby amended to read as follows:

§ 802.13 *Ship and plane stores, supplies and equipment.* (a) General licenses are hereby issued permitting exportation of certain ship stores, supplies, equipment and bunker fuel subject to the following restrictions:

(1) When exportation is made on freight or passenger vessels operating under the control of countries designated by numbers 1 through 81, 88, 89, 90, 91, 96 and 99 in § 802.2 (a), these general licenses authorize the exportation of bunker fuel, ordinary ship stores, sea stores, and supplies for use or consumption on board such vessels during the outgoing voyage and any immediate return voyage scheduled, and also of equipment and spare parts intended for permanent use on such vessels when necessary for their proper operation.

(2) When exportation is made on vessels operating under the control of countries other than those listed in subparagraph 1, these general licenses authorize exportation of the following items:

(i) Bunker fuel necessary for consumption on board the vessel on the outgoing voyage only and for United States "in port operations".

(ii) Food stores for the outgoing and any immediate return voyage scheduled, not in excess of 6.85 lbs. per man, per day, which amount shall be distributed among individual food items in accordance with the list set forth below. An excess tolerance of 0.15 lbs. per man, per day, may be allowed by the Collectors of Customs where, due to packaging, items of food stores cannot be split up. Additional food stores, not in excess of the amount allowable for 20% of the number of days required for the outgoing and return voyage, may be authorized for exportation by the Collectors of Customs where necessary for the ship's safety and "in port operations". Food stores included within group A or group E of the list set forth below may exceed the amounts specified for such groups: *Provided,* That the aggregate of all food stores included in both groups A and E does not exceed 4.00 lbs. per man, per day. The operators of vessels shall furnish to the Collectors of Customs requisitions based upon the information set forth in said list, and shall furnish the following additional information: name of vessel; nationality, name of agent; approximate number of days required for the outgoing and return voyage; the vessel's possible itinerary; and the number of crew and passengers.

The list referred to above is as follows:

Item and Allowance Authorized per Man, per Day
Group A:
Meats:
Fresh.
Dried.
Canned (not to exceed 0.06 lbs.).
Poultry and game.
Fish:
Fresh.
Dried.
Canned (not to exceed 0.06 lbs.).
Cheese.
Butter.
Eggs: (8 to a lb.) fresh.
Milk: Canned.
Cream:
Fresh.
Canned.
Total for Group A 3.00 lbs.
Group B:
Sugar. Total for Group B 0.20 lbs.
Group C:
Potatoes. Total for Group C 1.00 lbs.
Group D:
Vegetables:
Fresh.
Dried.
Canned.
Fruit:
Fresh.
Dried.
Canned.
Total for Group D 0.75 lbs.
Group E:
Flour.
Cereals.
Bread.
Biscuits.
Crackers.
Total for Group E 1.00 lbs.
Group F:
Cocoa.
Coffee.
Tea.
Total for Group F 0.25 lbs.
Group G:
Beverages. Total for Group G 0.15 lbs.
Group H:
Other groceries. Total for Group H 0.50 lbs.
Group I:
Tobacco.[1]
Cigarettes.[1]
Total per man, per day 6.85 lbs.

(b) General licenses are hereby issued permitting exportation in planes departing from the United States of fuel, ordinary plane stores and supplies for use or consumption during the outgoing trip of such planes and any immediate return trip scheduled, and of equipment and spare parts when necessary for the proper operation of such planes.

Part 804, *Individual licenses,* is hereby amended by adding the following new section:

§ 804.10 *Repair parts for certain vessels.* An individual license for the exportation of repair parts for vessels operating under the control of countries other than those designated by numbers 1 through 81, 88, 89, 90, 91, 96 and 99 in § 802.2 (a) of this subchapter, is conditioned upon the observance of the following requirements:

(a) The repairs to the vessels must be made at the port of purchase of such repair parts prior to the departure of the vessel.

(b) The parts which are replaced by said repair parts may not be exported on the vessel, but must be discharged onto the pier at said port of purchase.

These amendments to § 802.13 and to Part 804 shall become effective July 22, 1942.

(Sec. 6, 54 Stat. 714, Pub. Law 75, 77th Cong., Pub. Law 638, 77th Cong.; Order No. 3 Delegations of Authority Nos. 25 and 26 7 F.R. 4951).

Dated: July 22, 1942.

F. R. KERR,
Export Control Branch,
Office of Exports.

[F. R. Doc. 42-7090; Filed, July 24, 1942; 1:53 p. m.]

[Amendment No. XIV]

PART 801—GENERAL REGULATIONS

PART 802—GENERAL LICENSES

SOLID PLATINUM

Section 801.2 *Prohibited exportations*[2] is amended in the following particulars:

In the column headed "Gen. Lic. Group", the group designation assigned to the commodity listed below (at every place where said commodity appears in said section) is amended to read as follows:

Commodity:	Gen. Lic. group
Jewelry and other articles of solid platinum	1, 47

Section 802.9 *General intransit licenses*[3] is amended by adding to the list of commodities set forth in paragraph (d) thereof the following items:

Jewelry and other articles of solid platinum.
Platinum group metals.

Section 802.10 *General licenses which permit shipments not exceeding a specified value*[3] is amended by adding to the

[1] 7 F.R. 5007.

[1] Two (2) packs of cigarettes per man, per day, or the equivalent of four ounces of tobacco per man, per day.

[1] 7 F.R. 4952, 5080, 5115, 5343, 5591, 5638.
[2] 7 F.R. 5004.
[3] 7 F.R. 5005, 5343.

list of commodities set forth in paragraph (a) thereof the following item:

Jewelry and other articles of solid platinum.

(Sec. 6, 54 Stat. 714, Pub. Law 75, 77th Cong., Pub. Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F. R. 4951)

This amendment shall become effective July 24, 1942.

F. R. KERR,
Colonel, Infantry,
Chief, Export Control Branch,
Office of Exports.

Dated: July 24, 1942.

[F. R. Doc. 42-7154; Filed, July 27, 1942; 11:23 a. m.]

[Amendment No. XV]

PART 801—GENERAL REGULATIONS

COTTON CORD TIRE FABRIC

Section 801.2 *Prohibited exportations*[1] is amended in the following particulars:

In the column headed "Gen. Lic. Group", the group designation assigned to the commodity listed below (at every place where said commodity appears in sa'd section) is amended to read as follows:

Commodity:	*Gen. Lic. group*
Cord tire fabric, cotton	C

(Sec. 6, 54 Stat. 714, Pub. Law 75, 77th Cong., Pub. Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

This amendment shall become effective July 25, 1942.

Dated: July 24, 1942.

F. R. KERR,
Colonel, Infantry,
Chief, Export Control Branch,
Office of Exports.

[F. R. Doc. 42-7155; Filed, July 27, 1942; 11:23 a. m.]

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 902—REGULATIONS UNDER THE REQUISITIONING ACTS

ADDITIONAL AMENDMENTS

Pursuant to the authority vested in the Chairman of the War Production Board by Executive Order No. 9024 of January 16, 1942[2] and Executive Order No. 9040 of January 24, 1942,[3] the Regulations under Requisitioning Acts approved by the Supply Priorities and Allocations Board, December 8, 1941, (Part 1600),[4] as amended by War Production Board Regulation No. 2 of January 26, 1942,[5] (§ 902.5), are hereby amended to read as follows:

§ 902.1 *General provisions applicable to all requisitioning proceedings.* (a) As used in these regulations, the term "Requisitioning Authority" means the Chairman of the War Production Board in all cases except when requisitioning is initiated under paragraph 4 of Executive Order 8942, as amended by Executive Order 9138, in which case the term "Requisitioning Authority" means the head of the department or agency who shall have submitted the proposal for requisitioning to the Chairman of the War Production Board.

(b) Promptly after any property has been requisitioned, notice of such requisition, in such manner and form as may be approved by the General Counsel of the War Production Board, shall, to the extent practicable, be given by the Requisitioning Authority to all persons known to have or claim any interest in such property; and all such persons shall be directed to file their claims with the Requisitioning Authority.

(c) As promptly as practicable after property has been requisitioned, the Requisitioning Authority shall make a preliminary determination of the fair and just compensation to be paid for such property. It shall, to the extent practicable, give notice of such determination to all persons known to have or claim an interest in the property requisitioned. Within 30 days after such notice, any claimant may file written objections to such preliminary determination, specifying in reasonable detail the grounds for his objection. The preliminary determination may be modified on the basis of such objections.

(d) In any case in which the Requisitioning Authority is in doubt as to the proper measure to be applied in determining fair and just compensation, or in any case in which there is a difference of opinion between the Requisitioning Authority and any person known to have or claim an interest in property requisitioned as to the proper measure to be applied in determining fair and just compensation, the Requisitioning Authority may, in its discretion, either before or after making a preliminary determination pursuant to paragraph (c), designate a time and place for all persons known to have or claim an interest in the property requisitioned to appear in support of their claims. Such appearance shall be before a board or official designated by the Requisitioning Authority for such purpose. Such board or official shall hear the claimants who appear and shall receive any evidence relevant to the inquiry. A stenographic transcript of the proceedings before such board or official and copies of all written evidence submitted shall be preserved. Following such inquiry, such board or official shall make a recommendation to the Requisitioning Authority as to the amount of compensation to be paid, and the Requisitioning Authority shall consider such recommendation, and thereafter may make or affirm, increase or decrease its preliminary determination.

(e) No payment shall be made to any claimant until he has presented such proof of his title as the Requisitioning Authority may require and the Requisitioning Authority has determined that compensation or any part thereof may be safely paid to him. If the Requisitioning Authority determines that compensation cannot safely be paid to any claimant, the Requisitioning Authority shall make an award of compensation and the amount of the award shall be set aside and retained, or the proper appropriation charged therefor, until the person or persons entitled to receive the same shall be established. If the Requisitioning Authority determines that compensation can safely be paid to any claimant, it shall make an award of compensation and shall pay to the person or persons entitled thereto the amount of such award or, if such person or persons are unwilling to accept such compensation, shall pay 50 per centum of such amount in accordance with the Act of October 10, 1940, as amended, or the Act of October 16, 1941, as amended, whichever shall be applicable.

(f) At any time after property has been requisitioned, the Requisitioning Authority may make a settlement with claimants as to the amount of compensation and the persons entitled thereto, provided that at the time of making any such settlement, the Requisitioning Authority shall make a determination that the amount of such settlement constitutes fair and just compensation for the property requisitioned.

(g) A Requisitioning Authority may exercise any power, duty or discretion vested in it under Executive Order 8942, Executive Order 9024, Executive Order 9040, Executive Order 9138 or this Regulation through such person or persons as it may designate.

(h) Any Requisitioning Authority, for the purpose of requiring and compelling a disclosure of information under section 4 of the Act of October 16, 1941, as amended, may administer oaths and affirmations, may require by subpoena or otherwise the attendance and testimony of witnesses and the production of any books or records or any other documentary or physical evidence which may be relevant to the inquiry. Such attendance and testimony of witnesses and the production of such books, records or other documentary or physical evidence may be required at any designated place from any State, Territory, or other place subject to the jurisdiction of the United States.

§ 902.2 *Provisions applicable to action initiated by the head of a Department or Agency other than the Chairman of the War Production Board.* (a) The Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, the Secretary of Agriculture, the Chairman of the United States Maritime Commission, the Executive Director of the Board of Economic Warfare, or the head of such other agency as the President may from time to time designate shall, prior to requisitioning any property pursuant to the power granted by paragraph 4 of Executive Order 8942, as amended by Executive Order 9138, submit to the Chairman of the War Produc-

[1] 7 F.R. 4952, 5080, 5115, 5343, 5591, 5638, and *supra*.
[2] 7 F.R. 329.
[3] 7 F.R. 567.
[4] 6 F.R. 6376.
[5] 7 F.R. 561.

tion Board a written statement (in such form as may be approved by the General Counsel of the War Production Board) setting forth in reasonable detail all pertinent facts with respect to the property which he proposes to requisition and the proposed disposal thereof, and certifying that he has made the determinations required under said paragraph 4.

(b) Upon the submission of any such proposal, the Chairman of the War Production Board shall determine whether such proposal is consistent with his priorities and allocations program and general production and supply plan. The Chairman of the War Production Board may consider and act upon the proposed requisitioning separately from the proposed disposal. The determination of the Chairman of the War Production Board shall be transmitted in writing to the Requisitioning Authority.

(c) If the proposed requisitioning is determined to be consistent with the priorities and allocations program and general production and supply plan of the Chairman of the War Production Board, the Requisitioning Authority may requisition the property in accordance with § 902.1 hereof. If the proposed disposal of such property has been determined to be consistent with the priorities and allocations program and general production and supply plan of the Chairman of the War Production Board, such property shall be disposed of in accordance with such proposal; but if the Requisitioning Authority desires otherwise to dispose of such property, it may submit a new proposal for such disposal to the Chairman of the War Production Board.

(d) In any case in which any Requisitioning Authority which has requisitioned property pursuant to paragraph 4 of Executive Order 8942, as amended by Executive Order 9138, determines that property requisitioned by it and retained is no longer needed for the defense of the United States and proposes to return it to the original owner thereof, it shall submit such proposal to the Chairman of the War Production Board, in the same manner as provided in § 902.1 hereof, for determination as to whether such proposal is consistent with the priorities and allocations program and general production and supply plan of the Chairman of the War Production Board. The determination of the Chairman of the War Production Board shall be transmitted in writing to the Requisitioning Authority.

(e) In any case in which property is requisitioned or disposed of, or a determination of compensation or of a person entitled thereto is made, or property is returned to the original owner thereof, in accordance with this section or § 902.4 hereof, the Requisitioning Authority shall report in reasonable detail concerning such requisitioning, determination and payment of compensation, disposal or return to the Chairman of the War Production Board within 15 days after the event.

§ 902.3 *Provisions applicable only to requisitioning by the Chairman of the War Production Board.* (a) The Chairman of the War Production Board shall keep a written record of each determination made by him, pursuant to the provisions of Executive Order 8942, as amended by Executive Order 9138, and the Acts, of the necessity for requisitioning property.

(b) Whenever the Chairman of the War Production Board determines to requisition property through another department or agency pursuant to paragraphs 2 and 3 of Executive Order 8942, as amended by Executive Order 9138, he shall notify such department or agency and request (in such form as may be approved by the General Counsel of the War Production Board) it to requisition and dispose of such property, and all action taken shall be in accordance with the determination of the Chairman of the War Production Board.

§ 902.4 *Matters pending under the Act of October 10, 1940.* This regulation shall apply only with respect to property requisitioned after December 8, 1941. If any property was requisitioned prior to December 8, 1941, under the Act of October 10, 1940, and such property has not heretofore been disposed of or the determination of the fair and just compensation therefore has not been made, such disposal or determination shall be made in accordance with said Act of October 10, 1940, and all Executive Orders and Regulations of the President thereunder in effect immediately prior to December 8, 1941.

(E.O. 8924, 6 F.R. 5909; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 567; E.O. 9138, 7 F.R. 2919; Pub. Law 829, 76th Cong. as amended by Pub. Law 643, 77th Cong.; Pub. Law 274, 77th Cong. as amended by Pub. Law 507, 77th Cong.)

Issued this 24th day of July 1942.

DONALD M. NELSON,
Chairman, War Production Board.

[F. R. Doc. 42-7093; Filed, July 24, 1942; 3:38 p. m.]

Subchapter B—Director General for Operations

PART 1102—AGAR

[Amendment 2 to General Preference Order M-96]

Section 1102.1 *General Preference Order M-96*[1] is hereby amended in the following particulars:

Paragraph (b) (1) is hereby amended to read as follows:

(1) "Agar" means any mucilaginous substance, whether dried or in other form, extracted from Gelidium corneum and other species of Gelidium and closely related algae. It is also known as "Agar-Agar", "Chinese Gelatin", and "Japanese Gelatin." It shall not be construed to include any extract which was so processed before February 9, 1942, as to be rendered unfit for use in the preparation of bacteriological media.

Paragraph (d) is hereby amended by adding the following sentence thereto:

The restrictions of this order shall not apply to sales or deliveries to or purchases or sales by the Defense Supplies Corporation, or any other corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act, as amended, or any duly authorized agent of such corporation.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 24th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7106; Filed, July 24, 1942; 5:08 p. m.]

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIALS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Amendment to Designation of Part 940 and Amendment 11 to Supplementary Order M-15-b]

1. The designation of Part 940 (formerly "Rubber and Products and Materials of which Rubber is a Component") is hereby amended to read "Rubber and Balata and Products and Materials of which Rubber or Balata is a Component."

2. Section 940.3 *Supplementary Order M-15-b* is amended as follows:

a. By adding at the end of paragraph (a) (6) the words "or balata".

b. By inserting immediately after paragraph (a) (7) the following new paragraph designated (a) (8):

(8) "Balata" means any of the gums of recognized commercial grades having a gutta hydrocarbon base and a high resin content, procured from wild forest trees of the Mimusops genus and closely related genera generally found in South and Central America from the Amazon Valley north through Panama; and includes such gums whether in crude or refined (deresinated or partly deresinated) form.

c. By changing paragraph (e) therein to read as follows:

(e) *General restriction on the sale of rubber, latex, and balata.* No person shall sell, trade or transfer the ownership of any rubber, latex or balata, and no person shall accept any such sale, trade, or transfer of ownership, except (1) as expressly permitted by regulations prescribed by Rubber Reserve Company, or (2) in those cases in which specific authorizations may be issued by the Director General for Operations; provided that nothing in this paragraph shall be deemed to prohibit the sale of unvulcanized rubber products or products made from balata which were in finished or marketable form on December 11, 1941, or which have become finished and marketable at any time after that date pursuant to processing not prohibited by any orders or other instructions issued by the

[1] 7 F.R. 904, 4474.

Office of Production Management or the Director General for Operations.

d. By changing paragraph (o) to read as follows:

(o) *Restrictions on the importation of rubber, latex, reclaimed and scrap rubber and balata and products thereof.* No person, other than Metals Reserve Company, Defense Supplies Corporation, Rubber Reserve Company or any other subsidiary of Reconstruction Finance Corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act, as Amended, or any agent acting for one of them, shall, except as authorized or otherwise directed in writing by the Director General for Operations, purchase for import, offer to purchase for import, receive, or offer to receive on consignment for import, or make any contract or other arrangement for the importing of, any rubber, latex, reclaimed and scrap rubber or balata, whether in crude, partly processed or processed form, or any finished or partly finished product or material made in whole or in part from any of the foregoing. For the purpose hereof "import" means to transport into the continental United States from any foreign country or from any territory or possession of the United States, and shall include a release from the bonded custody of the United States Bureau of Customs.

e. By inserting immediately after paragraph (o), the following new paragraphs designated "(p)" and "(q)";

(p) *General restrictions on the consumption of balata.* No person shall consume any balata except:

(1) In the manufacture of self-sealing fuel cells to fill any war order; or

(2) For any other purpose for which special authorization may be issued by the Director General for Operations.

(q) *Reports of stocks of balata.* Every person who owns or has in his possession or under his control any balata on the date of issuance of Amendment No. 11 of Supplementary Order M–15–b shall, not later than August 15, 1942, file with the Rubber and Rubber Products Branch of the War Production Board a complete report setting forth by grades or classifications the amount of balata so owned, possessed or controlled by him, and the location and ownership thereof.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7110; Filed, July 25, 1942; 10:11 a. m.]

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIAL OF WHICH RUBBER OR BALATA IS A COMPONENT

[Amendment 13 to Supplementary Order M–15–b]

§ 940.3 *Supplementary Order M–15–b* is hereby amended by changing paragraph (h) thereof to read as follows:

(h) *Limitation of inventories.* No person other than Rubber Reserve Company shall purchase or receive delivery of any crude rubber, latex or balata or products thereof, or any products of reclaimed rubber or scrap rubber, in the form of raw materials, semi-processed materials, finished products or parts or sub-assemblies in quantities which shall result in such person having an inventory a minimum practicable working inventory, taking into consideration the limitations placed by this order upon the production of products made of crude rubber, latex, balata, reclaimed rubber and scrap rubber. An inventory of crude rubber, latex or balata which can reasonably be expected to last more than sixty days shall be deemed to be in excess of a practicable working inventory unless otherwise authorized by the Director General for Operations or the Rubber Reserve Company. The limitation on inventories imposed by this paragraph (h) and by § 944.14 (Priorities Regulation No. 1, as amended) shall not apply to inventories of reclaimed rubber held or acquired by consumers of reclaimed rubber, it being contemplated that consumers of reclaimed rubber may accumulate such inventories of reclaimed rubber as they may deem advisable.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561, E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7112; Filed, July 25, 1942; 10;10 a. m.]

PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIALS OF WHICH RUBBER OR BALATA IS A COMPONENT

[Correction 1 to Supplementary Order M–15–b–1]

Section 940.5 *Supplementary Order M–15–b–1* is corrected as follows:

1. By changing subdivision (i) of the table appearing in paragraph (b) (2) of revised List 12 attached thereto (attached to Amendment No. 8 appearing in the FEDERAL REGISTER on July 11, 1942, 7 F.R. 5296) to read as follows:

Type of service	Outer covering	Operating voltage	Compounds for—	
			Insulation	Jacket
(i) Building wire, telephone drop wire, police and fire alarm systems, and general service, designed for use in dry locations.	Fibrous or lead	0–3,000	W–C	None.
	Lead	3,001–5,000	W–C	None.
	Fibrous	3,001–5,000	W–B	None.
	Fibrous or lead	5,001 and over	W–B	None.

2. By changing the note marked with an asterisk appearing at the end of said table to read as follows:

*For "Uni-insulation" the use of (W–A) compound is permitted in (iv) (bb) and (iv) (cc).

3. By changing the item

Men's workshoe (plain toe)..... .25

appearing in paragraph 4 of revised List 6 attached thereto (attached to Amendment No. 10 appearing in the FEDERAL REGISTER on July 22, 1942, 7 F.R. 5603) to read as follows:

Item	*Average weight of crude rubber per pair maximum (in pounds)*
• • • • •	
Men's workshoe (plain toe).....	.95

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7111; Filed, July 25, 1942; 10:10 a. m.]

PART 1174—LAUNDRY EQUIPMENT, DRY CLEANING EQUIPMENT AND TAILORS' PRESSING MACHINERY

[Interpretation 1 of General Limitation Order L–91, as amended [1]]

§ 1174.1 *Interpretation 1 of General Limitation Order L–91.* The following official interpretation is hereby issued by the Director General for Operations with respect to General Limitation Order L–91 as amended:

Paragraph (b) of General Limitation Order L–91 restricts the sale, purchase, delivery, or acquisition of rebuilt or reconditioned machinery of a value in excess of $100. This restriction applies to transactions in used machinery which cannot be used effectively (except temporarily) for the purchaser's purposes in its then condition, where it is intended at the time of the transaction that such machinery will be rebuilt or reconditioned by or at the expense of either the transferor or transferee, or both.

The term "value" as used with reference to rebuilt or reconditioned machinery means the value of the machinery after rebuilding or reconditioning in the manner described above. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 25th day of July, 1942

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7109; Filed, July 25, 1942; 10:10 a. m.]

[1] 7 F.R. 4650.

PART 962—STEEL

[Supplementary Order M-21-c as Amended July 27, 1942]

PLATES

Supplementary Order M-21-c[1] (§ 962.4) is hereby amended to read as follows:

§ 962.4 *Supplementary Order M-21-c*—(a) *Definitions.* For the purposes of this order:

(1) When applied to carbon steel, the term "plates" means flat hot rolled steel products, including skelp:

Over 6 inches wide and ¼ inch or more thick, or

Over 6 inches wide and weighing 10.2 pounds or more per square foot, or

Over 48 inches wide and 3/16 inch or more thick, or

Over 48 inches wide and weighing 7.65 pounds or more per square foot.

(2) When applied to alloy steel (except stainless), the term "plates" means flat hot rolled steel products, including skelp:

Over 12 inches wide and ¼ inch or more thick, or

Over 12 inches wide and weighing 10.2 pounds or more per square foot, or

Over 48 inches wide and 3/16 inch or more thick, or

Over 48 inches wide and weighing 7.65 pounds or more per square foot.

(3) When applied to stainless steel, the term "plates" means flat hot rolled steel products, including skelp:

Over 10 inches wide and $\frac{3}{16}$ inch or more thick.

(4) The term "plates" includes those patterned flat hot rolled steel products generally known as floor plates, regardless of thickness or width.

(b) *Customers' reports.* Each person desiring to obtain plates from a producer shall file with such producer and with the War Production Board monthly reports of requirements on form PD-298, and shall file with the War Production Board monthly reports of inventory and consumption on form PD-299.

(c) *Producers' reports.* Each producer shall file with the War Production Board monthly schedules on forms PD-169 and PD-169A showing all plates requested by customers on form PD-298 for shipment by the producer during the following month: *Provided,* That no producer shall schedule plates except on orders rated A-10 or higher or specifically allocated by the Director General for Operations. The Director General for Operations may make such changes in such schedules as to him shall seem appropriate, and may from time to time issue supplementary instructions with respect thereto.

(d) *Restrictions on deliveries*—(1) *By producers.* No producer shall deliver plates except in accordance with such producer's schedule on form PD-169 as modified, or with such supplementary instructions as may from time to time be issued by the Director General for Operations.

(2) *By other persons.* Except as otherwise provided by Priorities Regulation No. 13, or except with specific permission of the Director General for Operations, no person other than a producer shall deliver plates except on a preference rating of A-1-k or higher: *Provided, however,* That a warehouse may deliver plates for repair or maintenance purposes to the extent permitted by Supplementary Order M-21-b.[2] (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 27th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7150; Filed, July 27, 1942; 11:10 a. m.]

PART 1125—CASKETS, SHIPPING CASES AND BURIAL VAULTS

[Amendment 1 to General Limitation Order L-64]

Section 1125.1 *General Limitation Order L-64*[1] is hereby amended in the following particulars:

Paragraph (b) (6) is hereby amended to read as follows:

(6) Any person affected by this order shall sell material in his inventory only in accordance with the provisions of Priorities Regulation No. 13[2] (Part 944) and all other applicable orders and regulations, except that a manufacturer of concrete burial vaults may sell iron and steel for use as reinforcing material in the production of concrete burial vaults to other manufacturers of concrete burial vaults, and any such sale shall be expressly permitted within the terms of paragraph (c) (2) (iii) of Priorities Regulation No. 13.

Paragraph (b) is hereby amended by adding at the end thereof the following new subparagraphs:

(9) The restrictions contained in paragraph (b) (5) shall not apply to iron and steel used for reinforcing purposes in concrete burial vaults, provided the total amount of iron and steel used does not exceed 15 pounds per concrete burial vault.

(10) On and after July 27, 1942, no manufacturer shall procure or acquire any iron and steel for use as reinforcing material in the production of concrete burial vaults, except from other manufacturers of concrete burial vaults.

(11) On and after December 31, 1942, no manufacturer shall process, fabricate, work on or assemble any concrete burial vaults containing any iron and steel.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 27th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-7151; Filed, July 27, 1942; 11:10 a. m.]

PART 1281—RAYON STAPLE FIBER

[General Preference Order M-176]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of rayon fiber 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.

§ 1281.1 *General Preference Order M-176*—(a) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(b) *Additional definitions.* For the purpose of this order:

(1) "Wool" shall mean the fiber from the fleece of the sheep or lamb, or the hair of the Angora or Cashmere goat or camel or the alpaca, llama, vicuna, and related fibers, including fine carpet wool and coarse carpet wool, but shall not include noils, waste, reprocessed or reused wool, or yarn or cloth.

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[1] 6 F.R. 6144; 7 F.R. 1792.

[2] 6 F.R. 4587, 5255, 5995, 6736; 7 F.R. 1626, 3324, 3881, 5661.

[1] 7 F.R. 2454.

[2] 7 F.R. 5167, 5604.

(2) "Basic quarterly poundage" for any single system shall mean one half of the number of pounds of wool put into process on that system by a person or for his account during the period from December 29, 1940 to June 28, 1941, both inclusive, or for the period from January 1, 1941, to June 30, 1941, both inclusive, according to the method of keeping production records maintained by such persons during such period. Such poundage shall be determined as follows:

(i) On the worsted system or any other system using tops, the weight of tops put into process at 15 per cent moisture regain, 3¼ per cent of oil and natural fats.

(ii) On the woolen system, scoured wool at 12 per cent moisture.

(iii) On the felt or any other system, the weight of wool in the stage immediately preceding putting into process.

(c) *Viscose rayon staple fiber and acetate rayon staple fiber for use of persons putting wool into process.* (1) Each producer of viscose rayon staple fiber or acetate rayon staple fiber shall set aside each month such amount of his production thereof in excess of that necessary to fill rated orders as may be designated by the Director General for Operations for sale and delivery to or for the account of persons putting wool into process, or causing wool to be put into process by others for their account, on any system, as provided in subparagraph (2) of this paragraph.

(2) Each person putting wool owned by him into process, or causing such wool to be put into process by others for his account, shall be eligible to purchase each month, out of the viscose rayon staple fiber or acetate rayon staple fiber set aside by the producers thereof, pursuant to the terms of subparagraph (1) of this paragraph, an amount not to exceed such percentage of his basic quarterly poundage for that system as may from month to month be prescribed by the Director General for Operations; *Provided, however,* That amounts of such staple fiber so allocated on the basis of such percentages which are not covered by orders placed by persons entitled thereto within the time prescribed for placing orders in subparagraph (3) of this paragraph may be distributed by the Director General for Operations among such persons as have placed orders within such time and have indicated thereon a desire to receive additional amounts if made available.

(3) Each person eligible to purchase viscose rayon staple fiber or acetate rayon staple fiber set aside by the producers thereof, pursuant to the terms of subparagraph (1) of this paragraph, shall place his order with the producer thereof on or before the fifteenth day of the second month before the month in which delivery is to be made. Each producer receiving any such orders shall notify the War Production Board within one week after such day of the amount of staple fiber for which orders have been placed and the names of persons who have indicated a desire for additional amounts, together with the amounts so indicated.

(d) *Prohibitions against sales of rayon staple fiber in form received.* No person purchasing viscose rayon staple fiber or acetate rayon staple fiber pursuant to paragraph (c) hereof shall sell or deliver any such rayon staple fiber in the form in which received from the producer thereof to any person other than such producer.

(e) *Restriction on use of rayon staple fiber purchased under allocation.* No person purchasing viscose rayon staple fiber or acetate rayon staple fiber pursuant to paragraph (c) hereof, or from any person who has purchased the same pursuant thereto, shall use such staple fiber in the manufacture of floor coverings, or drapery or upholstery fabrics.

(f) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of rayon staple fiber conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board by letter or telegraph, Reference M–176, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

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

(h) *Communications to the War Production Board.* All communications concerning this order, or any reports that may hereafter be required to be filed, shall, unless otherwise directed, be addressed to: War Production Board, Textile Clothing and Leather Branch, Washington, D. C. Ref: M–176.

(i) This order shall take effect on August 3, 1942. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 27th day of July 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42–7152; Filed, July 27, 1942; 11:10 a. m.]

Chapter XI—Office of Price Administration

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 33]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES IN A PORTION OF THE PETERSBURG DEFENSE-RENTAL AREA

In the judgment of the Administrator, rents for housing accommodations within that portion of the Petersburg Defense-Rental Area designated in the Designation and Rent Declaration issued by the Administrator on April 28, 1942 (consisting of the Independent City of Petersburg, and the Counties of Dinwiddie and Prince George, in the State of Virginia), have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designation and Rent Declaration.

The Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within the said portion of the Petersburg Defense-Rental Area on or about April 1, 1941. It is his judgment that defense activities had not resulted in increases in rents for such housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 prior to April 1, 1941, but did result in such increases commencing on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for housing accommodations within the said portion of the Petersburg Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation is hereby issued.

AUTHORITY: § 1388.2051 to § 1388.2064, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1388.2051 *Scope of regulation.* (a) This Maximum Rent Regulation No. 33 applies to all housing accommodations within that portion of the Petersburg Defense-Rental Area designated in the Designation and Rent Declaration (§§ 1388.1101 to 1388.1105, inclusive) issued by the Administrator on April 28, 1942 (consisting of the Independent City of Petersburg, and the Counties of Dinwiddie and Prince George, in the State of Virginia—hereinafter referred to in this Maximum Rent Regulation as the "Defense-Rental Area"), except as provided in paragraph (b) of this section.

(b) This Maximum Rent Regulation No. 33 does not apply to the following:

(1) Housing accommodations situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Dwelling space occupied by domestic servants, caretakers, managers, or other employees to whom the space is provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the dwelling space is a part;

(3) Rooms or other housing accommodations within hotels or rooming houses, or housing accommodations which have been, with the consent of the Administrator, brought under the control of the Maximum Rent Regulation for Hotels and Rooming Houses pursuant to the provisions of that Regulation: *Provided,* That this Maximum Rent Regulation No. 33 does apply to entire structures or premises though used as hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this Maximum Rent Regulation No. 33.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation No. 33 is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this Maximum Rent Regulation.

§ 1388.2052 *Prohibition against higher than maximum rents.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation No. 33 of any housing accommodations within the Defense-Rental Area higher than the maximum rents provided by this Maximum Rent Regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation may be demanded or received.

§ 1388.2053 *Minimum services.* The maximum rents provided by this Maximum Rent Regulation No. 33 are for housing accommodations including, as a minimum, services of the same type, quantity, and quality as those provided on the date determining the maximum rent. If, on the effective date of this Maximum Rent Regulation, the services provided for housing accommodations are less than such minimum services the landlord shall either restore and maintain the minimum services or, within 30 days after such effective date, file a petition pursuant to § 1388.2055 (b) for approval of the decreased services. In all other cases, except as provided in § 1388.2055 (b), the landlord shall provide the minimum services unless and until an order is entered pursuant to that section approving a decrease of such services.

§ 1388.2054 *Maximum rents.* Maximum rents (unless and until changed by the Administrator as provided in § 1388.2055) shall be:

(a) For housing accommodations rented on April 1, 1941, the rent for such accommodations on that date.

(b) For housing accommodations not rented on April 1, 1941, but rented at any time during the two months ending on that date, the last rent for such accommodations during that two month period.

(c) For housing accommodations not rented on April 1, 1941 nor during the two months ending on that date, but rented prior to the effective date of this Maximum Rent Regulation, the first rent for such accommodations after April 1, 1941. The Administrator may order a decrease in the maximum rent as provided in § 1388.2055 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after April 1, 1941 and before the effective date of this Maximum Rent Regulation No. 33, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however,* That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.2055 (c).

(e) For (1) newly constructed housing accommodations without priority rating first rented on or after the effective date of this Maximum Rent Regulation No. 33, or (2) housing accommodations changed on or after such effective date so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations not rented at any time between February 1, 1941 and such effective date, the rent fixed by the Administrator. The landlord shall, prior to renting and in time to allow 15 days for action thereon, file a petition requesting the Administrator to enter an order fixing the maximum rent therefor. Such order shall be entered on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941. In cases involving construction due consideration shall be given to increased costs of construction, if any, since April 1, 1941.

If no order is entered on such petition within 15 days after filing, the landlord may rent such accommodations and the first rent therefor shall be the maximum rent. Within 5 days after so renting, the landlord shall report the maximum rent. The Administrator may order a decrease

in such maximum rent as provided in § 1388.2055 (c).

(f) For housing accommodations constructed with priority rating from the United States or any agency thereof for which the rent has been heretofore or is hereafter approved by the United States or any agency thereof, the rent so approved but in no event more than the first rent for such accommodations.

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941, as determined by the owner of such accommodations; *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.2055 (c).

§ 1388.2055 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. In those cases involving a major capital improvement, an increase or decrease in the furniture, furnishings or equipment, an increase or decrease of services, or a deterioration, the adjustment in the maximum rent shall be the amount the Administrator finds would have been on April 1, 1941 the difference in the rental value of the housing accommodations by reason of such change. In all other cases, except those under paragraphs (a) (7) and (c) (6) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941. In cases involving construction due consideration shall be given to increased costs of construction, if any, since April 1, 1941. In cases under paragraphs (a) (7) and (c) (6) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable housing accommodations during the year ending on April 1, 1941.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been on or after the effective date of this Maximum Rent Regulation No. 33 a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, prior to April 1, 1941 and within the six months ending on that date, a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent on April 1, 1941 was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(5) There was in force on April 1, 1941 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941; or the housing accommodations were not rented on April 1, 1941, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to April 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941.

6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent on the date determining the maximum rent was substantially lower than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(b) If, on the effective date of this Maximum Rent Regulation No. 33 the services provided for housing accommodations are less than those provided on the date determining the maximum rent, the landlord shall either restore the services to those provided on the date determining the maximum rent and maintain such services or, within 30 days after such effective date, file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that;

(1) The maximum rent for housing accommodations under paragraphs (c), (d), or (g) of § 1388.2054 is higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941; or the maximum rent for housing accommodations under paragraph (e) of § 1388.2054 for which the rent was not fixed by the Administrator is higher than such generally prevailing rent.

(2) There has been a substantial deterioration of the housing accommodations other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

(6) The rent on the date determining the maximum rent was substantially higher than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation No. 33, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on April 1, 1941.

(e) Where, at the expiration or other termination of an underlying lease or other rental agreement, housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the landlord may rent the entire premises for use by similar occupancy for a rent not in excess of the aggregate maximum rents of the separate dwelling units, or may rent the separate dwelling units for rents not in excess of the maximum rents applicable to such units.

Where housing accommodations or a predominant part thereof are occupied

by one or more subtenants or other persons occupying under a rental agreement with the tenant, the tenant may petition the Administrator for leave to exercise any right he would have except for this Maximum Rent Regulation No. 33 to sell his underlying lease or other rental agreement. The Administrator may grant such petition if he finds that the sale will not result, and that sales of such character would not be likely to result, in the circumvention or evasion of the Act or this Maximum Rent Regulation. He may require that the sale be made on such terms as he deems necessary to prevent such circumvention or evasion.

§ 1388.2056 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any housing accommodations, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this Maximum Rent Regulation No. 33; or

(2) The tenant has unreasonably refused the landlord access to the housing accommodations for the purpose of inspection or of showing the accommodations to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the accommodations is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the housing accommodations for an immoral or illegal purpose; or

(4) The tenant's lease or other rental agreement has expired or otherwise terminated, and at the time of termination the housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons who occupied under a rental agreement with the tenant; or

(5) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the housing accommodations or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(6) The landlord seeks in good faith to recover possession of the housing accommodations for immediate use and occupancy as a dwelling by himself, his family or dependents; or he has in good faith contracted in writing to sell the accommodations for immediate use and occupancy by a purchaser, who in good faith has represented in writing that he will use the accommodations as a dwelling for himself, his family or dependents; or the landlord seeks in good faith not to offer the housing accommodations for rent. If a tenant has been removed or evicted under this paragraph (a) (6) from housing accommodations, such accommodations shall not be rented for a period of six months after such removal or eviction without permission of the Administrator. The landlord may petition the Administrator for permission to rent the accommodations during such six month period, and the Administrator shall grant such permission if he finds that the action was in good faith and not for the purpose of evading any provision of the Act or this Maximum Rent Regulation.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation No. 33 and would not be likely to result in the circumvention or evasion thereof.

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

(d) At the time of commencing any action to remove or evict a tenant (except an action based on non-payment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(e) No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.2057 *Registration.* Within 45 days after the effective date of this Maximum Rent Regulation No. 33, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. The statement shall identify each dwelling unit and specify the maximum rent provided by this Maximum Rent Regulation for such dwelling unit and shall contain such other information as the Administrator shall require. The original shall remain on file with the Administrator and he shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant's signature and the date thereof on the back of such statement. Within five days after renting to a new tenant, the landlord shall file a notice on the form provided therefor, on which he shall obtain the tenant's signature, stating that there has been a change in tenancy, that the stamped copy of the registration statement has been exhibited to the new tenant and that the rent for such accommodations is in conformity therewith.

No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

When the maximum rent is changed by order of the Administrator the landlord shall deliver his stamped copy of the registration statement to the Area Rent Office for appropriate action reflecting such change.

§ 1388.2058 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of housing accommodations and any tenant shall permit such inspection of the accommodations by the Administrator as he may, from time to time, require.

§ 1388.2059 *Evasion.* The maximum rents and other requirements provided in this Maximum Rent Regulation No. 33 shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of housing accommodations, by way of absolute or conditional sale; sale with purchase money or other form of mortgage, or sale with option to repurchase, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with housing accommodations, or otherwise.

§ 1388.2060 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.2061 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.2062 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation No. 33 may file petitions therefor in accordance with

Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.2063 *Definitions.* (a) When used in this Maximum Rent Regulation No. 33:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The term "Area Rent Office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of housing accommodations.

(8) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations, or an agent of any of the foregoing.

(9) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any housing accommodations.

(10) The term "rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of housing accommodations or for the tranfer of a lease of such accommodations.

(11) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(12) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Rent Regulation.

§ 1388.2064 *Effective date of the regulation.* This Maximum Rent Regulation No. 33 (§§ 1388.2051 to 1388.2064, inclusive) shall become effective August 1, 1942.

Issued this 24th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7084; Filed, July 24, 1942; 12:23 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 34A]

HOTELS AND ROOMING HOUSES IN A PORTION OF THE PETERSBURG DEFENSE-RENTAL AREA

In the judgment of the Administrator, rents for housing accommodations within that portion of the Petersburg Defense-Rental Area designated in the Designation and Rent Declaration issued by the Administrator on April 28, 1942 (consisting of the Independent City of Petersburg, and the Counties of Dinwiddie and Prince George, in the State of Virginia), have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designation and Rent Declaration.

The Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within the said portion of the Petersburg Defense-Rental Area on or about April 1, 1941. It is his judgment that defense activities had not resulted in increases in rents for such housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 prior to April 1, 1941, but did result in such increases commencing on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation No. 34A for housing accommodations within the said portion of the Petersburg Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation is hereby issued.

AUTHORITY: §§ 1388.3001 to 1388.3014, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1388.3001 *Scope of regulation.* (a) This Maximum Rent Regulation No. 34A applies to all rooms in hotels and rooming houses within that portion of the Petersburg Defense-Rental Area designated in the Designation and Rent Declaration (§§ 1388.1101 to 1388.1105, inclusive) issued by the Administrator on April 28, 1942 (consisting of the Independent City of Petersburg, and the Counties of Dinwiddie and Prince George, in the State of Virginia—hereinafter referred to in this Maximum Rent Regulation as the "Defense-Rental Area"), except as provided in paragraph (b) of this section.

(b) This Maximum Rent Regulation does not apply to the following:

(1) Rooms situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Rooms occupied by domestic servants, caretakers, managers, or other employees to whom the rooms are provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the rooms are a part;

(3) Rooms in hospitals, or rooms of charitable or educational institutions used in carrying out their charitable or educational purposes;

(4) Entire structures or premises used as hotels or rooming houses, as distinguished from the rooms within such hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this Maximum Rent Regulation.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this Maximum Rent Regulation.

(e) Where a building or establishment which does not come within the definitions of a hotel or rooming house contains one or more furnished rooms or other furnished housing accommodations rented on a daily, weekly or monthly basis, the landlord may, with the consent of the Administrator, elect to bring all housing accommodations within such building or establishment under the control of this Maximum Rent Regulation. A landlord who so elects shall file a registration statement under this Maximum Rent Regulation for all such housing accommodations, accompanied by a written request to the Administrator to consent to such election.

If the Administrator finds that the provisions of this Maximum Rent Regulation No. 34A establishing maximum rents are better adapted to the rental practices for such building or establishment than the provisions of the Maxi-

mum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses, he shall consent to the landlord's election. Upon such consent, all housing accommodations within such building or establishment which are or hereafter may be rented or offered for rent shall become subject to the provisions of this Maximum Rent Regulation, and shall be considered rooms within a rooming house for the purposes of the provisions relating to eviction.

The landlord may at any time, with the consent of the Administrator, revoke his election, and thereby bring under the control of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses all housing accommodations previously brought under this Maximum Rent Regulation by such election. He shall make such revocation by filing a registration statement or statements under the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses, including in such registration statement or statements all housing accommodations brought under this Maximum Rent Regulation by such election. Such registration statement or statements shall be accompanied by a written request to the Administrator to consent to such revocation. The Administrator may defer action on such request if he has taken or is about to take action to decrease the maximum rents of any housing accommodations within such building or establishment. If the Administrator finds that the revocation so requested will not result in substantial increases in the maximum rents of housing accommodations affected by such revocation, he shall give such consent. Upon such consent, all housing accommodations affected by such revocation shall become subject to the provisions of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses.

§ 1388.3002 *Prohibitions.* (a) Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation of any room in a hotel or rooming house within the Defense-Rental Area higher than the maximum rents provided by this Maximum Rent Regulation No. 34A; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation may be demanded or received.

(b) No tenant shall be required to change his term of occupancy if that will result in the payment of a higher amount per day than the maximum rent established for his present term of occupancy. Where, on June 15, 1942, or between that date and the effective date of this Maximum Rent Regulation, a room was regularly rented or offered for rent for a weekly or monthly term of occupancy, the landlord shall continue to offer the room for rent for that term of occupancy, unless he offers another term of occupancy for a rent which results in the payment of an amount no higher per day.

§ 1388.3003 *Minimum services.* The maximum rents provided by this Maximum Rent Regulation No. 34A are for rooms including, as a minimum, services of the same type, quantity, and quality as those provided on the date or during the thirty-day period determining the maximum rent. If, on the effective date of this Maximum Rent Regulation, the services provided for rooms are less than such minimum services, the landlord shall either restore and maintain the minimum services, or within 30 days after such effective date, file a petition pursuant to § 1388.3005 (b) for approval of the decreased services. In all other cases, except as provided in § 1388.3005 (b), the landlord shall provide the minimum services unless and until an order is entered pursuant to that section approving a decrease of such services.

§ 1388.3004 *Maximum rents.* This section establishes separate maximum rents for different terms of occupancy (daily, weekly or monthly) and numbers of occupants of a particular room. Maximum rents for rooms in a hotel or rooming house (unless and until changed by the Administrator as provided in § 1388.3005) shall be:

(a) For a room rented or regularly offered for rent during the thirty days ending on April 1, 1941, the highest rent for each term or number of occupants for which the room was rented during that thirty-day period; or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(b) For a room neither rented nor regularly offered for rent during the thirty days ending on April 1, 1941, the highest rent for each term or number of occupants for which the room was rented during the thirty days commencing when it was first offered for rent after April 1, 1941; or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(c) For a room rented for a particular term or number of occupants for which no maximum rent is established under paragraphs (a) or (b) of this section, the first rent for the room after April 1, 1941, for that term and number of occupants, but not more than the maximum rent for similar rooms for the same term and number of occupants in the same hotel or rooming house.

(d) For a room constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable rooms on April 1, 1941, as determined by the owner of such room: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.3005 (c) (1).

(e) For a room with which meals were provided during the thirty-day period determining the maximum rent without separate charge therefor, the rent apportioned by the landlord from the total charge for the room and meals. The landlord's apportionment shall be fair and reasonable and shall be reported in the registration statement for such room. The Administrator at any time on his own initiative or on application of the tenant may by order decrease the maximum rent established by such apportionment if he finds that the apportionment was unfair or unreasonable.

Every landlord who provides meals with accommodations shall make separate charges for the two. No landlord shall require the taking of meals as a condition of renting any room unless the room was rented or offered for rent on that basis on June 15, 1942.

§ 1388.3005 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. Except in cases under paragraphs (a) (7) and (c) (4) of this section, every adjustment of a maximum rent shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable rooms on April 1, 1941: *Provided, however,* That no maximum rent shall be increased, because of a major capital improvement or an increase in services, furniture, furnishings or equipment, by more than the amount which the Administrator finds would have been on April 1, 1941 the difference in the rental value of the accommodations by reason of such improvement or increase. In cases involving construction due consideration shall be given to increased costs of construction, if any, since April 1, 1941. In cases under paragraphs (a) (7) and (c) (4) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable rooms during the year ending on April 1, 1941.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been, since the thirty-day period or the order determining the maximum rent for the room, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, on or prior to April 1, 1941 and within the six months ending on that date, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent during the thirty-day period ending on April 1, 1941 was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the room since the thirty-day period or the order determining its maximum rent.

(4) The rent during the thirty-day period determining the maximum rent was materially affected by the blood, personal or other special relationship between landlord and the tenant, or by an allowance or discount to a tenant of a class of persons to whom the landlord regularly offered such an allowance or discount, and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on April 1, 1941.

(5) There was in force on April 1, 1941 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on April 1, 1941.

(6) The rent during the thirty-day period determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent during the thirty-day period determining the maximum rent for the room was substantially lower than at other times of the year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different rents for different periods of the calendar year.

(b) If, on the effective date of this Maximum Rent Regulation No. 34A, the services provided for a room are less than those provided on the date or during the thirty-day period determining the maximum rent, the landlord shall either restore the services to those provided on the date or during the thirty-day period determining the maximum rent and maintain such services or, within 30 days after such effective date, file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The maximum rent for the room is higher than the rent generally prevailing in the Defense-Rental Area for comparable rooms on April 1, 1941.

(2) There has been a substantial deterioration of the room other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings or equipment provided with the room since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent for the room was substantially higher than at other times of the year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable rooms on April 1, 1941.

§ 1388.3006 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant of a room within a hotel or rooming house shall be removed from such room, by action to evict or to recover possession, by exclusion from possession or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this Maximum Rent Regulation No. 34A; or

(2) The tenant has unreasonably refused the landlord access to the room for the purpose of inspection or of showing the room to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the room is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the room for an immoral or illegal purpose; or

(4) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the room or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(5) The landlord seeks in good faith not to offer the room for rent. If a tenant has been removed or evicted from a a room under this paragraph (a) (5), such room shall not be rented for a period of six months after such removal or eviction without permission of the Administrator. The landlord may petition the Administrator for permission to rent the room during such six month period, and the Administrator shall grant such permission if he finds that the action was in good faith and not for the purpose of evading any provision of the Act or this Maximum Rent Regulation.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation and would not be likely to result in the circumvention or evasion thereof.

(c) At the time of commencing any action to remove or evict a tenant (except an action based on non-payment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(d) The provisions of this section do not apply to:

(1) A subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant; or

(2) A tenant occupying a room within a hotel on a daily or weekly basis; or a tenant occupying on a daily basis a room within a rooming house which has heretofore usually been rented on a daily basis.

No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.3007 *Registration.* (a) Within 45 days after the effective date of this Maximum Rent Regulation, every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement. Any maximum rent established after the effective date of this Maximum Rent Regulation under paragraphs (b) or (c) of § 1388.3004 shall be reported either on the first registration statement or on a statement filed within 5 days after such rent is established.

(b) Every landlord shall conspicuously display in each room rented or offered for rent a card or sign plainly stating the maximum rent or rents for all terms of occupancy and for all numbers of occupants for which the room is rented or offered for rent. Where the taking of meals by the tenant or prospective tenant is a condition of renting such room, the card or sign shall so state. Should the maximum rent or rents for the room be changed by order of the Administrator, the landlord shall alter the card or sign so that it states the changed rent or rents.

(c) No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

§ 1388.3008 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of a room and any tenant shall permit such inspection of the room by the Administrator as he may, from time to time, require.

§ 1388.3009 *Evasion.* The maximum rents and other requirements provided in this Maximum Rent Regulation No. 34A shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of a room, by requiring the tenant to pay or obligate himself for membership or other fees, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with the room, or otherwise.

§ 1388.3010 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation No. 34A are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.3011 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.3012 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.3013 *Definitions.* (a) When used in this Maximum Rent Regulation No. 34A:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The "Area Rent Office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes (including houses, apartments, hotels, rooming or boarding house accommodations, and other properties used for living or dwelling purposes), together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "room" means a room or group of rooms rented or offered for rent as a unit in a hotel or rooming house. The term includes ground rented as space for a trailer.

(8) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of a room.

(9) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any room, or an agent of any of the foregoing.

(10) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any room.

(11) The term "rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of a room or for the transfer of a lease of such room.

(12) The term "term of occupancy" means occupancy on a daily, weekly or monthly basis.

(13) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(14) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Rent Regulation.

§ 1388.3014 *Effective date of the regulation.* This Maximum Rent Regulation (§§ 1388.3001 to 1388.3014, inclusive) shall become effective August 1, 1942.

Issued this 24th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7085; Filed, July 24, 1942; 12:23 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 35]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

In the judgment of the Administrator, rents for housing accommodations within each of the Defense-Rental Areas set out in § 1388.3051 (a) of this Maximum Rent Regulation, as designated in the Designation and Rent Declaration issued by the Administrator on April 28, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designation and Rent Declaration.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within the said Defense-Rental Areas inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within each such Defense-Rental Area on or about March 1, 1942. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for housing accommodations within each such Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation is hereby issued.

AUTHORITY: §§ 1388.3051 to 1388.3064, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1388.3051 *Scope of regulation.* (a) This Maximum Rent Regulation No. 35 applies to all housing accommodations within each of the following Defense-Rental Areas (each of which is referred to hereinafter in this Maximum Rent Regulation as the "Defense-Rental Area"), as designated in the Designation and Rent Declaration (§§ 1388.1201 to 1388.1205, inclusive) issued by the Administrator on April 28, 1942, except as provided in paragraph (b) of this section:

(1) The Little Rock Defense-Rental Area, consisting of the Counties of Lonoke and Pulaski, in the State of Arkansas.

(2) The Pine Bluff Defense-Rental Area, consisting of the County of Jefferson, in the State of Arkansas.

(3) The Denver Defense-Rental Area, consisting of the Counties of Adams, Arapahoe, Denver, and Jefferson, in the State of Colorado.

(4) The Key West Defense-Rental Area, consisting of the County of Monroe, in the State of Florida.

(5) The Atlanta Defense-Rental Area, consisting of the Counties of Clayton, Cobb, De Kalb, and Fulton, in the State of Georgia.

(6) The Springfield-Decatur Defense-Rental Area, consisting of the Counties of Christian, Logan, Macon, and Sangamon, in the State of Illinois.

(7) The Portland Defense-Rental Area, consisting of the Counties of Androscoggin and Cumberland, in the State of Maine.

(8) The Grand Island Defense-Rental Area, consisting of the County of Hall in the State of Nebraska.

(9) The Wahoo-Fremont Defense-Rental Area, consisting of the Counties of Dodge and Saunders, in the State of Nebraska.

(10) The Corpus Christi Defense-Rental Area, consisting of the Counties of Nueces and San Patricio, in the State of Texas.

(11) The Waco Defense-Rental Area, consisting of the County of McLennan, in the State of Texas.

(12) The Provo, Utah Defense-Rental Area, consisting of the County of Utah, in the State of Utah.

(13) The Salt Lake City-Ogden Defense-Rental Area, consisting of the Counties of Salt Lake, Davis, Morgan, and Weber, in the State of Utah.

(14) The Milwaukee Defense-Rental Area, consisting of the Counties of Kenosha, Milwaukee, Racine, and Waukesha, in the State of Wisconsin.

(b) This Maximum Rent Regulation No. 35 does not apply to the following:

(1) Housing accommodations situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Dwelling space occupied by domestic servants, caretakers, managers, or other employees to whom the space is provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the dwelling space is a part;

(3) Rooms or other housing accommodations within hotels or rooming houses, or housing accommodations which have been, with the consent of the Administrator, brought under the control of the Maximum Rent Regulation for Hotels and Rooming Houses pursuant to the provisions of that Regulation; *Provided*, That this Maximum Rent Regulation No. 35 does apply to entire structures or premises though used as hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this Maximum Rent Regulation No. 35.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation No. 35 is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this Maximum Rent Regulation.

§ 1388.3052 *Prohibition against higher than maximum rents.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation No. 35 of any housing accommodations within the Defense-Rental Area higher than the maximum rents provided by this Maximum Rent Regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation may be demanded or received.

§ 1388.3053 *Minimum services.* The maximum rents provided by this Maximum Rent Regulation No. 35 are for housing accommodations including, as a minimum, services of the same type, quantity, and quality as those provided on the date determining the maximum rent. If, on the effective date of this Maximum Rent Regulation, the services provided for housing accommodations are less than such minimum services the landlord shall either restore and maintain the minimum services or, within 30 days after such effective date, file a petition pursuant to § 1388.3055 (b) for approval of the decreased services. In all other cases, except as provided in § 1388.3055 (b), the landlord shall provide the minimum services unless and until an order is entered pursuant to that section approving a decrease of such services.

§ 1388.3054 *Maximum rents.* Maximum rents (unless and until changed by the Administrator as provided in § 1388.3055) shall be:

(a) For housing accommodations rented on March 1, 1942, the rent for such accommodations on that date.

(b) For housing accommodations not rented on March 1, 1942, but rented at any time during the two months ending on that date, the last rent for such accommodations during that two month period.

(c) For housing accommodations not rented on March 1, 1942, nor during the two months ending on that date, but rented prior to the effective date of this Maximum Rent Regulation No. 35, the first rent for such accommodations after March 1, 1942. The Administrator may order a decrease in the maximum rent as provided in § 1388.3055 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after March 1, 1942 and before the effective date of this Maximum Rent Regulation No. 35, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed betwen those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however,* That where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.3055 (c).

(e) For (1) newly constructed housing accommodations without priority rating first rented on or after the effective date of this Maximum Rent Regulation No. 35, or (2) housing accommodations changed on or after such effective date so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations not rented at any time between January 1, 1942 and such effective date, the rent fixed by the Administrator. The landlord shall, prior to renting and in time to allow 15 days for action thereon, file a petition requesting the Administrator to enter an order fixing the maximum rent therefor. Such order shall be entered on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942. In cases involving construction due consideration shall be given to increased costs of construction, if any, since March 1, 1942.

If no order is entered on such petition within 15 days after filing, the landlord may rent such accommodations and the first rent therefor shall be the maximum rent. Within 5 days after so renting, the landlord shall report the maximum rent. The Administrator may order a decrease in such maximum rent as provided in § 1388.3055 (c).

(f) For housing accommodations constructed with priority rating from the United States or any agency thereof for which the rent has been heretofore or is hereafter approved by the United States or any agency thereof, the rent so approved, but in no event more than the rent on March 1, 1942 or, if the accommodations were not rented on that date, more than the first rent after that date.

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942, as determined by the owner of such accommodations: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within

the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.3055 (c).

§ 1388.3055 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. In those cases involving a major capital improvement, an increase or decrease in the furniture, furnishings or equipment, an increase or decrease of services, or a deterioration, the adjustment in the maximum rent shall be the amount the Administrator finds would have been on March 1, 1942, the difference in the rental value of the housing accommodations by reason of such change. In all other cases, except those under paragraphs (a) (7) and (c) (6) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942. In cases involving construction due consideration shall be given to increased costs of construction, if any, since March 1, 1942. In cases under paragraphs (a) (7) and (c) (6) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable housing accommodations during the year ending on March 1, 1942.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been on or after the effective date of this Maximum Rent Regulation No. 35 a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, prior to March 1, 1942, and within the six months ending on that date, a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent on March 1, 1942, was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(5) There was in force on March 1, 1942, a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942; or the housing accommodations were not rented on March 1, 1942, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to March 1, 1942, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent on the date determining the maximum rent was substantially lower than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(b) If, on the effective date of this Maximum Rent Regulation No. 35 the services provided for housing accommodations are less than those provided on the date determining the maximum rent, the landlord shall either restore the services to those provided on the date determining the maximum rent and maintain such services or, within 30 days after such effective date, file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that;

(1) The maximum rent for housing accommodations under paragraph (c), (d), or (g) of § 1388.3054 is higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942; or the maximum rent for housing accommodations under paragraph (e) of § 1388.3054 for which the rent was not fixed by the Administrator is higher than such generally prevailing rent.

(2) There has been a substantial deterioration of the housing accommodations other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

(6) The rent on the date determining the maximum rent was substantially higher than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation No. 35, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on March 1, 1942.

(e) Where, at the expiration or other termination of an underlying lease or other rental agreement, housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the landlord may rent the entire premises for use by similar occupancy for a rent not in excess of the aggregate maximum rents of the separate dwelling units, or may rent the separate dwelling units for rents not in excess of the maximum rents applicable to such units.

Where housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the tenant may petition the Administrator for leave to exercise any right he would have except for this Maximum Rent Regulation No. 35 to sell his underlying lease or other rental agreement. The Administrator may grant such petition if he finds that the sale will not result, and that sales of such character would not be likely to result, in the circumvention or evasion of the Act or this Maximum Rent Regulation. He may require that the sale be made on such terms as he deems necessary to prevent such circumvention or evasion.

§ 1388.3056 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any housing accommodations, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or

other rental agreement has expired or otherwise terminated, unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this Maximum Rent Regulation No. 35; or

(2) The tenant has unreasonably refused the landlord access to the housing accommodations for the purpose of inspection or of showing the accommodations to a prospective purchaser mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the accommodations is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the housing accommodations for an immoral or illegal purpose; or

(4) The tenant's lease or other rental agreement has expired or otherwise terminated, and at the time of termination the housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons who occupied under a rental agreement with the tenant; or

(5) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the housing accommodations or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(6) The landlord seeks in good faith to recover possession of the housing accommodations for immediate use and occupancy as a dwelling by himself, his family or dependents; or he has in good faith contracted in writing to sell the accommodations for immediate use and occupancy by a purchaser, who in good faith has represented in writing that he will use the accommodations as a dwelling for himself, his family or dependents; or the landlord seeks in good faith not to offer the housing accommodations for rent. If a tenant has been removed or evicted under this paragraph (a) (6) from housing accommodations, such accommodations shall not be rented for a period of six months after such removal or eviction without permission of the Administrator. The landlord may petition the Administrator for permission to rent the accommodations during such six month period, and the Administrator shall grant such permission if he finds that the action was in good faith and not for the purpose of evading any provision of the Act or this Maximum Rent Regulation No. 35.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation and would not be likely to result in the circumvention or evasion thereof.

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

(d) At the time of commencing any action to remove or evict a tenant (except an action based on non-payment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(e) No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.3057 *Registration.* Within 45 days after the effective date of this Maximum Rent Regulation No. 35, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. The statement shall identify each dwelling unit and specify the maximum rent provided by this Maximum Rent Regulation for such dwelling unit and shall contain such other information as the Administrator shall require. The original shall remain on file with the Administrator and he shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant's signature and the date thereof on the back of such statement. Within five days after renting to a new tenant, the landlord shall file a notice on the form provided therefor, on which he shall obtain the tenant's signature, stating that there has been a change in tenancy, that the stamped copy of the registration statement has been exhibited to the new tenant and that the rent for such accommodations is in conformity therewith.

No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

When the maximum rent is changed by order of the Administrator the landlord shall deliver his stamped copy of the registration statement to the Area Rent Office for appropriate action reflecting such change.

§ 1388.3058 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of housing accommodations and any tenant shall permit such inspection of the accommodations by the Administrator as he may, from time to time, require.

§ 1388.3059 *Evasion.* The maximum rents and other requirements provided in this Maximum Rent Regulation shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of housing accommodations, by way of absolute or conditional sale, sale with purchase money or other form of mortgage, or sale with option to repurchase, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with housing accommodations, or otherwise.

§ 1388.3060 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.3061 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.3062 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.3063 *Definitions.* (a) When used in this Maximum Rent Regulation:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The term "Area Rent Office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, asso-

ciation, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of housing accommodations.

(8) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations, or an agent of any of the foregoing.

(9) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any housing accommodations.

(10) The term "rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of housing accommodations or for the transfer of a lease of such accommodations.

(11) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(12) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Rent Regulation.

§ 1388.3064 *Effective date of the regulation.* This Maximum Rent Regulation (§§ 1388.3051 to 1388.3064, inclusive) shall become effective August 1, 1942.

Issued this 24th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7086; Filed, July 24, 1942; 12:24 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 36A]

HOTELS AND ROOMING HOUSES

In the judgment of the Administrator, rents for housing accommodations within each of the Defense-Rental Areas set out in § 1388.4001 (a) of this Maximum Rent Regulation, as designated in the Designation and Rent Declaration issued by the Administrator on April 28, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in said Designation and Rent Declaration.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within the said Defense-Rental Areas inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within each such Defense-Rental Area on or about March 1, 1942. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for rooms in hotels and rooming houses within each such Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation is hereby issued.

AUTHORITY: §§ 1388.4001 to 1388.4014, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1388.4001 *Scope of regulation.* (a) This Maximum Rent Regulation No. 36A applies to all rooms in hotels and rooming houses within each of the following Defense-Rental Areas (each of which is referred to hereinafter in this Maximum Rent Regulation as the "Defense-Rental Area"), as designated in the Designation and Rent Declaration (§§ 1388.1201 to 1388.1205, inclusive) issued by the Administrator on April 28, 1942, except as provided in paragraph (b) of this section:

(1) The Little Rock Defense-Rental Area, consisting of the Counties of Lonoke and Pulaski, in the State of Arkansas.

(2) The Pine Bluff Defense-Rental Area, consisting of the County of Jefferson, in the State of Arkansas.

(3) The Denver Defense-Rental Area, consisting of the Counties of Adams, Arapahoe, Denver, and Jefferson, in the State of Colorado.

(4) The Key West Defense-Rental Area, consisting of the County of Monroe, in the State of Florida.

(5) The Atlanta Defense-Rental Area, consisting of the Counties of Clayton, Cobb, De Kalb, and Fulton, in the State of Georgia.

(6) The Springfield-Decatur Defense-Rental Area, consisting of the Counties of Christian, Logan, Macon, and Sangamon, in the State of Illinois.

(7) The Portland Defense-Rental Area, consisting of the Counties of Androscoggin and Cumberland, in the State of Maine.

(8) The Grand Island Defense-Rental Area, consisting of the County of Hall, in the State of Nebraska.

(9) The Wahoo-Fremont Defense-Rental Area, consisting of the Counties of Dodge and Saunders, in the State of Nebraska.

(10) The Corpus Christi Defense-Rental Area, consisting of the Counties of Nueces and San Patricio, in the State of Texas.

(11) The Waco Defense-Rental Area, consisting of the County of McLennan, in the State of Texas.

(12) The Provo, Utah Defense-Rental Area, consisting of the County of Utah, in the State of Utah.

(13) The Salt Lake City-Ogden Defense-Rental Area, consisting of the Counties of Salt Lake, Davis, Morgan, and Weber, in the State of Utah.

(14) The Milwaukee Defense-Rental Area, consisting of the Counties of Kenosha, Milwaukee, Racine, and Waukesha, in the State of Wisconsin.

(b) This Maximum Rent Regulation No. 36A does not apply to the following:

(1) Rooms situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Rooms occupied by domestic servants, caretakers, managers, or other employees to whom the rooms are provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the rooms are a part;

(3) Rooms in hospitals, or rooms of charitable or educational institutions used in carrying out their charitable or educational purposes;

(4) Entire structures or premises used as hotels or rooming houses, as distinguished from the rooms within such hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this Maximum Rent Regulation No. 36A.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation No. 36A is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this Maximum Rent Regulation.

(e) Where a building or establishment which does not come within the defini-

tions of a hotel or rooming house contains one or more furnished rooms or other furnished housing accommodations rented on a daily, weekly or monthly basis, the landlord may, with the consent of the Administrator, elect to bring all housing accommodations within such building or establishment under the control of this Maximum Rent Regulation. A landlord who so elects shall file a registration statement under this Maximum Rent Regulation No. 36A for all such housing accommodations, accompanied by a written request to the Administrator to consent to such election.

If the Administrator finds that the provisions of this Maximum Rent Regulation establishing maximum rents are better adapted to the rental practices for such building or establishment than the provisions of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses, he shall consent to the landlord's election. Upon such consent, all housing accommodations within such building or establishment which are or hereafter may be rented or offered for rent shall become subject to the provisions of this Maximum Rent Regulation, and shall be considered rooms within a rooming house for the purposes of the provisions relating to eviction.

The landlord may at any time, with the consent of the Administrator, revoke his election, and thereby bring under the control of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses all housing accommodations previously brought under this Maximum Rent Regulation by such election. He shall make such revocation by filing a registration statement or statements under the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses, including in such registration statement or statements all housing accommodations brought under this Maximum Rent Regulation by such election. Such registration statement or statements shall be accompanied by a written request to the Administrator to consent to such revocation. The Administrator may defer action on such request if he has taken or is about to take action to decrease the maximum rents of any housing accommodations within such building or establishment. If the Administrator finds that the revocation so requested will not result in substantial increases in the maximum rents of housing accommodations affected by such revocation, he shall give such consent. Upon such consent, all housing accommodations affected by such revocation shall become subject to the provisions of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses.

§ 1388.4002 *Prohibitions.* (a) Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation No. 36A of any room in a hotel or rooming house within the Defense-Rental Area higher than the maximum rents provided by this Maximum Rent Regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation may be demanded or received.

(b) No tenant shall be required to change his term of occupancy if that will result in the payment of a higher amount per day than the maximum rent established for his present term of occupancy. Where, on June 15, 1942, or between that date and the effective date of this Maximum Rent Regulation, a room was regularly rented or offered for rent for a weekly or monthly term of occupancy, the landlord shall continue to offer the room for rent for that term of occupancy, unless he offers another term of occupancy for a rent which results in the payment of an amount no higher per day.

§ 1388.4003 *Minimum services.* The maximum rents provided by this Maximum Rent Regulation No. 36A are for rooms including, as a minimum, services of the same type, quantity, and quality as those provided on the date or during the 30-day period determining the maximum rent. If, on the effective date of this Maximum Rent Regulation, the services provided for rooms are less than such minimum services, the landlord shall either restore and maintain the minimum services, or within 30 days after such effective date, file a petition pursuant to § 1388.4005 (b) for approval of the decreased services. In all other cases, except as provided in § 1388.4005 (b), the landlord shall provide the minimum services unless and until an order is entered pursuant to that section approving a decrease of such services.

§ 1388.4004 *Maximum rents.* This section establishes separate maximum rents for different terms of occupancy (daily, weekly or monthly) and numbers of occupants of a particular room. Maximum rents for rooms in a hotel or rooming house (unless and until changed by the Administrator as provided in §1388.4005) shall be:

(a) For a room rented or regularly offered for rent during the thirty days ending on March 1, 1942, the highest rent for each term or number of occupants for which the room was rented during that thirty-day period; or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(b) For a room neither rented nor regularly offered for rent during the thirty days ending on March 1, 1942, the highest rent for each term or number of occupants for which the room was rented during the thirty days commencing when it was first offered for rent after March 1, 1942; or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(c) For a room rented for a particular term or number of occupants for which no maximum rent is established under paragraphs (a) or (b) of this section, the first rent for the room after March 1, 1942; for that term and number of occupants, but not more than the maximum rent for similar rooms for the same term and number of occupants in the same hotel or rooming house.

(d) For a room constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942, as determined by the owner of such room: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.4005 (c) (1).

(e) For a room with which meals were provided during the thirty-day period determining the maximum rent without separate charge therefor, the rent apportioned by the landlord from the total charge for the room and the meals. The landlord's apportionment shall be fair and reasonable and shall be reported in the registration statement for such room. The Administrator at any time on his own initiative or on application of the tenant may by order decrease the maximum rent established by such apportionment if he finds that the apportionment was unfair or unreasonable.

Every landlord who provides meals with accommodations shall make separate charges for the two. No landlord shall require the taking of meals as a condition of renting any room unless the room was rented or offered for rent on that basis on June 15, 1942.

§ 1388.4005 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. Except in cases under paragraphs (a) (7) and (c) (4) of this section, every adjustment of a maximum rent shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942: *Provided, however,* That no maximum rent shall be increased, because of a major capital improvement or an increase in services, furniture, furnishings or equipment, by more than the amount which the Administrator finds would have been on March 1, 1942 the difference in the rental value of the accommodations by reason of such improvement or increase. In cases involving construction due consideration shall be given to increased costs of construction, if any, since

March 1, 1942. In cases under paragraphs (a) (7) and (c) (4) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable rooms during the year ending on March 1, 1942.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been, since the thirty-day period or the order determining the maximum rent for the room, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, on or prior to March 1, 1942 and within the six months ending on that date, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent during the thirty-day period ending on March 1, 1942 was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the room since the thirty-day period or the order determining its maximum rent.

(4) The rent during the thirty-day period determining the maximum rent was materially affected by the blood, personal or other special relationship between landlord and the tenant, or by an allowance or discount to a tenant of a class of persons to whom the landlord regularly offered such an allowance or discount, and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942.

(5) There was in force on March 1, 1942 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942.

(6) The rent during the thirty-day period determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent during the thirty-day period determining the maximum rent for the room was substantially lower than at other times of the year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different rents for different periods of the calendar year.

(b) If, on the effective date of this Maximum Rent Regulation No. 36A, the services provided for a room are less than those provided on the date or during the thirty-day period determining the maximum rent, the landlord shall either restore the services to those provided on the date or during the thirty-day period determining the maximum rent and maintain such services or, within 30 days after such effective date, file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The maximum rent for the room is higher than the rent generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942.

(2) There has been a substantial deterioration of the room other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings or equipment provided with the room since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent for the room was substantially higher than at other times of the year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation No. 36A or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable rooms on March 1, 1942.

§ 1388.4006 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant of a room within a hotel or rooming house shall be removed from such room, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this Maximum Rent Regulation No. 36A; or

(2) The tenant has unreasonably refused the landlord access to the room for the purpose of inspection or of showing the room to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the room is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the room for an immoral or illegal purpose; or

(4) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the room or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(5) The landlord seeks in good faith not to offer the room for rent. If a tenant has been removed or evicted from a room under this paragraph (a) (5), such room shall not be rented for a period of six months after such removal or eviction without permission of the Administrator. The landlord may petition the Administrator for permission to rent the room during such six month period, and the Administrator shall grant such permission if he finds that the action was in good faith and not for the purpose of evading any provision of the Act or this Maximum Rent Regulation.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation and would not be likely to result in the circumvention or evasion thereof.

(c) At the time of commencing any action to remove or evict a tenant (except an action based on nonpayment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(d) The provisions of this section do not apply to:

(1) A subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is

sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant; or

(2) A tenant occupying a room within a hotel on a daily or weekly basis; or a tenant occupying on a daily basis a room within a rooming house which has heretofore usually been rented on a daily basis.

No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.4007 *Registration.* (a) Within 45 days after the effective date of this Maximum Rent Regulation No. 36A, every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement. Any maximum rent established after the effective date of this Maximum Rent Regulation under paragraphs (b) or (c) of § 1388.4004 shall be reported either on the first registration statement or on a statement filed within 5 days after such rent is established.

(b) Every landlord shall conspicuously display in each room rented or offered for rent a card or sign plainly stating the maximum rent or rents for all terms of occupancy and for all numbers of occupants for which the room is rented or offered for rent. Where the taking of meals by the tenant or prospective tenant is a condition of renting such room, the card or sign shall so state. Should the maximum rent or rents for the room be changed by order of the Administrator, the landlord shall alter the card or sign so that it states the changed rent or rents.

(c) No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

§ 1388.4008 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of a room and any tenant shall permit such inspection of the room by the Administrator as he may, from time to time, require.

§ 1388.4009 *Evasion.* The maximum rents and other requirements provided in this Maximum Rent Regulation shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of a room, by requiring the tenant to pay or obligate himself for membership or other fees, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with the room, or otherwise.

§ 1388.4010 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.4011 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.4012 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.4013 *Definitions.* (a) When used in this Maximum Rent Regulation No. 36A:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The "Area Rent Office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes (including houses, apartments, hotels, rooming or boarding house accommodations, and other properties used for living or dwelling purposes), together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "room" means a room or group of rooms rented or offered for rent as a unit in a hotel or rooming house. The term includes ground rented as space for a trailer.

(8) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of a room.

(9) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any room, or an agent of any of the foregoing.

(10) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any room.

(11) The term "rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of a room or for the transfer of a lease of such room.

(12) The term "term of occupancy" means occupancy on a daily, weekly or monthly basis.

(13) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(14) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in Section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Rent Regulation.

§ 1388.4014 *Effective date of the regulation.* This Maximum Rent Regulation (§§ 1388.4001 to 1388.4014, inclusive) shall become effective August 1, 1942.

Issued this 24th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7087; Filed, July 24, 1942; 12:24 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 37]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

In the judgment of the Administrator, rents for housing accommodations within each of the Defense-Rental Areas set out in § 1388.4051 (a) of this Maximum Rent Regulation as designated in the Designations and Rent Declarations issued by the Administrator on April 28, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in the said Designations and Rent Declarations.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within the said Defense-Rental Areas inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within each such Defense-Rental Area on or about July 1, 1941; and it is his judgment that the most recent date which does not reflect increases in rents for such housing accommodations inconsistent with the purposes of the Act is on or about that date. The Administrator has made ad-

justments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for housing accommodations within each such Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation is hereby issued.

AUTHORITY: §§ 1388.4051 to 1388.4064, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1388.4051 *Scope of regulation.* (a) This Maximum Rent Regulation No. 37 applies to all housing accommodations within each of the following Defense-Rental Areas (each of which is referred to hereinafter in this Maximum Rent Regulation as the "Defense-Rental Area"), as designated in the Designations and Rent Declarations (§§ 1388.1151 to 1388.1155 and 1388.1201 to 1388.1205, inclusive) issued by the Administrator on April 28, 1942, except as provided in paragraph (b) of this section:

(1) The Louisville Defense-Rental Area, consisting of the County of Jefferson, in the State of Kentucky, and the Counties of Clark and Floyd, in the State of Indiana.

(2) The Las Vegas Defense-Rental Area, consisting of the County of Clark, in the State of Nevada.

(b) This Maximum Rent Regulation No. 37 does not apply to the following:

(1) Housing accommodations situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Dwelling space occupied by domestic servants, caretakers, managers, or other employees to whom the space is provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the dwelling space is a part;

(3) Rooms or other housing accommodations within hotels or rooming houses, or housing accommodations which have been, with the consent of the Administrator, brought under the control of the Maximum Rent Regulation for Hotels and Rooming Houses pursuant to the provisions of that Regulation: *Provided,* That this Maximum Rent Regulation No. 37 does apply to entire structures or premises though used as hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this Maximum Rent Regulation No. 37.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation No. 37 is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this Maximum Rent Regulation.

§ 1388.4052 *Prohibition against higher than maximum rents.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation No. 37 of any housing accommodations within the Defense-Rental Area higher than the maximum rents provided by this Maximum Rent Regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation No. 37 may be demanded or received.

§ 1388.4053 *Minimum services.* The maximum rents provided by this Maximum Rent Regulation No. 37 are for housing accommodations including, as a minimum, services of the same type, quantity, and quality as those provided on the date determining the maximum rent. If, on the effective date of this Maximum Rent Regulation, the services provided for housing accommodations are less than such minimum services the landlord shall either restore and maintain the minimum services or, within 30 days after such effective date, file a petition pursuant to § 1388.4055 (b) for approval of the decreased services. In all other cases, except as provided in § 1388.4055 (b), the landlord shall provide the minimum services unless and until an order is entered pursuant to that section approving a decrease of such services.

§ 1388.4054 *Maximum rents.* Maximum rents (unless and until changed by the Administrator as provided in § 1388.4055) shall be:

(a) For housing accommodations rented on July 1, 1941, the rent for such accommodations on that date.

(b) For housing accommodations not rented on July 1, 1941, but rented at any time during the two months ending on that date, the last rent for such accommodations during that two-month period.

(c) For housing accommodations not rented on July 1, 1941 nor during the two months ending on that date, but rented prior to the effective date of this Maximum Rent Regulation No. 37, the first rent for such accommodations after July 1, 1941. The Administrator may order a decrease in the maximum rent as provided in § 1388.4055 (c).

(d) For (1) newly constructed housing accommodations without priority rating first rented after July 1, 1941, and before the effective date of this Maximum Rent Regulation No. 37, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however,* That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in § 1388.4055 (c).

(e) For (1) newly constructed housing accommodations without priority rating first rented on or after the effective date of this Maximum Rent Regulation No. 37 or (2) housing accommodations changed on or after such effective date so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations not rented at any time between May 1, 1941, and such effective date, the rent fixed by the Administrator. The landlord shall, prior to renting and in time to allow 15 days for action thereon, file a petition requesting the Administrator to enter an order fixing the maximum rent therefor. Such order shall be entered on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on July 1, 1941. In cases involving construction due consideration shall be given to increased costs of construction, if any, since July 1, 1941.

If no order is entered on such petition within 15 days after filing, the landlord may rent such accommodations and the first rent therefor shall be the maximum rent. Within 5 days after so renting, the landlord shall report the maximum rent. The Administrator may order a decrease in such maximum rent as provided in § 1388.4055 (c).

(f) For housing accommodations constructed with priority rating from the United States or any agency thereof for which the rent has been heretofore or is hereafter approved by the United States or any agency thereof, the rent so approved but in no event more than the first rent for such accommodations.

(g) For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on July 1, 1941, as determined by the owner of such accommodations: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.4055 (c).

§ 1388.4055 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. In those cases involving a major capital improvement, an increase or decrease in the furniture, furnishings or equipment, an increase or decrease of services, or a deterioration, the adjustment in the maxi-

mum rent shall be the amount the Administrator finds would have been on July 1, 1941 the difference in the rental value of the housing accommodations by reason of such change. In all other cases, except those under paragraphs (a) (7) and (c) (6) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on July 1, 1941. In cases involving construction due consideration shall be given to increased costs of construction, if any, since July 1, 1941. In cases under paragraphs (a) (7) and (c) (6) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable housing accommodations during the year ending on July 1, 1941.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been on or after the effective date of this Maximum Rent Regulation No. 37 a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, prior to July 1, 1941 and within the six months ending on that date, a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent on July 1, 1941 was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on July 1, 1941.

(5) There was in force on July 1, 1941 a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on July 1, 1941; or the housing accommodations were not rented on July 1, 1941, but were rented during the two months ending on that date, and the last rent for such accommodations during that two-month period was fixed by a written lease, which was in force more than one year prior to July 1, 1941, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on July 1, 1941.

(6) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) The rent on the date determining the maximum rent was substantially lower than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(b) If, on the effective date of this Maximum Rent Regulation No. 37 the services provided for housing accommodations are less than those provided on the date determining the maximum rent, the landlord shall either restore the services to those provided on the date determining the maximum rent and maintain such services or, within 30 days after such effective date, file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(c) The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The maximum rent for housing accommodations under paragraphs (c), (d), or (g) of § 1388.4054 is higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on July 1, 1941; or the maximum rent for housing accommodations under paragraph (e) of § 1388.4054 for which the rent was not fixed by the Administrator is higher than such generally prevailing rent.

(2) There has been a substantial deterioration of the housing accommodations other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on July 1, 1941.

(5) The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

(6) The rent on the date determining the maximum rent was substantially higher than at other times of year by reason of seasonal demand for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation No. 37, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable housing accommodations on July 1, 1941.

(e) Where, at the expiration or other termination of an underlying lease or other rental agreement, housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the landlord may rent the entire premises for use by similar occupancy for a rent not in excess of the aggregate maximum rents of the separate dwelling units, or may rent the separate dwelling units for rents not in excess of the maximum rents applicable to such units.

Where housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the tenant may petition the Administrator for leave to exercise any right he would have except for this Maximum Rent Regulation No. 37 to sell his underlying lease or other rental agreement. The Administrator may grant such petition if he finds that the sale will not result, and that sales of such character would not be likely to result, in the circumvention or evasion of the Act or this Maximum Rent Regulation. He may require that the sale be made on such terms as he deems necessary to prevent such circumvention or evasion.

§ 1388.4056 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any housing accommodations, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with

this Maximum Rent Regulation No. 37; or

(2) The tenant has unreasonably refused the landlord access to the housing accommodations for the purpose of inspection or of showing the accommodations to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the accommodations is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the housing accommodations for an immoral or illegal purpose; or

(4) The tenant's lease or other rental agreement has expired or otherwise terminated, and at the time of termination the housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons who occupied under a rental agreement with the tenant; or

(5) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the housing accommodations or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(6) The landlord seeks in good faith to recover possession of the housing accommodations for immediate use and occupancy as a dwelling by himself, his family or dependents; or he has in good faith contracted in writing to sell the accommodations for immediate use and occupancy by a purchaser, who in good faith has represented in writing that he will use the accommodations as a dwelling for himself, his family or dependents; or the landlord seeks in good faith not to offer the housing accommodations for rent. If a tenant has been removed or evicted under this paragraph (a) (6) from housing accommodations, such accommodations shall not be rented for a period of six months after such removal or eviction without permission of the Administrator. The landlord may petition the Administrator for permission to rent the accommodations during such six-month period, and the Administrator shall grant such permission if he finds that the action was in good faith and not for the purpose of evading any provision of the Act or this Maximum Rent Regulation.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation No. 37 and would not be likely to result in the circumvention or evasion thereof.

(c) The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

(d) At the time of commencing any action to remove or evict a tenant (except an action based on non-payment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(e) No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.4057 *Registration.* Within 45 days after the effective date of this Maximum Rent Regulation No. 37, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. The statement shall identify each dwelling unit and specify the maximum rent provided by this Maximum Rent Regulation for such dwelling unit and shall contain such other information as the Administrator shall require. The original shall remain on file with the Administrator and he shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant's signature and the date thereof on the back of such statement. Within five days after renting to a new tenant, the landlord shall file a notice on the form provided therefor, on which he shall obtain the tenant's signature, stating that there has been a change in tenancy, that the stamped copy of the registration statement has been exhibited to the new tenant and that the rent for such accommodations is in conformity therewith.

No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

When the maximum rent is changed by order of the Administrator the landlord shall deliver his stamped copy of the registration statement to the Area Rent Office for appropriate action reflecting such change.

§ 1388.4058 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of housing accommodations and any tenant shall permit such inspection of the accommodations by the Administrator as he may, from time to time, require.

§ 1388.4059 *Evasion.* The maximum rents and other requirements provided in this Maximum Rent Regulation No. 37 shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of housing accommodations, by way of absolute or conditional sale, sale with purchase money or other form of mortgage, or sale with option to repurchase, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with housing accommodations, or otherwise.

§ 1388.4060 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation No. 37 are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.4061 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation No. 37 shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.4062 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation No. 37 may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.4063 *Definitions.* (a) When used in this Maximum Rent Regulation No. 37:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry cut any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The term "Area Rent Office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, together with all privileges, services, furnishings, furni-

ture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of housing accommodations.

(8) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations, or an agent of any of the foregoing.

(9) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any housing accommodations.

(10) The term "rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of housing accommodations or for the transfer of a lease of such accommodations.

(11) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(12) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Rent Regulation.

§ 1388.4064 *Effective date of the regulation.* This Maximum Rent Regulation No. 37 (§§ 1388.4051 to 1388.4064, inclusive) shall become effective August 1, 1942.

Issued this 24th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7088; Filed, July 24, 1942; 12:25 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Maximum Rent Regulation 38A]

HOTELS AND ROOMING HOUSES

In the judgment of the Administrator, rents for housing accommodations in each of the Defense-Rental Areas set out in § 1388.5001 (a) of this Maximum Rent Regulation, as designated in the Designations and Rent Declarations issued by the Administrator on April 28, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in the said Designations and Rent Declarations.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within the said Defense-Rental Areas inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within each such Defense-Rental Area on or about July 1, 1941; and it is his judgment that the most recent date which does not reflect increases in rents for such housing accommodations inconsistent with the purposes of this Act is on or about that date. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this Maximum Rent Regulation for rooms in hotels and rooming houses within each such Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation is hereby issued.

AUTHORITY: §§ 1388.5001 to 1388.5014, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1388.5001 *Scope of regulation.* (a) This Maximum Rent Regulation No. 38A applies to all rooms in hotels and rooming houses within each of the following Defense-Rental Areas (each of which is referred to hereinafter in this Maximum Rent Regulation as the "Defense-Rental Area"), as designated in the Designations and Rent Declarations (§§ 1388.1151 to 1388.1155 and 1388.1201 to 1388.1205, inclusive) issued by the Administrator on April 28, 1942, except as provided in paragraph (b) of this section:

(1) The Louisville Defense-Rental Area, consisting of the County of Jefferson, in the State of Kentucky, and the Counties of Clark and Floyd, in the State of Indiana.

(2) The Las Vegas Defense-Rental Area, consisting of the County of Clark, in the State of Nevada.

(b) This Maximum Rent Regulation No. 38A does not apply to the following:

(1) Rooms situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon;

(2) Rooms occupied by domestic servants, caretakers, managers, or other employees to whom the rooms are provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the rooms are a part;

(3) Rooms in hospitals, or rooms of charitable or educational institutions used in carrying out their charitable or educational purposes;

(4) Entire structures or premises used as hotels or rooming houses, as distinguished from the rooms within such hotels or rooming houses.

(c) The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this Maximum Rent Regulation No. 38A.

(d) An agreement by the tenant to waive the benefit of any provision of this Maximum Rent Regulation No. 38A is void. A tenant shall not be entitled by reason of this Maximum Rent Regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of this Maximum Rent Regulation.

(e) Where a building or establishment which does not come within the definitions of a hotel or rooming house contains one or more furnished rooms or other furnished housing accommodations rented on a daily, weekly or monthly basis, the landlord may, with the consent of the Administrator, elect to bring all housing accommodations within such building or establishment under the control of this Maximum Rent Regulation No. 38A. A landlord who so elects shall file a registration statement under this Maximum Rent Regulation for all such housing accommodations, accompanied by a written request to the Administrator to consent to such election.

If the Administrator finds that the provisions of this Maximum Rent Regulation establishing maximum rents are better adapted to the rental practices for such building or establishment than the provisions of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses, he shall consent to the landlord's election. Upon such consent, all housing accommodations within such building or establishment which are or hereafter may be rented or offered for rent shall become subject to the provisions of this Maximum Rent Regulation, and shall be considered rooms within a rooming house for the purposes of the provisions relating to eviction.

The landlord may at any time, with the consent of the Administrator, revoke his election, and thereby bring under the control of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses all housing accommodations previously brought under this Maximum Rent Regulation by such election. He shall make such revocation by filing a registration statement or statements under the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses, including in such registration statement or statements all housing accommodations brought under this Maximum Rent Regulation by such election. Such registration statement or statements shall be accompanied by a written request to the Administrator to consent to such revocation. The Administrator may defer action on such request if he has taken or is about to take action to decrease the maximum rents of any housing accommodations within such building or establishment. If the Ad-

ministrator finds that the revocation so requested will not result in substantial increases in the maximum rents of housing accommodations affected by such revocation, he shall give such consent. Upon such consent, all housing accommodations affected by such revocation shall become subject to the provisions of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses.

§ 1388.5002 *Prohibitions.* (a) Regardless of any contract, agreement, lease or obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of this Maximum Rent Regulation No. 38A of any room in a hotel or rooming house within the Defense-Rental Area higher than the maximum rents provided by this Maximum Rent Regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this Maximum Rent Regulation may be demanded or received.

(b) No tenant shall be required to change his term of occupancy if that will result in the payment of a higher amount per day than the maximum rent established for his present term of occupancy. Where, on June 15, 1942, or between that date and the effective date of this Maximum Rent Regulation, a room was regularly rented or offered for rent for a weekly or monthly term of occupancy, the landlord shall continue to offer the room for rent for that term of occupancy, unless he offers another term of occupancy for a rent which results in the payment of an amount no higher per day.

§ 1388.5003 *Minimum services.* The maximum rents provided by this Maximum Rent Regulation No. 38A are for rooms including, as a minimum, services of the same type, quantity, and quality as those provided on the date or during the 30-day period determining the maximum rent. If, on the effective date of this Maximum Rent Regulation, the services provided for rooms are less than such minimum services, the landlord shall either restore and maintain the minimum services, or within 30 days after such effective date, file a petition pursuant to § 1388.5005 (b) for approval of the decreased services. In all other cases, except as provided in § 1388.5005 (b); the landlord shall provide the minimum services unless and until an order is entered pursuant to that section approving a decrease of such services.

§ 1388.5004 *Maximum rents.* This section establishes separate maximum rents for different terms of occupancy (daily, weekly or monthly) and numbers of occupants of a particular room. Maximum rents for rooms in a hotel or rooming house (unless and until changed by the Administrator as provided in § 1388.5005) shall be:

(a) For a room rented or regularly offered for rent during the thirty days ending on July 1, 1941, the highest rent for each term or number of occupants for which the room was rented during that thirty-day period; or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(b) For a room neither rented nor regularly offered for rent during the thirty days ending on July 1, 1941, the highest rent for each term or number of occupants for which the room was rented during the thirty days commencing when it was first offered for rent after July 1, 1941; or, if the room was not rented or was not rented for a particular term or number of occupants during that period, the rent for each term or number of occupants for which it was regularly offered during such period.

(c) For a room rented for a particular term or number of occupants for which no maximum rent is established under paragraphs (a) or (b) of this section, the first rent for the room after July 1, 1941, for that term and number of occupants, but not more than the maximum rent for similar rooms for the same term and number of occupants in the same hotel or rooming house.

(d) For a room constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable rooms on July 1, 1941, as determined by the owner of such room: *Provided, however,* That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in § 1388.5005 (c) (1).

(e) For a room with which meals were provided during the thirty-day period determining the maximum rent without separate charge therefor, the rent apportioned by the landlord from the total charge for the room and the meals. The landlord's apportionment shall be fair and reasonable and shall be reported in the registration statement for such room. The Administrator at any time on his own initiative or on application of the tenant may by order decrease the maximum rent established by such apportionment if he finds that the apportionment was unfair or unreasonable.

Every landlord who provides meals with accommodations shall make separate charges for the two. No landlord shall require the taking of meals as a condition of renting any room unless the room was rented or offered for rent on that basis on June 15, 1942.

§ 1388.5005 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required. Except in cases under paragraphs (a) (7) and (c) (4) of this section, every adjustment of a maximum rent shall be on the basis of the rent which the Administrator finds was generally prevailing in the Defense-Rental Area for comparable rooms on July 1, 1941: *Provided, however,* That no maximum rent shall be increased, because of a major capital improvement or an increase in services, furniture, furnishings or equipment, by more than the amount which the Administrator finds would have been on July 1, 1941 the difference in the rental value of the accommodations by reason of such improvement or increase. In cases involving construction due consideration shall be given to increased costs of construction, if any, since July 1, 1941. In cases under paragraphs (a) (7) and (c) (4) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the Defense-Rental Area for comparable rooms during the year ending on July 1, 1941.

(a) Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) There has been, since the thirty-day period or the order determining the maximum rent for the room, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) There was, on or prior to July 1, 1941 and within the six months ending on that date, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent during the thirty-day period ending on July 1, 1941 was fixed by a lease which was in force at the time of such change.

(3) There has been a substantial increase in the services, furniture, furnishings or equipment provided with the room since the thirty-day period or the order determining its maximum rent.

(4) The rent during the thirty-day period determining the maximum rent was materially affected by the blood, personal or other special relationship between landlord and the tenant, or by an allowance or discount to a tenant of a class of persons to whom the landlord regularly offered such an allowance or discount, and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on July 1, 1941.

(5) There was in force on July 1, 1941, a written lease, which had been in force for more than one year on that date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable rooms on July 1, 1941.

(6) The rent during the thirty-day period determining the maximum rent was established by a lease or other rental agreement which provided for a substan-

tially higher rent at other periods during the term of such lease or agreement.

(7) The rent during the thirty-day period determining the maximum rent for the room was substantially lower than at other times of the year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different rents for different periods of the calendar year.

(b) If, on the effective date of this Maximum Rent Regulation No. 38A the services provided for a room are less than those provided on the date or during the thirty-day period determining the maximum rent, the landlord shall either restore the services to those provided on the date or during the thirty-day period determining the maximum rent and maintain such services or, within 30 days after such effective date, file a petition requesting approval of the decreased services. Except as above provided, the landlord shall maintain the minimum services unless and until he has filed a petition to decrease services and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, he shall file a petition within five days after the change of services occurs. The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent.

(c) The Administrator at any time, on his own intiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) The maximum rent for the room is higher than the rent generally prevailing in the Defense-Rental Area for comparable rooms on July 1, 1941.

(2) There has been a substantial deterioration of the room other than ordinary wear and tear since the date or order determining its maximum rent.

(3) There has been a substantial decrease in the services, furniture, furnishings or equipment provided with the room since the date or order determining its maximum rent.

(4) The rent on the date determining the maximum rent for the room was substantially higher than at other times of the year by reason of seasonal demand for such room. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(d) If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of this Maximum Rent Regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the Defense-Rental Area for comparable rooms on July 1, 1941.

§ 1388.5006 *Restrictions on removal of tenant.* (a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant of a room within a hotel or rooming house shall be removed from such room, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, unless:

(1) The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement except insofar as such terms and conditions are inconsistent with this Maximum Rent Regulation No. 38A; or

(2) The tenant has unreasonably refused the landlord access to the room for the purpose of inspection or of showing the room to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the room is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the room for an immoral or illegal purpose; or

(4) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the room or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(5) The landlord seeks in good faith not to offer the room for rent. If a tenant has been removed or evicted from a room under this paragraph (a) (5), such room shall not be rented for a period of six months after such removal or eviction without permission of the Administrator. The landlord may petition the Administrator for permission to rent the room during such six month period, and the Administrator shall grant such permission if he finds that the action was in good faith and not for the purpose of evading any provision of the Act or this Maximum Rent Regulation No. 38A.

(b) No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this Maximum Rent Regulation and would not be likely to result in the circumvention or evasion thereof.

(c) At the time of commencing any action to remove or evict a tenant (except an action based on non-payment of a rent not in excess of the maximum rent) the landlord shall give written notice thereof to the Area Rent Office stating the title and number of the case, the court in which it is filed, the name and address of the tenant and the grounds on which eviction is sought.

(d) The provisions of this section do not apply to:

(1) A subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenency relationship between the landlord and the subtenant or other such occupant; or

(2) A tenant occupying a room within a hotel on a daily or weekly basis; or a tenant occupying on a daily basis a room within a rooming house which has heretofore usually been rented on a daily basis.

No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

§ 1388.5007 *Registration.* (a) Within 45 days after the effective date of this Maximum Rent Regulation No. 38A every landlord of a room rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Administrator shall require, to be known as a registration statement. Any maximum rent established after the effective date of this Maximum Rent Regulation under paragraphs (b) or (c) of § 1388.5004 shall be reported either on the first registration statement or on a statement filed within 5 days after such rent is established.

(b) Every landlord shall conspicuously display in each room rented or offered for rent a card or sign plainly stating the maximum rent or rents for all terms of occupancy and for all numbers of occupants for which the room is rented or offered for rent. Where the taking of meals by the tenant or prospective tenant is a condition of renting such room, the card or sign shall so state. Should the maximum rent or rents for the room be changed by order of the Administrator, the landlord shall alter the card or sign so that it states the changed rent or rents.

(c) No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

§ 1388.5008 *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of a room and any tenant shall permit such inspection of the room by the Administrator as he may, from time to time, require.

§ 1388.5009 *Evasion.* The maximum rents and other requirements provided in this Maximum Rent Regulation No. 38A shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of a room, by requiring the tenant to pay or obligate himself for membership or other fees, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with the room, or otherwise.

§ 1388.5010 *Enforcement.* Persons violating any provision of this Maximum Rent Regulation No. 38A are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the Act.

§ 1388.5011 *Procedure.* All registration statements, reports and notices provided for by this Maximum Rent Regulation No. 38A shall be filed with the Area Rent Office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.5012 *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this Maximum Rent Regulation No. 38A may file petitions therefor in accordance with Procedural Regulation No. 3 (§§ 1300.201 to 1300.247, inclusive).

§ 1388.5013 *Definitions.* (a) When used in this Maximum Rent Regulation No. 38A:

(1) The term "Act" means the Emergency Price Control Act of 1942.

(2) The term "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) The term "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) The "Area Rent Office" means the office of the Rent Director in the Defense-Rental Area.

(5) The term "person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of of any of the foregoing.

(6) The term "housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes (including houses, apartments, hotels, rooming or boarding house accommodations, and other properties used for living or dwelling purposes) together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) The term "room" means a room or group of rooms rented or offered for rent as a unit in a hotel or rooming house. The term includes ground rented as space for a trailer.

(8) The term "services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of a room.

(9) The term "landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any room, or an agent of any of the foregoing.

(10) The term "tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any room.

(11) The term "rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of a room or for the transfer of a lease of such room.

(12) The term "term of occupancy" means occupancy on a daily, weekly or monthly basis.

(13) The term "hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(14) The term "rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used in this Maximum Rent Regulation.

§ 1388.5014 *Effective date of the regulation.* This Maximum Rent Regulation No. 38A (§§ 1388.5001 to 1388.5014, inclusive) shall become effective August 1, 1942.

Issued this 24th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7089; Filed, July 24, 1942; 12:24 p. m.]

PART 1314—RAW MATERIALS FOR SHOES AND LEATHER PRODUCTS

[Amendment 2 to Maximum Price Regulation 145 [1]]

PICKLED SHEEPSKINS

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.*

Section 1314.151 is amended by adding a new paragraph (d); and a new § 1314.164, is added.

§ 1314.151 *Maximum prices for pickled sheepskins.* * * *

(d) *Maximum prices for certain brands of New Zealand pickled sheepskins*—Notwithstanding the provisions of paragraphs (b) and (c) of this section and § 1314.163, the maximum prices for pickled sheepskins of the brands enumerated in Appendix B, § 1314.164, shall be determined in accordance with Appendix B.

* * * * *

§ 1314.164 *Appendix B: Maximum prices for certain brands of New Zealand pickled sheepskins*—(a) *Pickled sheepskins sold after arrival or subject to arrival in the United States.* The maximum prices for pickled sheepskins of the brands enumerated in Column A sold after arrival or subject to arrival in the United States are specified in Column B. These prices are prices per dozen skins c. and f. port of entry, including all commissions and other charges except that the charge actually paid for war risk and marine insurance may be added. The maximum prices specified in Column B are based on an ocean freight charge of $15.32 per cask of pickled sheepskins, and if the charge should be more or less the prices must be adjusted upward or downward by the amount of the difference.

(b) *Pickled sheepskins imported by or for the account and risk of a tanner or a person having skins tanned for his own account.* The maximum prices for pickled sheepskins of the brands enumerated in Column A imported by or for the account and risk of a person in the United States tanning skins or having skins tanned for his own account are specified in Column C. These prices are prices f. o. b. shipping point.

[1] 7 F.R. 3746, 3889.

*Copies may be obtained from the Office of Price Administration.

Brand	Maximum prices			
	Column B		Column C[1]	
Column A	Produced from lamb pelts	Produced from sheep pelts	Produced from lamb pelts	Produced from sheep pelts
Westfield	$6.375	$9.875	33s., 6d.	50s., 0d.
Patea	6.375	9.875	33s., 6d.	50s., 0d.
Tomoana	6.125	9.875	32s., 3d.	50s., 0d.
Gear	6.125	9.875	32s., 0d.	50s., 0d.
Waitara	6.125	9.875	32s., 0d.	50s., 0d.
W. M. E.	6.125	9.875	32s., 3d.	50s., 0d.
Longburn	6.125	9.875	31s., 9d.	50s., 0d.
Fielding	6.00	9.50	31s., 3d.	48s., 0d.
Waingawa	6.00	9.50	31s., 3d.	48s., 0d.
Imlay	6.00	9.875	31s., 6d.	50s., 0d.
Patea Clients	6.00	9.50	31s., 3d.	48s., 0d.
Hellaby	5.875	9.375	30s., 9d.	48s., 0d.
H. B. M. C.	5.875	9.50	30s., 9d.	48s., 0d.
Tomoana Clients	5.875	9.375	30s., 9d.	48s., 0d.
A. F. F. Co.	5.875	9.00	29s., 6d.	46s., 0d.
Kaiti	5.625	9.00	29s., 6d.	46s., 0d.
Toko	5.625	9.00	29s., 6d.	46s., 0d.
Wairoa	5.625	9.00	29s., 6d.	46s., 6d.
Picton	5.375	7.00	28s., 3d.	35s., 6d.
Nelson	5.375	7.00	28s., 3d.	35s., 6d.
S. O. F. Co.	6.125	7.875	32s., 3d.	39s., 6d.
C. F. M.	6.25	7.875	32s., 3d.	39s., 6d.
Islington	6.00	7.625	31s., 6d.	39s., 0d.
T. B. & S. Co. Canterbury	5.875	7.50	30s., 9d.	38s., 3d.
N. C. F.	5.875	7.50	30s., 9d.	38s., 3d.
Wallacetown	6.625	8.375	34s., 9d.	42s., 6d.
R. W. Gore	6.50	8.25	34s., 0d.	41s., 9d.
Ocean Beach	6.50	8.25	34s., 0d.	41s., 9d.

[1] New Zealand currency.

§ 1314.162a *Effective dates of amendments.*

* * * * *

(b) Amendment No. 2 (§§ 1314.151 (d), 1314.162a (b) and 1314.164) to Maximum Price Regulation No. 145 shall become effective July 28, 1942.

Provided, That firm commitments entered into prior to July 28, 1942, in compliance with Maximum Price Regulation No. 145 may be completed at contract prices if deliveries are made prior to October 28, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 24th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7098; Filed, July 24, 1942; 3:33 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[Maximum Price Regulation 185]

CANNED FRUITS AND CANNED BERRIES

In the judgment of the Price Administrator, seasonal conditions and other factors affecting the sale of canned fruits and canned berries by canners have resulted in the establishment under the General Maximum Price Regulation of maximum prices for such sales which are not generally fair and equitable as applied to the 1942 pack and which are not best calculated to assist in securing adequate production of such commodities. The Price Administrator has ascertained and given due consideration to the prices of canned fruits and canned berries prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as is practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this Regulation.

In the judgment of the Price Administrator, the maximum prices established for the canners of canned fruits and canned berries by this Regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations involved in the issuance of this Regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The maximum prices established herein are not below prices which will reflect to the producers of the raw agricultural commodities from which canned fruits and canned berries are manufactured, prices for their commodities equal to the highest of any of the following prices therefor determined and published by the Secretary of Agriculture: (1) 110 per centum of the parity price for each such commodity, adjusted by the Secretary of Agriculture for grade, location and seasonal differentials; (2) the market prices prevailing for each such commodity on October 1, 1941; (3) the market prices prevailing for each such commodity on December 15, 1941; or (4) the average prices for such commodity during the period July 1, 1919 to June 30, 1929.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[1] Maximum Price Regulation No. 185 is hereby issued.

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 971.

AUTHORITY: §§ 1341.101 to 1341.113, inclusive, issued under the authority contained in Pub. Law 421, 77th Cong.

§ 1341.101 *Prohibition against dealing in canned fruits and canned berries above maximum prices.* (a) On and after July 29, 1942, regardless of any contract or other obligation, no canner shall sell or deliver any canned fruits or canned berries packed after the 1941 pack at a price higher than the maximum price established pursuant to this Maximum Price Regulation No. 185.

(b) No person in the course of trade or business shall buy or receive any canned fruits or canned berries from a canner at a price higher than the maximum price established by this Maximum Price Regulation No. 185; and

(c) No canner or other person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1341.102 *Canner's maximum prices for canned fruits and canned berries.* (a) The canner's maximum price per dozen f. o. b. factory, for each kind, grade, and container size of canned fruits or canned berries packed after the 1941 pack shall be: (1) The weighted average price per dozen f. o. b. factory charged by the canner for such kind, grade and container size during the first 60 days after the beginning of the 1941 pack; plus

(2) Ten percent of the weighted average price per dozen f. o. b. factory, as determined under paragraph (a) (1) of this section; plus

(3) The actual increase per dozen cans in the cost of the raw agricultural commodity delivered at the factory for the 1942 pack over the cost of the same raw agricultural commodity delivered at the factory for the 1941 pack.

(b) In determining the canner's maximum price:

(1) The "weighted average price" shall be the total gross sales dollars charged for each kind, grade and container size, divided by the number of dozens sold of such kind, grade and container size. All sales of products of the 1941 pack made in the usual course of business within the first 60 days after the beginning of the 1941 pack shall be included, except sales made to the armed forces of the United States. Sales made prior to such period but delivered within such period, shall not be included.

(2) The "actual increase in the cost of the raw agricultural commodity" shall be the difference per dozen cans of each kind, grade and container size, between;

(i) The weighted average cost to the canner of the raw agricultural commodity purchased for the 1941 pack, computed by dividing the total amount paid by the number of tons or other units purchased; and

(ii) The weighted average of the prices per ton or other unit, paid or contracted to be paid by the canner to the grower for the same raw agricultural commodity in 1942, based on not less than the first 75 percent of his 1942 purchases.

(iii) Any canner, to the extent he has incurred them, may include in the computation of his maximum prices, his increased costs of the raw agricultural commodity as determined under paragraph (b) (2) (i) and (b) (2) (ii) of this section, but not in excess of the amounts shown in the following table:

Raw agricultural commodity:	*Maximum permitted increase per ton*
Apricots	$23.00
Cherries, Red Sour Pitted	50.00
Cherries, Sweet	56.00
Figs	34.00
Peaches, Clingstone (including Clingstone Nectarines)	7.00
Peaches, Freestone (including Freestone Nectarines)	15.00
Pears	15.00
Plums	2.00
Prunes, Fresh	13.00
	Per pound
Blackberries	.03
Blueberries	.03
Boysenberries	.03
Cranberries	.03
Gooseberries	.03
Huckleberries	.03
Loganberries	.03
Raspberries, Black	.03
Raspberries, Red	.03
Strawberries	.03
Youngberries	.03

(iv) In converting the increased cost of the raw agricultural commodity into increased cost per dozen cans for each grade and container size, the increase shall be allocated to each grade and container size in the same proportion as costs of raw materials in 1941 were allocated to each grade and container size.

(v) The actual increase per dozen cans in the cost of the raw agricultural commodity shall not be computed until the canner has purchased 75 percent or more of his 1942 requirements. Such increase, as determined hereunder by a canner, shall be deemed to be his actual increase and shall not be subject to adjustment thereafter for later fluctuations in the cost of the raw agricultural commodity.

(vi) In determining and allocating to each container size the increased cost of the raw agricultural commodities used in canning fruit cocktail, fruit for salad, or the fruit and berry juices or nectars made from the fruits or berries listed in paragraph (b) (2) (iii) of this section, the increased cost of each component fruit or berry may be computed as set forth in the preceding paragraphs of this section and the increase apportioned to the various container sizes in the same proportion as the component fruits or berries are used in such container sizes.

(c) (1) If the maximum price for any grade and container size, except No. 10, of any canned fruits or canned berries cannot be determined under paragraphs (a) and (b) of this section, but if the canner has been able to determine his maximum price under said paragraphs for the dominant grade and container size of such canned fruits or canned berries, the maximum prices for the remaining grades and container sizes of the same canned fruits or canned berries, except No. 10 container size, shall be those prices which bear the same proportionate relationship to the maximum price for the dominant grade and container size as the price for each such grade and container size bore to the price of the dominant grade and container size in the canner's opening price list in 1941, or, if the canner had no opening price list in 1941, the same proportionate relationship as the weighted average price of each such grade and container size bore to the weighted average price of the dominant grade and container size in sales made during the first 15 days after the beginning of the 1941 pack of the canned fruits or canned berries for which a maximum price is being determined.

(i) In determining maximum prices under paragraph (c) of this section the dominant grade and container size shall be the one of which the canner packed the most cases in 1941, and the weighted average price shall be computed as set forth in paragraph (b) (1) of this section.

(2) If the canner is unable to determine the maximum price of one or more grades of a particular kind of canned fruit or canned berry in a No. 10 container size under paragraphs (a) and (b) of this section, but can so determine the maximum price for one or more other grades of such canned fruit or canned berry in a No. 10 container size, the maximum prices for the grades not so determined shall be established in the manner provided in paragraph (c) (1), using as the dominant grade the grade for which the price has been so determined, or, if the price of more than one grade has been so determined, using as the dominant grade the one of those for which a price has been so determined of which the canner packed the largest number in 1941.

(d) If the maximum price for any kind, grade and container size of any canned fruits or canned berries cannot be determined under paragraphs (a), (b) and (c) of this section, the canner's maximum price for such kind, grade and container size shall be the maximum price of the most closely competitive canner for the same kind, grade and container size.

(e) If the canner's maximum price cannot be determined under paragraphs (a), (b), (c) and (d) of this section, the maximum price shall be a price determined by the canner after specific authorization from the Office of Price Administration, Washington, D. C., on application setting forth (1) a description in detail of the kind, grade and container size of the canned fruits or canned berries for which a maximum price is sought; and (2) a statement of the facts which differentiate such kind, grade and container size of canned fruits or canned berries from the most similar kind, grade, and container size for which he has determined a maximum price, stating such most similar kind, grade and container size and the maximum price determined therefor. When such authorization is given, it will be accompanied by instructions as to the method for determining the maximum price. Within ten days after such price has been determined, the canner shall report the price to the Office of Price Administration, Washington, D. C., under oath or affirmation. The price so reported shall be subject to adjustment at any time by the Office of Price Administration.

(f) Any canner who believes that the maximum prices determined pursuant to the provisions of this section for any particular brand of canned fruits or canned berries are such that they subject him to a hardship with respect to such brand, may apply to the Office of Price Administration, Washington, D. C., for authorization to compute separately his maximum price for each kind, grade and container size of such brand under the foregoing paragraphs of this section. Such application shall set forth, under oath or affirmation, (1) the maximum prices which would be established under this section for each kind, grade and container size of such brand if such prices for such brand were computed separately under the foregoing paragraphs of this section, (2) the number of years in which the canner has packed under such particular brand, (3) the amount of each kind, grade and container size of that particular brand packed by him during the 1941 pack, (4) the amount of the same kind, grade and container size packed by him during the 1941 pack which was not packed under such brand, (5) the extent to which the brand in question was used and advertised during the year 1941, (6) the price relationship between the particular brand in question and his other brands or unbranded canned fruits and canned berries of the 1941 pack, (7) the number of brands, other than the particular brand in question, under which the canner packed the same kind of canned fruits or canned berries in 1941, and (8) such other facts as the canner may deem relevant.

(g) The maximum price for each kind, grade and container size for a canner who owns more than one factory shall be determined separately for each factory, except that if any group of two or more factories located in the same growing or canning area had the same f. o. b. factory prices in 1941, the maximum prices shall be determined uniformly for the entire group by using the combined figures for all of the factories in the group in computing the maximum price under paragraphs (a), (b) and (c) of this section, or if that cannot be determined, by using the price of the most closely competitive canner, under paragraph (d) of this section, as the maximum price of the entire group. In applying for the specific authorization of a price under paragraph (e) of this section, the application may be made for a uniform maximum price for all of the factories in such group.

(h) Any canner who sold and delivered a particular brand of canned fruits or canned berries packed by him during the calendar year 1941 on an established uniform delivered price basis by zone or area, may add to the maximum price per dozen f. o. b. factory computed under the foregoing paragraphs of this section for each grade and container size of such brand of canned fruits or canned berries, the freight charge he added to his f. o. b. factory price during the calendar year 1941, for such grade and container size of such

brand of canned fruits or canned berries in the same zone or area. The resulting price shall be the canner's maximum delivered price for such grade and container size of such brand of canned fruits or canned berries for the zone or area in which the same freight charge was used in 1941.

(i) In the event that a canner's maximum price determined under this Maximum Price Regulation No. 185 for United States Grade C (Standard) or better water pack red sour pitted cherries, No. 2 container size, amounts to less than $1.50 per dozen, the canner may use $1.50 as his maximum price for that grade and size and if his maximum price determined under this Regulation for the same commodity and grade in a No. 10 container size amounts to less than $7.50 per dozen, he may use $7.50 as his maximum price for that size and grade.

(j) No canner shall change his customary allowances, discounts or other price differentials, including price differentials between different classes of purchasers and price differentials between brands, except when authorized to compute brand differentials pursuant to paragraph (f) of this section, unless such change results in a lower price.

§ 1341.103 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 185 may be charged, demanded, paid or offered.

§ 1341.104 *Transfer of business or stock in trade.* If the business, assets or stock in trade of a canner are sold or otherwise transferred on or after the effective date of this Maximum Price Regulation No. 185, and the transferee carries on the business, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee, all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions contained in his Maximum Price Regulation No. 185.

§ 1341.105 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 185 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to canned fruits or canned berries, alone or in conjunction with any other commodity or by way of any commission, service, transportation or other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1341.106 *Records and reports.* Every canner who makes sales of canned fruits or canned berries packed after the 1941 pack, shall (a) preserve for examination by the Office of Price Administration for a period of two years all his existing records which were the basis for the computations required by § 1341.102, and (b) preserve for the same period all records of the same kind as he has customarily kept, relating to the prices which he charged for canned fruits or canned berries sold on and after July 29, 1942, and (c) file with the Office of Price Administration, Washington, D. C., within 10 days after determining his maximum prices for each kind of canned fruits or canned berries, a statement certified under oath or affirmation showing his weighted average price and his increase in the cost of the raw agricultural commodity, as determined under § 1341.102 hereof, together with the maximum price determined hereunder for each grade and container size of such kind of canned fruits or canned berries and all his customary allowances and discounts, and (d) in those cases in which the maximum price of any kind, grade and container size of canned fruits or canned berries was determined by the maximum price of the most closely competitive canner, showing the maximum price of such kind, grade and container size and the name and address of the canner whose maximum price was so adopted, and (e) in those cases in which a canner made sales and deliveries of a particular brand of canned fruits or canned berries packed by him in 1941 on an established uniform delivered price basis by zone or area, showing his maximum price per dozen f. o. b. factory for each grade and size of such brand of canned fruits or canned berries, the freight charge which he added to his f. o. b. factory price during the calendar year 1941 for each zone or area and the maximum delivered price for each kind, grade and container size of canned fruits or canned berries packed after the 1941 pack delivered in each zone or area, and (f) preserve for a period of two years a true copy of each such statement filed with the Office of Price Administration for examination by any person during ordinary business hours. Any canner who claims that substantial injury would result to him from making any such statement available to any other person, may file such copy of such statement with the appropriate field office of the Office of Price Administration. The information contained in such statement will not be published or disclosed unless it is determined that the withholding of such information is contrary to the purposes of this Maximum Price Regulation No. 185.

§ 1341.107 *Penalties.* Persons violating any provisions of this Maximum Price Regulation No. 185, are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942.

§ 1341.108 *Petitions for amendment.* Persons seeking a modification of this Maximum Price Regulation No. 185 may file a petition therefor in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1341.109 *Applicability.* The provisions of this Maximum Price Regulation No. 185 shall be applicable to the United States, its territories and possessions, and the District of Columbia.

§ 1341.110 *Definitions.* (a) When used in this Maximum Price Regulation No. 185 the term:

(1) "Persons" includes an individual, corporation, partnership, association, any other organized group of persons, legal successors or representatives of any of the foregoing and includes the United States, any agency thereof, any other Government, or any of its political subdivisions and any agency of any of the foregoing.

(2) "Canner" means a person who preserves by heating and hermetically sealing in containers of metal, glass or any other material any of the products defined herein as canned fruits or canned berries.

(3) "Canned fruits" means the following fruits and products preserved by heat and hermetically sealed in containers of metal, glass or any other material:

Apricots.
Cherries, Red Sour Pitted.
Cherries, Sweet.
Figs.
Fruit Cocktail.
Fruits for Salad.
Fruit Juices and Nectars, plain or mixed, made from the fruits listed in this paragraph.
Peaches, Clingstone (including Clingstone Nectarines).
Peaches, Freestone (including Freestone Nectarines).
Pears.
Plums.
Prunes, Fresh.

(4) "Canned berries" means the following berries and products preserved by heat and hermetically sealed in containers of metal, glass or any other material:

Berry juices, made from the berries listed in this paragraph.
Blackberries.
Blueberries.
Boysenberries.
Cranberries.
Gooseberries.
Huckleberries.
Loganberries.
Raspberries, black.
Raspberries, red.
Strawberries.
Youngberries.

(5) "1941 pack" of any canned fruits or canned berries shall be that pack the major portion of which was processed and hermetically sealed in containers of metal, glass or any other material during the calendar year 1941.

(6) "The most closely competitive canner" means the canner who

(i) Sells to the same class of buyers,

(ii) Packs the same or similar quality range of the product in question,

(iii) Has sold in the past the same kind of canned fruits or canned berries at approximately the same prices as the canner establishing a maximum,

(iv) Has used the same general merchandising methods, and

(v) Is located in the same general growing and packing area, or if there is no such canner in the same general growing and packing area, is located in the nearest growing and packing area.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1341.111 *Sales for export.* The maximum price at which a person may export canned fruits and canned berries shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation [1] issued by the Office of Price Administration.

§ 1341.112 *Applicability of the General Maximum Price Regulation.* This Maximum Price Regulation No. 185 supersedes the provisions of the General Maximum Price Regulation with respect to sales or deliveries of canned fruits and canned berries by canners for which maximum prices are established by this regulation.

§ 1341.113 *Effective date.* This Maximum Price Regulation No. 185 (§§ 1341.101 to 1341.113 inclusive) shall become effective July 29, 1942.

Issued this 24th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7099; Filed, July 24, 1942; 3:35 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 16 to the General Maximum Price Regulation [2]]

MISCELLANEOUS EXCEPTIONS

Subparagraph (7) of § 1499.9 (a) is amended to read as set forth below:

§ 1499.9 *Commodities excepted from this General Maximum Price Regulation.* (a) This General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities:

* * * * *

(7) Dried prunes, dry edible beans, leaf tobacco (whether dried or green), all nuts and peanuts, except cleaned or raw shelled peanuts harvested from the 1941 crop, all salted peanuts and peanut butter, linseed oil, linseed cake and linseed meal, manure and mixed feed for animals, except that cat and dog foods shall be governed by this General Maximum Price Regulation.

* * * * *

§ 1499.23a *Effective dates of amendments* * * *

(p) Amendment No. 16 (§ 1499.9 (a) (7)) to this General Maximum Price Regulation shall become effective July 29, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 24th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7095; Filed, July 24, 1942; 3:31 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.3 (b) of the General Maximum Price Regulation [2]—Order 43]

BOURJOIS, INC.

For 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 and § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered:

§ 1499.257 *Approval of maximum price for sale of 75/CP Evening in Paris Creme-Parfum by Bourjois, Inc.* (a) The maximum price for the sale by Bourjois, Inc., of New York, N. Y., per individual package containing 21/100 of an ounce of 75/CP Evening in Paris Creme-Parfum manufactured by that company, shall be $2.00.

(b) All discounts, trade practices, and practices relating to the payment of shipping charges in effect in March 1942, on the sale by this company of comparable products shall apply to the maximum price set forth in paragraph (a).

(c) This Order No. 43 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 43 (§ 1499.257) shall become effective July 25, 1942. (Pub. Law 421, 77th Cong.)

Issued this 24th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7096; Filed, July 24, 1942; 3:32 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under §1499.3 (b) of the General Maximum Price Regulation [2]—Order 44]

LUXOR, LTD.

For 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 and § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered:

§ 1499.258 *Approval of maximum price for nurse's kit for sale by Luxor, Ltd.* (a) The maximum price per unit for the sale by Luxor, Ltd., Chicago, Illinois, a subsidiary of Armour and Company, Chicago, Illinois, of a nurse's kit consisting of a 6" x 5" x 2½" box containing one ⅔ ounce box of No. 962 Luxor Face Powder, one No. 977 Luxor Lipstick, one ¼ ounce container of No. 943 Luxor Make-Up Foundation, one plaque of No. 1011 Luxor Rouge, one 1¾ ounce jar of No. 950 Luxor Cold Cream, one 1¾ ounce jar of No. 956 Luxor Hand Cream, one 1 ounce jar of Luxor Deodorant, and two bars of No. 192 Luxor Lanolin Soap, shall be:

(1) The sum of the maximum prices to the class of purchaser enjoying the lowest net price or the highest rate of discount, for the sale by Luxor, Ltd., of the individual products contained in the nurse's kit as determined in accordance with the General Maximum Price Regulation; plus

(2) the actual cost of the 6" x 5" x 2½" box; plus

(3) the labor cost of packaging the nurse's kit, based on the highest rate charged during March 1942 for similar labor.

(b) The practices relating to the payment of shipping charges in effect in March for 1942 on the sale by this company of comparable products shall apply to the maximum price set forth in paragraph (a).

(c) This Order No. 44 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 44 (§ 1499.258) shall become effective July 25, 1942. (Pub. Law 421, 77th Cong.)

Issued this 24th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7097; Filed, July 24, 1942; 3:33 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[Amendment 1 to Maximum Price Regulation 181 [3]]

NEW-FORMULA CONDENSED SOUPS PACKED UNDER WPB CONSERVATION ORDER M-81 [4]

A Statement of the Considerations involved in the issuance of this Amendment No. 1 to Maximum Price Regulation No. 181 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1341.53 (a) (1) of Maximum Price Regulation No. 181 is amended to read as set forth below.

§ 1341.53 *Wholesaler's and retailer's maximum prices for new-formula condensed soups packed under WPB Conservation Order M-81.* (a) * * *

(1) Shall divide his maximum price per dozen or per can, as determined under the General Maximum Price Regulation, for the same brand, related variety, and that can size which had the largest sale during the calendar year 1941, by his replacement cost per dozen or per can of that soup, or, at his election, by the actual cost per dozen or per can of those units of such soup for which the price charged during March 1942 determined his maximum price under the General Maximum Price Regulation; and * * *

* * * * *

§ 1341.70 *Effective dates of amendments.* (a) This Amendment No. 1 (§ 1341.53 (a) (1)) to this Maximum Price Regulation No. 181 shall become effective July 24, 1942.

Issued this 24th day of July, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7107; Filed, July 24, 1942; 5:13 p. m.]

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[1] 7 F.R. 5059.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276.

*Copies may be obtained from the Office of Price Administration.

[3] 7 F.R. 5560.

[4] 7 F.R. 4836, 5272.

PART 1377—WOODEN CONTAINERS

[Maximum Price Regulation 186]

WESTERN WOODEN AGRICULTURAL CONTAINERS

In the judgment of the Price Administrator, the prices of western wooden agricultural containers have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of western wooden agricultural containers prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices and charges established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1 [1] issued by the Office of Price Administration, Maximum Price Regulation No. 186 is hereby issued.

AUTHORITY: §§ 1377.101 to 1377.114, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1377.101 *Maximum prices for western wooden agricultural containers.* On and after July 29, 1942, regardless of any contract or other obligation, no person shall sell or deliver any western wooden agricultural containers, and no person shall buy or receive in the course of trade or business any western wooden agricultural containers at prices higher than the maximum prices set forth in Appendix A, § 1377.114, and no person shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of western wooden agricultural containers to a purchaser, if, prior to July 29, 1942, such containers had been received by a carrier other than a carrier owned by the seller for shipment to such purchaser.

§ 1377.102 *Maximum charges for assembling shook into partial or complete wooden containers.* On and after July 29, 1942, regardless of any contract or other obligation, no person in the western area as defined in § 1377.109 (a) (4) shall charge and no person in such area shall pay higher prices for assembling or partially assembling shook into western wooden agricultural containers than the maximum charges set forth in Appendix A, § 1377.114; and no person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1377.103 *Less than maximum prices.* Lower prices than those set forth in Appendix A, § 1377.114, may be charged, demanded, paid or offered.

§ 1377.104 *Conditional agreements.* No person subject to this Maximum Price Regulation No. 186 shall enter into an agreement permitting the adjustment of the price of western wooden agricultural containers to prices which may be higher than the maximum prices in effect upon the date of the agreement: *Provided,* That if a petition for amendment (or for adjustment or for exception) has been duly filed, and such petition requires extensive consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of such petition. Requests for such an exception may be included in the aforesaid petition.

§ 1377.105 *Evasion.* The price limitation set forth in this Maximum Price Regulation No. 186 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to western wooden agricultural containers, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1377.106 *Records and reports.* (a) On and after July 29, 1942, every person who, in the course of trade or business, during any calendar month, offers or agrees to sell, sells, or delivers, or offers or agrees to buy, buys, or receives a total of 5,000 or more board feet of shook produced in the western area, shall keep for inspection by the Office of Price Administration for a period of not less than two years a complete and accurate record of every such offer, agreement, purchase, sale or delivery, showing the date thereof, the name and address of the buyer and the seller, the price paid or received, and the quantity of each kind purchased or sold.

(b) On and after July 29, 1942, every person in the western area engaged in the business of assembling shook into partial or complete containers, shall keep for inspection by the Office of Price Administration for a period of not less than two years, a complete and accurate record of all charges made in such business.

(c) Such persons shall keep such other records in addition to or in place of the records required in paragraphs (a) and (b) of this section and shall submit such reports to the Office of Price Administration as that Office may from time to time require or permit.

§ 1377.107 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 186, are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for the suspension of licenses provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 186, or any price schedule, regulation, or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation, are urged to communicate with the nearest Field, State, or Regional Office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1377.108 *Petition for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 186, or any adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1377.109 *Definitions.* (a) When used in this Maximum Price Regulation No. 186, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing and includes the United States, or any other government, or any of its political subdivisions, or any agency of any of the foregoing;

(2) "Western wooden agricultural container" means any of the following wooden containers produced in the "western area": any box, crate, case, tray, lug, carrier, or similar container, and the constituent parts thereof, which are customarily used for handling, shipping or storing fruits and vegetables (whether fresh, dried or canned); and carstrips, bracing and industrial crating strips; but does not include cooperage products, or any used containers.

(3) "Shook" means the component parts of any western wooden agricultural container.

(4) "Western area" means the area comprising the states of California, Washington, Oregon, Idaho, Montana, Wyoming, Utah, Nevada, Arizona, New Mexico, and Colorado.

(5) "Northwest Items" means all the items listed in Table 2, Appendix A, § 1377.114.

(6) "Northwest region" means the states of Washington and Idaho and that portion of the state of Oregon which lies East of the crest of the Cascade Mountains.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1377.110 *Licensing.* Applicability of the registration and licensing provisions of the General Maximum Price Regulation.[2] The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Maximum Price Regulation No. 186 selling at wholesale or retail any western wooden agricultural containers covered by this Maximum Price Regulation No. 186. When used in this § 1377.110 the terms "selling at wholesale" and "selling at retail" have the definitions given to them by §§ 1499.20 (p) and 1499.20 (o) respectively of the General Maximum Price Regulation.

§ 1377.111 *Applicability of General Maximum Price Regulation.*[2] Except as provided in § 1377.110, the provisions of

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 971, 3663.

[2] 7 F.R. 3153, 3330, 3660, 3990, 3991, 4339.

this Maximum Price Regulation No. 186 supersede the provisions of the General Maximum Price Regulation with respect to sales, deliveries, services and charges for which maximum prices are established by this Regulation.

§ 1377.112 *Sales for export.* The maximum price at which a person may export western wooden agricultural containers shall be determined in accordance with the provisions of the Maximum Export Price Regulation [8] issued by the Office of Price Administration on April 25, 1942.

§ 1377.113 *Effective date of Maximum Price Regulation 186.* Maximum Price Regulation No. 186 (§§ 1377.101 to 1377.114) shall become effective July 29, 1942.

§ 1377.114 *Appendix A: Maximum prices for western wooden agricultural containers.* (a) The maximum delivered prices of shook used in the following named western wooden agricultural containers shall be as follows per thousand feet of shook:

[8] 7 F.R. 3096, 3824, 4294.

TABLE I—SHOOK

Item	Basic price	Group 0 $2.50	Group 1 $3	Group 2 $3.50	Group 3 $4.25	Group 4 $4.75	Group 5 $5.25	Group 6 $5.75	Group 7 $6.50	Group 8 $7	Group 9 $8	Group 10 $9	Group 11 $9.50	Group 12 $10.25	Group 13 $10.75	Group 14 $11.25	Group 15 $12	Group 16 $12.50	Group 17 $14.50	Group 18 $15.75	Group 19 $17.50
Asparagus	$43.50	$46.00	$46.50	$47.00	$47.75	$48.25	$48.75	$49.25	$50.00	$50.50	$51.50	$52.50	$53.00	$53.75	$54.25	$54.75	$55.50	$56.00	$58.00	$59.25	$61.00
Cannery:																					
Cases and floor boards, light and heavy	42.50	45.00	45.50	46.00	46.75	47.25	47.75	48.25	49.00	49.50	50.50	51.50	52.00	52.75	53.25	53.75	54.50	55.00	57.00	58.25	60.00
Cases and floor boards, medium	37.50	40.00	40.50	41.00	41.75	42.25	42.75	43.25	44.00	44.50	45.50	46.50	47.00	47.75	48.25	48.75	49.50	50.00	52.00	53.25	55.00
Trays, 1-piece bottom	56.00	58.50	59.00	49.50	60.25	60.75	61.25	61.75	62.50	63.50	64.00	65.00	65.50	66.25	66.75	67.25	68.00	68.50	70.50	71.75	73.50
Trays, 2-piece bottom	46.00	48.50	49.00	59.50	50.25	50.75	51.25	51.75	52.50	53.00	54.00	55.00	55.50	56.25	56.75	57.25	58.00	58.50	60.50	61.75	63.50
Citrus:																					
Standard orange	40.00	42.50	43.00	43.50	44.25	44.75	45.25	45.75	46.50	47.00	48.00	49.00	49.50	50.25	50.75	51.25	52.00	52.50	54.50	55.75	57.50
Cull grade orange	34.00	36.50	37.00	37.50	38.25	38.75	39.25	39.75	40.50	41.00	42.00	43.00	43.50	44.25	44.75	45.25	46.00	46.50	48.50	49.75	51.50
Lemon (4.44')	37.00	39.50	40.00	40.50	41.25	41.75	42.25	42.75	43.50	44.00	45.00	46.00	46.50	47.25	47.75	48.25	49.00	49.50	51.50	52.75	54.50
Deciduous:																					
Market lugs 5¾"	33.00	35.50	36.00	36.50	37.25	37.75	38.25	38.75	39.50	40.00	41.00	42.00	42.50	43.25	43.75	44.25	45.00	45.50	47.50	48.75	50.50
Standard lugs 5/16"	44.00	46.50	47.00	47.50	48.25	48.75	49.25	49.75	50.50	51.00	52.00	53.00	53.50	54.25	54.75	55.25	56.00	56.50	58.50	59.75	61.50
Apple, artichoke, rhubarb	40.00	42.50	43.00	43.50	44.25	44.75	46.25	45.75	46.50	47.00	48.00	49.00	49.50	50.25	50.75	51.25	52.00	52.50	54.50	55.75	57.50
Date, fig, avocado, all other lugs (not specified above), peach, fruit and basket crates, and persimmon	41.00	43.50	44.00	44.50	45.25	45.75	46.25	46.75	47.50	48.00	49.00	50.00	50.50	51.25	51.75	52.25	53.00	53.50	55.50	56.75	58.50
Emperor chests, pear, ollve, apricot, and select deciduous	44.00	46.50	47.00	47.50	48.25	48.75	49.25	49.75	50.50	51.00	52.00	53.00	53.50	54.25	54.75	55.25	56.00	56.50	58.50	59.75	61.50
Berry	42.00	44.50	45.00	45.50	46.25	46.75	47.25	47.75	48.50	49.00	50.00	51.00	51.50	52.25	52.75	53.25	54.00	54.50	56.50	57.75	59.50
Standard cherry	45.00	47.50	48.00	48.50	49.25	49.75	50.25	50.75	51.50	52.00	53.00	54.00	54.50	55.25	55.75	56.25	57.00	57.50	59.50	60.75	62.50
Dried fruit, carton and raisin	42.50	45.00	45.50	46.00	46.75	47.25	47.75	48.25	49.00	49.50	50.50	51.50	52.00	52.75	53.25	53.75	54.50	55.00	57.00	58.25	60.00
Evaporated apples:																					
25-pound	42.50	45.00	45.50	46.00	46.75	47.25	47.75	48.25	49.00	49.50	50.50	51.50	52.00	52.75	53.25	53.75	54.50	55.00	57.00	58.25	60.00
50-pound	45.00	47.50	48.00	48.50	49.25	49.75	50.25	50.75	51.50	52.00	53.00	54.00	54.50	55.25	55.75	56.25	57.00	57.50	59.50	60.75	62.50
Melon:																					
Cantaloupe, selected slats	46.00	48.50	49.00	49.50	50.25	50.75	51.25	51.75	52.50	53.00	54.00	55.00	55.50	56.25	56.75	57.25	58.00	58.50	60.50	61.75	63.50
Cantaloupe, not including triangling	42.00	44.50	45.00	45.50	46.25	46.75	47.25	47.75	48.50	49.00	50.00	51.00	51.50	52.25	52.75	53.25	54.00	54.50	56.50	57.75	59.50
Melon	42.00	44.50	45.00	45.50	46.25	46.75	47.25	47.75	48.50	49.00	50.00	51.00	51.50	52.25	52.75	53.25	54.00	54.50	56.50	57.75	59.50
Pickingboxes and field crates:																					
Citrus	49.00	51.50	52.00	52.50	53.25	53.75	54.25	54.75	55.50	56.00	57.00	58.00	58.50	59.25	59.75	60.25	61.00	61.50	63.50	64.75	65.50
Deciduous, asparagus, cannery, vegetables, and melon field crates	46.00	48.50	49.00	49.50	50.25	50.75	51.25	51.75	52.50	53.00	54.00	55.00	55.50	56.25	56.75	57.25	58.00	58.50	60.50	61.75	63.50
Stitched stock:																					
All stitched stock, including bottoms, tops, and sides	45.00	47.50	48.00	48.50	49.25	49.75	50.25	50.75	51.50	52.00	53.00	54.00	54.50	55.25	55.75	56.25	57.00	57.50	59.50	60.75	62.50
Sweat boxes	65.00	67.50	68.00	68.50	69.25	69.75	70.25	70.75	71.50	72.00	73.00	74.00	74.50	75.25	75.75	76.25	77.00	77.50	79.50	80.75	82.50
Trays:																					
2' x 3' with 24" bottoms	55.00	57.50	58.00	58.50	59.25	59.75	60.25	60.75	61.50	62.00	63.00	64.00	64.50	65.25	65.75	66.25	67.00	67.50	69.50	70.75	72.50
2' x 3'—over 24" bottoms—add bottoms only	10.00	12.50	13.00	13.50	14.25	14.75	15.25	15.75	16.50	17.00	18.00	19.00	19.50	20.25	20.75	21.25	22.00	22.50	24.50	25.75	27.50
Trays, 6', 7', and 8' field and dehydrator	65.00	67.50	68.00	68.50	69.25	69.75	70.25	70.75	71.50	72.00	73.00	74.00	74.50	75.25	75.75	76.25	77.00	77.50	79.50	80.75	82.50
Vegetable:																					
Octagonal potato	44.00	46.50	47.00	47.50	48.25	48.75	49.25	49.75	50.50	51.00	52.00	53.00	53.50	54.25	54.75	55.25	56.00	56.50	58.50	59.75	61.50
All other vegetables	40.00	42.50	43.00	43.50	44.25	44.75	45.25	45.75	46.50	47.00	48.00	49.00	49.50	50.25	50.75	51.25	52.00	52.50	54.50	55.75	57.50
Carstrips:																					
4' pine	27.00	29.50	30.00	30.50	31.25	31.75	32.25	32.75	33.50	34.00	35.00	36.00	36.50	37.25	37.75	38.25	39.00	39.50	41.50	42.75	44.50
8' pine	36.00	38.50	39.00	39.50	40.25	40.75	41.25	41.75	42.50	43.00	44.00	45.00	45.50	46.25	46.75	47.25	48.00	48.50	50.50	51.75	53.50
4' celery, pine	38.00	40.50	41.00	41.50	42.25	42.75	43.25	43.75	44.50	45.00	46.00	47.00	47.50	48.25	48.75	49.25	50.00	50.50	52.50	53.75	55.50
8' celery, pine	40.00	42.50	43.00	43.50	44.25	44.75	45.25	45.75	46.50	47.00	48.00	49.00	49.50	50.25	50.75	51.25	52.00	52.50	54.50	55.75	57.50
Industrial crating strips: cut to exact dimensions specified, bundled in lengths not to exceed 84" for not more than 50 percent over 60"	39.00	41.50	42.00	42.50	43.25	43.75	44.25	44.75	45.50	46.00	47.00	48.00	48.50	49.25	49.75	50.25	51.00	51.50	53.50	54.75	56.50
Bracing:																					
Standard thickness	32.50	35.00	35.50	36.00	36.75	37.25	37.75	38.25	39.00	39.50	40.50	41.50	42.00	42.75	43.25	43.75	44.50	45.00	47.00	48.25	49.50
Bulkhead	30.00	32.50	33.00	33.50	34.25	34.75	35.25	35.75	36.50	37.00	38.00	39.00	39.50	40.25	40.75	41.25	42.00	42.50	44.50	45.75	47.50
Vertical bracing (hoak)	45.00	47.50	48.00	48.50	49.25	49.75	50.25	50.75	51.50	52.00	53.00	54.00	54.50	55.25	55.75	56.25	57.00	57.50	59.50	60.75	62.50

(1) The basic price is the price f. o. b. Klamath Falls, Oreg., or Weed, Calif.
(2) Delivered price groups are based on freight rate zones from Klamath Falls, Oreg., or Weed, Calif., whichever is lower, as set forth below:

Group	Rate per 100 pounds	Group	Rate per 100 pounds.
0	$0.14 or less.	10	Over $0.47 to $0.51.
1	Over $0.14 to $0.17.	11	Over $0.51 to $0.55.
2	Over $0.17 to $0.20.	12	Over $0.55 to $0.57.
3	Over $0.20 to $0.24.	13	Over $0.57 to $0.61.
4	Over $0.24 to $0.27.	14	Over $0.61 to $0.64.
5	Over $0.27 to $0.30.	15	Over $0.64 to $0.67.
6	Over $0.30 to $0.33.	16	Over $0.67 to $0.71.
7	Over $0.33 to $0.37.	17	Over $0.71 to $0.80.
8	Over $0.37 to $0.42.	18	Over $0.80 to $0.88.
9	Over $0.42 to $0.47.	19	Over $0.88 to $0.97.

(3) Where freight rates are over $0.97, use basic price plus actual freight from Klamath Falls, Oreg., or Weed, Calif., whichever is lower.

(b) The maximum prices of shook used in the following named "Northwest Items", delivered anywhere in the State of Washington, shall be as follows per thousand feet of shook:

TABLE 2—NORTHWEST ITEMS

Apple (Spec. Acc. to Trf. #1 par. 36)	$39
Half-apple	42
Display lugs (Apricots, Plums, Prunes, Peach—Yakima or Wenatchee)	42
Heavy and Special northwestern pear (Spec. Acc. to #75 and #100 in Trf. #1)	42
Twenty-pound pear lug	44

NOTES

1. When delivery is made outside of the State of Washington, the maximum prices shall be the prices on Table 2 plus transportation charges from Spokane, Washington.

2. Specifications for the above shook which do not appear in tariff #1:

Half-apple (inches):	
2 ends 25/32 x 7⅝ x 8⅝	0.972
2 sides ¼ x 7⅝ x 17½	.648
2 tops 5/32 x 4¼ x 17½	.304
2 bottoms 7/32 x 4¼ x 17½	.405
4 cleats 11/32 x 1⅛ x 8⅝	.182
Footage	2.511
Wenatchee display lug (inches):	
2 ends 25/32 x 3⅜ x 10½	0.584
2 sides ¼ x 3⅜ x 16½	.306
2 bottoms 7/32 x 5 3/16 x 16½	.458
2 tops 3/16 x 5 3/16 x 16½	.344
4 cleats 11/32 x 1⅛ x 10½	.220
2 cleats ½ x 25/32 x 10½	.092
Footage	2.004
Yakima display lug (inches):	
2 ends 25/32 x 4 x 11	0.764
2 sides ¼ x 3⅝ x 16½	.306
2 tops 5/32 x 5⅜ x 16½	.344
Yakima display lug (inches)—Con.	
2 bottoms 7/32 x 5⅜ x 16½	0.459
4 cleats 11/32 x 1⅛ x 11	.230
Footage	2.103
Pear 20-pound lug (inches):	
2 ends 25/32 x 5 x 11½	0.958
2 sides ¼ x 4½ x 17½	.405
2 tops 5/32 x 5½ x 17½	.365
2 bottoms 7/32 x 5½ x 17½	.486
2 cleats 11/32 x 1⅛ x 11½	.120
2 cleats 25/32 x 1⅛ x 11½	.240
Footage	2.574

3. The price of any item produced in the northwest area but not listed in this table 2 is the basic price of such item listed in table 1 of this appendix A.

(c) The maximum delivered prices for sawn pine or any species veneer stitched cover per hundred units shall be as follows:

TABLE 3—COVERS

Description	Cleats	Trf. No.	Base mill price	Columns 0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
(1) 5-slat lug	5/16	102	$1.92	$2.01	$2.03	$2.05	$2.07	$2.09	$2.11	$2.13	$2.15	$2.17	$2.21	$2.24	$2.26	$2.29	$2.31	$2.33	$2.35	$2.37	$2.44	$2.48	$2.55
(2) 5-slat lug	½	104	2.24	2.34	2.36	2.39	2.42	2.44	2.46	2.48	2.51	2.54	2.58	2.62	2.64	2.68	2.70	2.72	2.75	2.77	2.86	2.91	2.99
(3) 5-slat lug	11/16	105	2.42	2.54	2.56	2.58	2.61	2.64	2.66	2.69	2.72	2.74	2.79	2.84	2.86	2.90	2.92	2.94	2.98	3.00	3.09	3.15	3.24
(4) 5-slat lug	13/16	106	2.73	2.86	2.89	2.92	2.96	2.99	3.01	3.04	3.08	3.11	3.16	3.22	3.24	3.28	3.31	3.34	3.38	3.40	3.51	3.58	3.68
(5) 2-pc. lug	5/16	116	2.24	2.34	2.36	3.39	3.42	2.44	2.46	2.48	2.51	2.54	2.58	2.62	2.64	2.68	2.70	2.72	2.75	2.77	2.86	2.91	2.99
(6) 2-pc. lug	½	118	2.55	2.67	2.70	2.73	2.76	2.79	2.81	2.84	2.88	2.90	2.95	3.00	3.03	3.06	3.09	3.11	3.15	3.18	3.27	3.34	3.42
(7) 2-pc. lug	13/16	119	2.73	2.86	2.89	2.92	2.96	2.99	3.01	3.04	3.08	3.11	3.16	3.22	3.24	3.28	3.31	3.34	3.38	3.40	3.51	3.58	3.68
(8) 2-pc. lug	13/16	120	3.05	3.20	3.23	3.26	3.31	3.33	3.37	3.40	3.44	3.47	3.53	3.59	3.62	3.67	3.70	3.73	3.78	3.81	3.93	4.01	4.11
(9) lug bottoms	5/16	126	2.69	2.81	2.84	2.87	2.91	2.94	2.96	2.99	3.03	3.06	3.11	3.16	3.19	3.23	3.25	3.28	3.32	3.35	3.45	3.52	3.61
(10) lug bottoms	½	128	3.00	3.15	3.18	3.21	3.26	3.29	3.31	3.35	3.39	3.42	3.48	3.54	3.57	3.62	3.65	3.68	3.72	3.75	3.87	3.96	4.05
(11) Basket crate	5/16	172	2.32	2.44	2.46	2.48	2.52	2.54	2.56	2.58	2.62	2.64	2.69	2.73	2.75	2.79	2.81	2.83	2.87	2.89	2.97	3.03	3.11
(12) Basket crate	½	176	2.69	2.81	2.84	2.87	2.91	2.94	2.96	2.99	3.03	3.06	3.11	3.16	3.19	3.23	3.25	3.28	3.32	3.35	3.45	3.52	3.61
(13) 4-slat peach	¾	168	1.74	1.82	1.84	1.85	1.88	1.89	1.91	1.92	1.95	1.96	2.00	2.03	2.04	2.07	2.08	2.10	2.12	2.14	2.20	2.24	2.30
(14) 2-slat peach	⅜	169	1.92	2.01	2.03	2.05	2.07	2.09	2.11	2.13	2.15	2.17	2.21	2.24	2.26	2.29	2.31	2.33	2.35	2.37	2.44	2.49	2.55
(15) 4-slat apple-pear	⅜	151	2.37	2.49	2.51	2.53	2.57	2.59	2.61	2.63	2.67	2.69	2.74	2.78	2.81	2.84	2.86	2.89	2.92	2.95	3.03	3.09	3.18
(16) 2-slat apple-pear	⅜	155	2.69	2.81	2.84	2.87	2.91	2.94	2.96	2.99	3.03	3.06	3.11	3.16	3.19	3.25	3.25	3.28	3.32	3.35	3.45	3.52	3.61
(17) Art. bottom	¼	180	2.69	2.81	2.84	2.87	2.91	2.94	2.96	2.99	3.03	3.06	3.11	3.16	3.19	3.25	3.25	3.28	3.32	3.35	3.45	3.52	3.61
(18) Art. 2-slat top	¼	181	2.73	2.86	2.89	2.92	2.96	2.99	3.01	3.04	3.08	3.11	3.16	3.22	3.24	3.28	3.31	3.34	3.38	3.40	3.51	3.58	3.68
(19) Art. 4-slat top	⅓	183	2.37	2.48	2.51	2.53	2.57	2.59	2.61	2.63	2.67	2.69	2.74	2.78	2.81	2.84	2.86	2.89	2.92	2.95	3.03	3.09	3.18
(20) 3-slat honeydew	5/16	130	2.19	2.30	2.32	2.34	2.37	2.39	2.41	2.43	2.46	2.48	2.53	2.57	2.59	2.62	2.64	2.66	2.69	2.72	2.80	2.85	2.93
(21) 3-slat honeydew	½	132	2.51	2.62	2.65	2.68	2.71	2.74	2.76	2.79	2.82	2.85	2.90	2.95	2.97	3.01	3.03	3.06	3.09	3.12	3.21	3.28	3.36
(22) 3-slat honeydew	11/16	133	2.69	2.81	2.84	2.87	2.91	2.94	2.96	2.99	3.03	3.06	3.11	3.16	3.19	3.23	3.25	3.28	3.32	3.35	3.43	3.52	3.61
(23) 3-slat honeydew	13/16	134	3.00	3.15	3.18	3.21	3.26	3.29	3.31	3.35	3.39	3.42	3.48	3.54	3.57	3.62	3.65	3.68	3.72	3.75	3.87	3.95	4.05
(24) 50-pound potato	¼	186	2.33	2.44	2.46	2.48	2.52	2.54	2.56	2.58	2.62	2.64	2.69	2.73	2.75	2.79	2.81	2.83	2.87	2.89	2.98	3.03	3.11
(25) Cub. celery top	-----	190	1.34	1.44	1.46	1.46	1.47	1.48	1.50	1.50	1.53	1.55	1.56	1.57	1.59	1.60	1.61	1.63	1.63	1.65	1.71	1.75	1.81
(26) Celery bottom	-----	192	1.44	1.54	1.56	1.56	1.57	1.58	1.60	1.63	1.65	1.66	1.67	1.69	1.70	1.71	1.73	1.73	1.73	1.75	1.82	1.86	1.91
(27) Sturdee 4-slat	-----	196	2.20	2.30	2.32	2.33	2.34	2.36	2.39	2.40	2.45	2.48	2.49	2.52	2.54	2.57	2.59	2.61	2.62	2.64	2.71	2.75	2.82
(28) Sturdee 3-slat	-----	198	2.15	2.25	2.27	2.28	2.29	2.31	2.33	2.34	2.38	2.41	2.42	2.44	2.46	2.48	2.50	2.52	2.53	2.55	2.62	2.66	2.73
(29) 4-slat orange	-----	-----	2.44	2.55	2.58	2.58	2.60	2.62	2.65	2.66	2.71	2.74	2.76	2.79	2.81	2.84	2.87	2.89	2.90	2.93	3.02	3.07	3.15
(30) 3-slat orange	-----	-----	2.84	2.96	2.98	2.99	3.00	3.03	3.05	3.07	3.13	3.16	3.17	3.21	3.23	3.26	3.29	3.31	3.33	3.36	3.46	3.53	3.62
(31) 4-slat lemon	-----	-----	2.75	2.87	2.90	2.91	2.92	2.95	2.98	2.99	3.05	3.09	3.11	3.14	3.17	3.20	3.23	3.25	3.27	3.30	3.40	3.46	3.55
(32) 3-slat lemon	-----	-----	3.25	3.40	3.43	3.44	3.45	3.48	3.51	3.53	3.59	3.63	3.69	3.72	3.75	3.78	3.81	3.83	3.83	3.86	3.98	4.06	4.15
(33) 4-slat cauliflower	-----	-----	2.00	2.11	2.13	2.13	2.15	2.17	2.20	2.21	2.27	2.30	2.31	2.34	2.37	2.40	2.42	2.44	2.46	2.48	2.55	2.60	2.67
(34) 3-slat cauliflower	-----	-----	1.61	1.69	1.71	1.72	1.73	1.75	1.76	1.78	1.82	1.84	1.85	1.88	1.89	1.92	1.94	1.95	1.97	1.99	2.05	2.09	2.14
(35) 4-slat 2⅜ vegetable	-----	-----	2.49	2.61	2.64	2.64	2.66	2.68	2.71	2.72	2.78	2.81	2.83	2.86	2.88	2.91	2.94	2.96	2.98	3.01	3.10	3.15	3.24
(36) 4-slat 3¼ vegetable	-----	-----	2.92	3.05	3.08	3.09	3.11	3.13	3.16	3.17	3.23	3.26	3.28	3.31	3.34	3.37	3.40	3.42	3.44	3.47	3.55	3.62	3.71
(37) 3-slat 4⅞ lettuce	-----	-----	3.37	3.52	3.55	3.56	3.58	3.61	3.64	3.65	3.72	3.75	3.77	3.81	3.84	3.87	3.90	3.93	3.95	3.98	4.09	4.17	4.26
(38) wide ctr. slat lettuce	-----	-----	3.56	3.71	3.74	3.75	3.77	3.79	3.82	3.84	3.91	3.95	3.97	4.01	4.03	4.07	4.10	4.13	4.15	4.18	4.29	4.37	4.47
(39) Half crate	-----	-----	1.94	2.03	2.06	2.07	2.08	2.10	2.12	2.13	2.17	2.19	2.21	2.23	2.25	2.27	2.29	2.31	2.32	2.34	2.41	2.45	2.51
(40) 3-slat dry pack	-----	-----	2.24	2.33	2.35	2.36	2.37	2.39	2.41	2.42	2.46	2.47	2.48	2.52	2.54	2.56	2.58	2.60	2.61	2.63	2.71	2.76	2.82
(41) Special dry pack	-----	-----	2.74	2.87	2.90	2.90	2.92	2.94	2.97	2.98	3.04	3.07	3.08	3.11	3.14	3.17	3.19	3.21	3.23	3.26	3.36	3.41	3.50

NOTE.—No additional price for slight variation in length of covers, no lower price for narrower cleats or slats. Delaware price groups based on zones in table 1. Basing points Klamath Falls, Oregon, or Weed, California, whichever is lower. Max. for shipment beyond group 19 is basic price plus freight.

EXTRA CHARGES ON COVERS

	Add
Staining cleats:	
For black, any cover	$0.20 per C covers.
For red, any cover	$0.10 per C covers.
For vegetable and celery covers, except black	$0.10 per C covers.
For all other covers and other colors	$0.05 per C covers.
When cleats are ½" or heavier add to above	$0.05 per C covers.
When cleats are ¼" on items 29 to 41 inclusive add	$0.05 per C covers.
When cleats are 5/16" on items 29 to 41 inclusive add	$0.05 per C covers.

EXTRA CHARGES ON COVERS

	Add
Printing:	
For covers with slats 3½" wide or less:	
When 1 slat printed in one color	$0.125 per C covers.
When 1 slat printed in two colors	$0.20 per C covers.
When 2 or more slats printed in one or two colors	$0.125 per C covers.
For covers with slats 3⅝" to 8" wide:	
When 1 or 2 slats printed in one or two colors	$0.25 per C covers.
When 3 or more slats printed in one or two colors	$0.125 per C slats.
When stock is thinner than ⅛", add to above	$0.10 per C covers.

VENEER COVER SPECIFICATIONS NOT IN TARIFF NO 1.

4-slat orange:
4 slats 1/4" x 2 3/8" x 26 1/8".
2 cleats 7/32" x 1 1/4" x 11".
3-slat orange:
2 slats 1/4" x 2 3/8" x 26 1/8".
1 slat 1/8" x 5 1/4" x 26 1/8".
2 cleats 7/32" x 1 1/4" x 11".
4-slat lemon:
4 slats 1/4" x 2 3/8" x 27 1/8".
2 cleats 7/32" x 1 1/4" x 12 1/2".
3-slat lemon:
2 slats 1/4" x 2 5/8" x 27 1/8".
1 slat 1/4" x 6" x 27 1/8".
2 cleats 7/32" x 1 1/4" x 12 1/2".
4-slat vegetable:
4 slats 1/8" x 3 1/4" x 25 1/2".
2 cleats 7/32" x 1 1/4" x 16 3/4".
3-slat lettuce:
3 slats 1/8" x 4 7/8" x 25".
2 cleats 7/32" x 1 1/4" x 16 3/4".
Wide center slat lettuce:
2 slats 1/8" x 4 1/4" x 25".
1 slat 1/8" x 7 1/4" x 25".
2 cleats 7/32" x 1 1/4" x 16 3/4".
Half-crate:
3 slats 1/4" x 2 3/8" x 25".
2 cleats 7/32" x 1 1/4" x 13".
4-slat cauliflower:
4 slats 1/4" x 2 3/8" x 24 1/2".
2 cleats 7/32" x 1 1/4" x 17 1/4".
3-slat cauliflower:
3 slats 1/4" x 2 3/8" x 24 1/2".
2 cleats 7/32" x 1 1/4" x 14".
4-slat vegetable:
4 slats 1/4" x 2 3/8" x 25 1/2".
2 cleats 7/32" x 1 1/4" x 16 3/4".
3-slat dry pack:
3 slats 1/8" x 2 7/8" x 25 1/2".
2 cleats 7/32" x 1 1/4" x 13 1/2".
Special dry pack:
2 slats 1/8" x 3 1/2" x 25 1/2".
1 slat 1/8" x 4 7/8" x 25 1/2".
2 cleats 7/32 x 1 1/4" x 15 1/2".

NOTES:
1. Above are veneer specifications only and are net thicknesses.
2. Where 3/16" is specified, mill may supply 3/16" sawn, 1/4" veneer or 1/8" sliced.
3. Where 1/8" is specified, mill may supply 1/8" sawn, 1/8" veneer or 1/10" sliced.
4. Where 1/12" is specified, mill may supply covers as thin as practical.

(d) The maximum prices which may be charged in the western area for assembling western wooden agricultural containers shall be as follows:

TABLE 4—ASSEMBLY CHARGES

	Per C units
Fresh apple, all States but California	$2.00
In California	1.75
Artichokes and rhubarb	1.75
Asparagus, with centers	3.00
Without centers	2.50
Berry	1.50
Cannery	2.25
Cherry, with partitions	[1] 2.00
Without partitions	1.60
Fruit and basket crates, peach and persimmon	[2] 1.75
Dried fruit and raisin	1.75
Dried fruit carton	1.75
Orange and lemon	3.00
Half boxes	2.25
Sub standard lugs	[2] 1.75
Ordinary lugs	[2] 1.75
Display lugs, framing only	1.75
Complete including nailed ends	2.25
Nailing cleats to ends only	.50
Cantaloupe heads, per 100 pairs	1.90
Crates:	
Complete	3.80
Framing only	1.90
Cantaloupe flats	1.60
For nailing beveled slats on cantaloupe, add	.10
Honeydew heads, with posts per 100 pairs	1.40
Framing only	1.80
Complete with posts	3.20
Crates without posts	1.80

[1] If stitched covers instead of nailed bottoms, add 25¢.

[2] If no cleats, deduct 25¢ per 100 boxes.
For each extra pair of cleats over first pair, add 25¢ per 100 boxes.

	Per C units
Half-pear, peach, all States but California	[2] $2.00
In California	[2] 1.75
Pear, all States but California	2.00
In California	1.75
One Way Lugs	2.25
Picking Boxes, with posts	6.50
Without posts	5.00
Fresh Fig, Date, and Avocado	1.50
Potato Crates, not octagon, without extras	2.00
Octagonal potato crates (navy specification) strapping 6.00	
Nailing 4.00	
Total	10.00
Trays:	
2 x 3	4.50
3 x 6	10.00
3 x 7	11.00
3 x 8	12.00
Sweat Boxes	11.00
Dehydrator Trays	15.00
Vegetable Crates:	
10 slat, framing only	1.90
9 slat, framing only	1.80
nailing heads only	1.75
10 slat, complete	3.65
9 slat, complete	3.55
Pea crates: Same charges as 10 slat vegetable crate.	
Cauliflower and half lettuce crates:	
Framing only	1.50
Mailing heads only	1.75
Complete	3.25
Sturdee celery, framing only	2.00
Mailing heads only	2.00
Complete	4.00
Half celery, framing only	2.35
Mailing heads only	1.75
Complete	4.10
Cub celery	1.75
Nailing: Where slat is printed, except specially placed bundles—.05 per hundred prints above normal mailing charge.	
Panelled head mortised and tenoned	2.25
Stitching:	
One slat and two cleats	.25
Two or more slats and two cleats	.30
Two or more slats and three cleats	.45

(e) The maximum prices which may be added for extras are as follows:

TABLE 5—EXTRA CHARGES

Bevels:	
Orange and lemon slats only (1 or 2 edges)	$0.10 C pieces.
Cantaloupe slats (both edges)	.25 C pieces.
All other:	
Top edge 1 or 2 corners	.15 C pieces.
Top and bottom edge 1 or 2 corners each	.20 C pieces.
Cutting: Cutting off corners (where not standard)	.25 C operations.
Grooving	.40 C operations.
Handholes:	
Part through	.25 C operations.
Through	.35 C pieces.
Beer box type	.50 C pieces.
Labeling:	
Less than 14" long	.35 C labels.
Labels over 14" long	.65 C labels.
Panels type celery heads	.65 C labels.
Notching:	
Other than vegetable and field crates	.25 C operations.
Vegetable or field crate posts and rails	.75 C crates.
Printing:	
1-color	.125 C prints.
2-color	.20 C prints.
3-color	.40 C prints.
Set-up type carload (plus $2 for set-up)	.125 C prints.
Rabbetting (except sweat boxes)	.40 C operations.
Sanding	10.00 M feet.
Slotting	$0.15 C operations.
Staining:	
Ends	1.00 C pieces.
Cleats on unitized stock	.025 C pieces.
Cleats on other stock	.05 C pieces.
Tying:	
Double wire or double rope tying (including marking)	1.00 M feet.
Triple wire or triple rope tying (including marking)	2.00 M feet.
Specially placed print bundling	2.00 M feet.
Bundling display ends and cleats together	.75 C boxes.
Place collars and papers in pear boxes	.35 C boxes.
Triangling corner posts (4 posts per crate or box)	.10 C posts.

NOTE.—For specification of "all No. 1 ends," add to the price of the excess over the standard proportion of one-third No. 1 ends $1.75 per M feet.

The cutting of one or more grooves, rabbets, notches, or slots in any piece under 24" long shall be considered as one operation.

(f) The maximum charges that may be made for warehousing and delivery are as follows:

TABLE 6—WAREHOUSING AND DELIVERY CHARGES

(1) Where shipment is made out of a warehouse, for warehousing and delivery of a quantity of 30,000 pounds or more at one time: Add $1.00 per thousand feet.

(2) For less than 30,000 pound quantities: Add $2.00 per thousand feet as a warehousing charge, whether the shipment is made from a mill or warehouse, except for vegetables. For vegetables add $1.00 per thousand feet.

(3) For quantities of less than 30,000 pounds: Add $2.00 per thousand feet for delivery.

(4) The additions in 1, 2, and 3 above also apply to car bracing and car strips.

(5) For unitized stock: Substitute 5¢ per one hundred units for the $1.00 and 10¢ per one hundred units for the $2.00 charges in 1, 2, and 3.

(6) For delivering framed stock: $4.00 per thousand feet (or actual cost) for all items l. c. l.

(7) Exports: Where export quality and a dryness of 16% or less is specified, an addition of $5.00 may be made.

(g) *Containers not listed.* For any western wooden agricultural container for which a maximum price is not set forth in this section, the maximum shook and/or assembly price shall be the maximum shook and/or assembly price for the most similar container named herein.

(h) *Effect of § 1377.114 outside of the western area.* The maximum prices set forth in this section shall apply to all western wooden agricultural containers produced in the western area: *Provided, however,* That the maximum prices herein for assembly, extras, warehousing and delivery shall apply only where the services in connection therewith are rendered within the western area.

Issued this 24th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7108; Filed, July 24, 1942; 5:13 p. m.]

PART 1378—COMMODITIES OF MILITARY SPECIFICATION FOR WAR PROCUREMENT AGENCIES

[Amendment 1 to Maximum Price Regulation 156 [1]]

CERTAIN BEEF AND BEEF PRODUCTS PURCHASED BY CERTAIN FEDERAL AGENCIES

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

Added: §§ 1378.52 (c), 1378.60a.
Amended: § 1378.60.

§ 1378.52 *Maximum prices for certain beef and beef products.* * * *

(c) In the event that a purchaser of frozen boneless beef takes delivery at a point other than the delivery point specified in the original contract and the transportation and icing charges incurred by the seller in delivering at such new delivery point exceed the transportation and icing charges which the seller would have incurred had delivery been made to the place specified in the contract, the purchaser may pay to the seller the amount of such excess, even though such additional payment causes the total amount received by the seller to exceed the maximum price established by paragraph (a) of this section. Purchasers may also pay to sellers any such additional transportation and icing charges incurred by the sellers prior to July 24, 1942, and on or after July 1, 1942, in delivering product at points other than those specified in the contracts covering such product.

§ 1378.60 *Effective date.* Maximum Price Regulation No. 156 (§§ 1378.51 to 1378.60, inclusive) shall become effective June 2, 1942, except that, prior to January 1, 1943, it shall not apply to sales or deliveries of the following canned products: Corned beef hash (5½ pound can), meat and vegetable stew (30 oz. can), meat and vegetable hash (6 lb. 12 oz. can), chili con carne (6 lb. 6 oz. can), Rations 1, 2 and 3 (12 oz. cans).

§ 1378.60a *Effective dates of amendments.* Amendment No. 1 (§§ 1378.52 (c) and 1378.60) to Maximum Price Regulation No. 156 shall become effective July 24, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 24th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7105; Filed, July 24, 1942; 3:31 p. m.]

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

[Amendment 6 to Maximum Price Regulation 129 [2]]

LIST OF PAPERS AFFECTED

Waxed paper.
Envelopes.
Paper cups, paper containers and liquid tight containers.
Sanitary closures and milk bottle caps.
Drinking straws.
Certain sulphate and certain sulphite papers.
Certain tissue papers.
Rope and jute papers.
Technical papers.
Gummed papers.
Tags, pin tickets and marking machine tickets.
Glazed and fancy papers.
Standard grocer's and variety bags.
Resale book matches.
Unprinted single weight crepe paper in folds.

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

A new subparagraph (3) is added to § 1347.12 (b), as set forth below:

§ 1347.12 *Maximum prices for certain paper commodities.* * * *

(b) *Resale book matches.* * * *

(3) For resale book matches, put up in packages each containing 15 books, the maximum manufacturer's delivered price shall be $2.50 per case of 1500 books provided:

(i) The matches are free of paid advertisement and are not the "Thank You" type;

(ii) On each package containing 15 books there is inscribed by the manufacturer, "OPA Retail Ceiling Price 5¢", except that manufacturers may use supplies existing at the time of issuance of this amendment which have the retail price inscribed thereon but which do not have the phrase prescribed by this section.

The maximum price for each package of 15 books sold at retail shall be 5¢. This package containing 15 books is not to be regarded as a substitute for the matches given away by retailers with purchases of tobacco products, and retailers who during March, 1942, gave away free matches to purchasers of tobacco products shall continue this practice. On shipments made prior to January 1, 1943, manufacturers shall insert the following in all cases of resale book matches, except cases prepared, at the time of issuance of this amendment, for shipment:

The Office of Price Administration has ruled that retailers who during March, 1942, gave away matches to purchasers of tobacco products must continue this practice.

The Office of Price Administration requires manufacturers to insert this notification in all cases of resale book matches, which are shipped prior to January 1, 1943. Cessation of this notification will not constitute a revocation of this ruling.

To this maximum manufacturer's delivered price of $2.50 per case may be added, if incurred, the Federal excise tax of 60¢ per case. For sales in the West Coast area, as generally defined by the industry, the manufacturer may add 9¢ per case of 1500 books to the above maximum price.

§ 1347.25 *Effective dates of amendments.* * * *

(f) Amendment No. 6 (§ 1347.12 (b) (3)) to Maximum Price Regulation No. 129 shall become effective July 30, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 25th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7120; Filed, July 25, 1942; 12:14 p. m.]

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

[Maximum Price Regulation 187]

CERTAIN PAPERBOARD PRODUCTS

In the judgment of the Price Administrator the prices of folding cartons, corrugated fibre sheets, corrugated fibre boxes, solid fibre sheets, solid fibre boxes, set-up boxes, pads, partitions and other paperboard products partially or completely manufactured on the same converting equipment, but excluding liquid-tight containers, milk bottle caps, book matches and other commodities covered by Maximum Price Regulation No. 129 [1] have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of the commodities listed above prevailing between October 1 and October 15, 1941, and has made adjustment for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this Regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this Regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1 [2] issued by the Office of Price Administration, Maximum Price Regulation No. 187 is hereby issued.

AUTHORITY: §§ 1347.401 to 1347.414 inclusive, issued pursuant to Pub. Law 421, 77th Cong.

§ 1347.401 *Prohibition against dealing in paperboard products above maximum prices.* The meaning of certain provisions and terms of this Maximum Price Regulation No. 187 is further explained and defined in § 1347.412. The explanations and definitions are set forth in alphabetical order. The terms explained and defined appear in quotation marks the first time they appear in the text.

(a) Classifications: This Maximum Price Regulation No. 187 shall apply to the following described products whether

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 4230.

[2] 7 F.R. 3178, 3242, 3482, 3554, 4176, 4668.

[1] 7 F.R. 3178, 3242, 3482, 3554, 4716.

[2] 7 F.R. 971, 3663.

partially or completely manufactured: Folding cartons, corrugated fibre sheets, corrugated fibre boxes, solid fibre sheets, solid fibre boxes, set-up boxes, pads, partitions and other paperboard products manufactured on the same converting equipment, but excluding liquid-tight containers, milk bottle caps, book matches and other commodities covered by Maximum Price Regulation No. 129.[3]

(b) On and after July 30, 1942, regardless of any contract, agreement, lease or other obligation, no "manufacturer" shall "sell" or deliver any of the products described in paragraph (a) of this section, and no manufacturer shall sell or supply any "services" in connection with the manufacture of such products at prices higher than the maximum prices provided in paragraph (c) of this section, and no "person" shall agree, to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of such products to a purchaser, if prior to July 30, 1942 such products had been received by a carrier other than a carrier owned or controlled by the seller, for shipment to such purchaser.

(c) The manufacturer's maximum price for any given amount of any product or service described in this section shall not exceed the sum of the following factors calculated for the amount of the product or service being priced:

(1) Raw material costs: The delivered purchase price at which the "raw materials" are acquired by a converting plant, or the transfer price of an integrated mill to its converting plant, neither of which shall in any event exceed the maximum prices established for such raw materials by the Office of Price Administration. In computing such transfer price, the manufacturer shall use the same method, classifications, and differentials, as were used by such manufacturer in computing such transfer price during the period from October 1 to October 31, 1941, excepting that such manufacturer may change such method, classifications and differentials, if a lower price results from such change. If, during the period from October 1 to October 31, 1941, the manufacturer adopted or employed the practice of averaging or otherwise computing his raw material costs, he shall continue such practice in the same manner. The manufacturer shall continue to add the same percentage charge for waste in estimating prices and apply credits received from the sale or other disposition of waste material in the same manner in which such credits or charges were applied during the period from October 1 to October 31, 1941.

(2) "Applicable conversion charges." Charges for "hand and/or machine operations" incident to the "fabrication, assembly," marking and/or "packing" of "commodities of the same general class" shall not be computed in excess of the same "hourly, piece and setting up rates" and shall be based on the same "standards of production" as were in effect from October 1, 1941 to October 31, 1941, inclusive, and which were used in normally determining the selling prices of "commodities" and services contracted to be sold or supplied at a definite price during such period.

(i) The same "method or principle for applying conversion charges" shall be employed that was employed during the period from October 1, 1941 to October 31, 1941, inclusive, so that direct or indirect conversion charges shall be computed in the manner customarily employed during the period October 1–31, 1941, inclusive. Charges for a different type of conversion (e. g., hand rather than machine operations) shall not be substituted for customary conversion charges as a means of increasing the price of the product.

(3) "Margin." This margin is to be computed on a "percentage basis," or "rate per unit of base material" in accordance with the method, and shall be equivalent to the margin, used by the manufacturer during the period from October 1, 1941 to October 31, 1941, inclusive, in determining the "selling price f. o. b. shipping point" for the same or "comparable commodity or service" contracted to be sold at a definite price to a "purchaser of the same class" during such period.

(i) No seller shall change his customary allowances, discounts or other price differentials unless such change results in a lower price.

(4) *Charges for delivery.* Every manufacturer shall be required to continue to sell on a delivered price basis to such purchasers, zones or areas to which he customarily made shipments on a delivered price basis during the period from October 1 to October 31, 1941, inclusive.

(i) In the case of shipments to points within a free delivery zone or area within which no charge for delivery was added or would have been added by the manufacturer during the period from October 1, 1941 to October 31, 1941, inclusive, the seller shall not add to the maximum price computed pursuant to the provisions of paragraph (c) (1), (c) (2), and (c) (3), any charge for delivery.

(ii) In the case of shipments to points, with the exception of shipments to points described in paragraph (c) (4) (i), for which the manufacturer added a charge for delivery, the seller may add to the maximum prices computed pursuant to the provisions of paragraph (c) (1), (c) (2), and (c) (3), his customary and established delivery charge: *Provided,* That, in no instance may the amount of the delivery charge so added exceed the highest charge for delivery actually obtained or which would have been obtained for an identical shipment to the same purchaser, zones or areas during the period from October 1 to October 31, 1941, inclusive, by the means of transportation customarily employed for shipments to such purchaser, zones or areas, during such period.

§ 1347.402 *Transfers of business or stock in trade.* If the business, assets or stock in trade of any business are sold or otherwise transferred after July 29, 1942, and the transferee carries on the business, or continues to deal in the same type of commodities or services in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep "records" in accordance with § 1347.406 shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this Maximum Price Regulation No. 187.

§ 1347.403 *Export sales.* The maximum price at which a person may export the commodities covered by this Maximum Price Regulation No. 187, shall be determined in accordance with the provisions of the Maximum Export Price Regulation[4] issued by the Office of Price Administration.

§ 1347.404 *Federal and State taxes.* Any tax upon, or incident to, the sale, delivery, processing, or use of a commodity, or the supplying of a service, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such commodity or service and in preparing the records of such seller with respect thereto:

(a) *As to a tax in effect during October 1941.* (1) If the seller paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price during October 1941 the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the seller may not collect such amount in addition to the maximum price, and in such case shall include such amount in determining the maximum price under this Maximum Price Regulation No. 187.

(2) In all other cases, if, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this Maximum Price Regulation No. 187.

(b) *As to a tax or increase in a tax which becomes effective after October 31, 1941.* If the statute or ordinance imposing such tax or increase does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and the seller does

[3] *Supra,* note 1.

[4] 7 F.R. 3096, 3824, 4294, 4541.

separately state it, the seller may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

§ 1347.405 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 187 may be charged, demanded, paid or offered.

§ 1347.406 *Base period records.* Every manufacturer selling commodities or services for which maximum prices are established by this Maximum Price Regulation No. 187 shall:

(a) Preserve for examination by the Office of Price Administration for a period of two years all his existing records relating to the prices which he charged for such of those commodities or services as he contracted to sell or supply at a definite price during the period from October 1, 1941 to October 31, 1941, inclusive.

(b) Within 21 days after July 29, 1942, the manufacturer shall file under oath with the Office of Price Administration, Washington, D. C., the pricing formulas, together with the charges for hand or machine operations on an hourly, piece or setting up basis, as employed by the manufacturer during the period from October 1, 1941 to October 31, 1941, inclusive, in determining selling prices on commodities or services contracted to be sold or supplied at a definite price during such period.

(c) Rates for any machine or hand operations which were not used in determining the selling prices of commodities and services contracted to be sold or supplied at a definite price during the period of October 1 to October 31, 1941 must be submitted to the Office of Price Administration, Washington, D. C., for approval or adjustment. The manufacturer who seeks such approval or adjustment shall file with the Office of Price Administration, Washington, D. C., an application setting forth:

(1) Description in detail of such machine or hand operation.

(2) A statement setting forth in detail the cost factors and the method used in determining such rates. After July 29, 1942, and until the rates for such operations are approved by the Office of Price Administration, all prices, quoted or charged, which have been based on such rates shall be subject to adjustment by the manufacturer. If such rates are adjusted by the Office of Price Administration, the prices based on such rates shall be adjusted by the manufacturer in accordance with such adjusted rates.

(d) Every person selling commodities or services for which, maximum prices are established by this Maximum Price Regulation No. 187 shall keep, and make available for examination by the Office of Price Administration, records of the same kind as he has customarily kept relating to the prices which he charged for such of those commodities or services as he sold after July 29, 1942, and, in addition, records showing the basis upon which he estimated and determined the maximum prices for such commodities or services.

§ 1347.407 *Evasion.* The price limitations established by this Maximum Price Regulation No. 187 shall not, directly or indirectly, be circumvented or evaded by modifying or discontinuing, or charging for or increasing the charge for, any commodity, or by altering any customary trade practice of the manufacturer, or by deteriorating the quality of any commodity, or by any other means. No manufacturer shall impose any terms or conditions of sale, or alter any terms or conditions of sale imposed or agreed to by such manufacturer during the period from October 1 to October 31, 1941, inclusive, or customarily imposed or agreed to by such manufacturer, in such a way as to increase the maximum price established by this Maximum Price Regulation No. 187 for any commodity.

Nothing herein shall be construed to prevent the manufacturer from making changes in merchandising services to effect economies helpful to or made necessary by the war effort, such as elimination of or changes in the frequency of delivery or changes in the character of packaging and wrapping.

§ 1347.408 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 187 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 187 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field office, state office, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1347.409 *Adjustable pricing.* Any manufacturer may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment or for adjustment or exception requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1347.410 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 187 or an adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1,[5] issued by the Office of Price Administration.

§ 1347.411 *Applicability of General Maximum Price Regulation.*[6] The provisions of this Maximum Price Regulation No. 187 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this Maximum Price Regulation No. 187.

§ 1347.412 *Definitions and explanations.* (a) This Maximum Price Regulation No. 187, and the terms appearing therein, unless the context otherwise requires, shall be construed as follows:

(1) "Applicable conversion charges" means charges covering the normal operations used in producing the commodity or supplying the service to be priced.

(2) "Assembly" means the putting together of component parts of commodities by such means as gluing, taping, covering, stitching, pasting and typing.

(3) "Commodities" includes commodities, articles, products and materials.

(4) "Commodities of the same general class" means commodities made of paperboard requiring essentially the same hand or conversion processes. (For example, Corrugated Products, Folding Cartons, Set-Up Boxes each constitutes a different general class.)

(5) "Comparable commodity or service". (i) Comparable commodity is one that is closely comparable by grade, cost, and quantities of raw materials for a unit of the commodity and is most nearly alike for the converting operations required.

(ii) Comparable service is one which has the same use and purpose, and involves approximately the same operations.

(6) "Fabrication" means the manufacturing processes including but not limited to cutting, creasing, scoring, slotting, slitting, die cutting and assembling.

(7) "Hand and/or machine operations". (i) "Hand operations" means the manufacturing processes, including but not limited to fabrication, assembly, marking and packing which require only the use of hand tools.

(ii) "Machine operations" means the manufacturing processes including but not limited to fabrication, assembly, marking and packing which require the use of mechanical devices.

(8) "Hourly, piece and setting-up rates". (i) "Hourly rates" means the highest cost per hour for labor, machine, machine overhead, and other manufacturing expenses as established for estimating purposes during the period from October 1 to October 31, 1941.

(ii) "Piece rates" means the highest cost per numerical unit for labor, machine, machine overhead and other manufacturing expenses as established for estimating purposes during the period from October 1 to October 31, 1941.

(iii) "Setting up rates" means the highest cost of the preparation of a machine for a particular conversion operation including such procedures as adjustment of feeding and receiving devices, installation of proper printing plates, cutting knives or creasing bars, and cleaning the machine after the completion of the conversion operation as established for estimating purposes during the period from October 1 to October 31, 1941.

[5] *Supra*, note 2.

[6] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487.

(9) "Manufacturer" includes any person who produces, from any raw materials, partially or completely the products, and supplies the services covered by this Maximum Price Regulation No. 187, and includes the agents and representatives of such person. Each manufacturer's place of business set up basically to process partially or completely the products covered by this Maximum Price Regulation No. 187, shall be deemed to be a separate seller.

(10) "Margin" means the difference between the total of factors set forth in § 1347.401 (c) (1) and (c) (2) (raw material costs and applicable conversion charges) and selling price f. o. b. shipping point.

(11) "Marking" includes printing, labeling, stamping and decorating.

(12) "Method or principle for applying conversion charges" means the established procedure or method used in estimating conversion costs.

(13) "Packing" includes packaging, wrapping and tying.

(14) "Percentage basis" means the percentage obtained by dividing the margin by the total of raw material costs and applicable conversion charges.

For example:

Selling price f. o. b. shipping point	$105
Total of raw material costs and applicable conversion charges	100
Margin	5

Percentage basis $\frac{5}{100}$=5 percent

(15) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing.

(16) "Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for commodities or services for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantities or under different conditions of sale.

(17) "Rate per unit of base material" refers to the method adopted by the seller in computing the margin on the basis of a square foot or an area. (For example $—— per thousand square feet of corrugated or solid fibre board.)

(18) "Raw materials" means the materials which are fabricated into the commodities covered by this Maximum Price Regulation No. 187. and all materials used in packing such commodities.

(19) "Records" includes without limitation books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers, documents, letters, and correspondence.

(20) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "buy", "purchase", and "purchaser", shall be construed accordingly. Nothing in this Maximum Price Regulation No. 187 shall be construed to prohibit the making of a contract to sell a commodity or service at a price not to exceed the maximum price at the time of delivery or supply.

(21) "Selling price f.o.b. shipping point" means the actual sales price less any delivery charges included as part of the price.

(22) "Services" includes any service rendered, or supplied, otherwise than as an employee, in connection with the manufacture and processing of any of the products covered by this Maximum Price Regulation No. 187, and generally, without limiting the foregoing, all services which preserve or add to the value or utility of such products.

(23) "Standards of production" means the number of units produced in relation to the machine speed or man-hours.

(b) Unless the text otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1347.413 *Applicability.* The provisions of the Maximum Price Regulation No. 187 shall be applicable to the United States, its territories and possessions, and the District of Columbia.

§ 1347.414 *Effective date.* This Maximum Price Regulation No. 187 (§§ 1347.401 to 1347.414, inclusive) shall become effective July 30, 1942.

Issued this 25th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7124; Filed, July 25, 1942; 12:15 p. m.]

PART 1401—SYNTHETIC TEXTILE PRODUCTS

[Amendment 2 to Revised Price Schedule 95 [1]]

NYLON HOSE

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

Sections 1401.6 (a) and 1401.8 (a) are amended and a new section, § 1401.6a is added as set forth below:

§ 1401.6 *Enforcement.* (a) Persons violating any provision of this Revised Price Schedule No. 95 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

* * * * *

§ 1401.6a *Licensing; applicability of the registration and licensing provisions of the General Maximum Price Regulation.*[2] The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Revised Price Schedule No. 95 selling at wholesale any nylon hose covered by this Revised Price Schedule No. 95. When used in this section the term "selling at wholesale" has the definition given to it by § 1499.20 (p) of the General Maximum Price Regulation. Said registration and licensing provisions became effective as to persons selling at wholesale on May 11, 1942.

§ 1401.8 *Definitions.* When used in Revised Price Schedule No. 95 the term: (a) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

* * * * * *

§ 1401.9a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§§ 1401.6 (a), 1401.6a, 1401.8 (a), 1401.9a (b)) to Revised Schedule No. 95 shall become effective July 27, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 25th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7119; Filed July 25, 1942; 12:13 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 18 to General Maximum Price Regulation [1]]

COST-OF-LIVING COMMODITIES

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

A new proviso is added to the second sentence of § 1499.13 (a) as set forth below:

§ 1499.13 *Maximum prices of cost-of-living commodities: statement, marking or posting.* (a) On and after May 18, 1942. every person offering to sell a cost-of-living commodity at retail shall mark the maximum price of such commodity in a manner plainly visible to, and understandable by, the purchasing public. The maximum price may be marked on the commodity itself or on the shelf, bin, rack, or other holder or container upon or in which the commodity is kept, or it may be posted at the place in the business establishment where the commodity is offered for sale: *Provided,* That whichever of the above methods of posting is adopted, the maximum price of each commodity offered for sale shall be plainly visible to the purchaser at the place in the business establishment where the commodity is offered for sale, and shall not be obscured by the posted prices of other commodities, whether by use of price books or catalogues or layers of price lists or otherwise or in any

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1386, 1836, 1842, 2132.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027.

[1] 7 F.R. 3153, 3330, 3666, 3990, 39991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484.

other manner. The maximum price shall be stated as follows: "Ceiling Price $———;" or "Our Ceiling $———." Any person choosing to post by price-lines the maximum prices of commodities in the classifications marked by asterisks in Appendix B, shall post the maximum price by price-line at the place in the business establishment where the commodities in such price-line are offered for sale, and, in addition, shall mark the selling price of each such commodity on the commodity itself.

* * * * *

§ 1499.23a *Effective dates of amendments.* * * *

(r) Amendment No. 18 (§ 1499.13 (a)) to General Maximum Price Regulation shall become effective July 30, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 25th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7122; Filed, July 25, 1942; 12:14 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 17 to General Maximum Price Regulation [1]]

ORES AND ORE CONCENTRATES

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.*

A new paragraph (y) is added to § 1499.20 as set forth below.

§ 1499.20 *Definitions and explanations.* This General Maximum Price Regulation, and the terms appearing therein, unless the context otherwise requires, shall be construed as follows:

* * * * *

(y) "Ores" means any mineral substance in a crude state used chiefly as a commercial source of metal contained therein. "Ore concentrates" means any ore, as defined above, after the removal of a part of the gangue, or a part of the nonmetallic elements, either by a physical or chemical process.

* * * * *

§ 1499.23a. *Effective dates of amendments:*

* * * * *

(q) Amendment No. 17 (§ 1499.20 (y)) to this General Maximum Price Regulation shall become effective July 30, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 25th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7121; Filed, July 25, 1942; 12:15 p. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738.

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.3 (b) of the General Maximum Price Regulation [1]—Order 45]

UNITED COLOR AND PIGMENT CO.

For 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 and § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered:

§ 1499.259 *Approval of maximum price for sale by the United Color and Pigment Company of yellow iron oxide produced from copperas.* (a) On and after July 27, 1942, to and including October 27, 1942, the United Color and Pigment Company of Newark, New Jersey, may sell and deliver, and agree, solicit and attempt to sell and deliver, and any person may buy from the United Color and Pigment Company, synthetic iron oxide yellow pigment made from copperas at prices no higher than those hereinafter set forth:

9½¢ per pound delivered in bags.

(b) The same allowances, discounts or other price, or territorial differentials in effect by the United Color and Pigment Company in March 1942 with respect to lead chromate yellow pigment shall continue in effect for synthetic iron oxide yellow pigments manufactured from copperas.

(c) This Order No. 45 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 45 (§ 1499.259) shall become effective July 27, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 25th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7123; Filed, July 25, 1942; 12:19 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.18 (b) of the General Maximum Price Regulation [2]—Order 3]

WILLARD TOBACCO CO.

Willard Tobacco Co., of Hartsville, Tennessee has filed a Petition for Amendment of the General Maximum Price Regulation requesting specific adjustment of the maximum prices established for it for sales of tobacco twist on the grounds that such maximum prices cause it substantial hardship and are abnormally low in relation to the maximum prices established for competitive sellers of tobacco twist. Due consideration has been given to the Petition and an Opinion in support of this Order, issued simultaneously herewith, has been filed with the Division of the Federal Register.* For the reasons set out in the Opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 it is ordered:

§ 1499.303 *Adjustment of maximum prices for tobacco twist manufactured by Willard Tobacco Co.*—(a) *Manufacturer.* Willard Tobacco Co. has reduced the sizes of the tobacco twist sold by it during March 1942 by making 12 instead of 11 of its large size twist per pound of tobacco and by making 24 instead of 22 of its small size twist per pound of tobacco. On and after July 1942, Willard Tobacco Co. may charge for its reduced sizes of tobacco twist the prices charged by it during March 1942 for its original sizes of tobacco twist, namely:

	Per dozen
Large	$1.92
Small	.96

For a period of three months after it commences to sell its reduced sizes of tobacco twist, Willard Tobacco Co. shall mark each package with a notice or shall enclose in each package a notice as follows: "Sale of reduced size of this product at maximum prices established for any seller for original size is authorized by Office of Price Administration Order No. 3 under § 1499.18 (b) of the General Maximum Price Regulation, issued July 25, 1942."

(b) *Wholesalers and retailers.* On and after July 27, 1942 any wholesaler or retailer may charge for Willard Tobacco Co.'s reduced size of tobacco twist (1) the maximum prices established for such seller for Willard Tobacco Co.'s original sizes of tobacco twist or (2) if no maximum prices have been established for such seller for Willard Tobacco Co.'s original sizes of tobacco twist, the maximum prices established for such seller under Section 2 of the General Maximum Price Regulation for Willard Tobacco Co.'s reduced size of tobacco twist.

(c) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 3 (§ 1499.303) shall become effective July 27, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 25th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7125; Filed, July 25, 1942; 12:18 p. m.]

[1] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276.

[2] 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4659, 4738, 5027, 5276, 5192.

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order No. 17]

PART 304—LABOR

By virtue of the authority conferred upon me by Executive Order No. 9054, dated February 7, 1942, it is ordered that:

§ 304.10 *Employment of officers and crews for all American flag vessels and Panamanian and Honduran flag vessels.* All owners, operators, agents, Maritime Unions and others employing officers and crews for vessels registered under the laws of the United States of America and the Republics of Panama and Honduras will be governed by the following regulations:

(a) Graduates of the following training stations, who have not previously accepted positions prior to the date of this section, may be employed upon graduation only through the offices of the Recruitment and Manning Organization of the War Shipping Administration:

Fort Trumbull, New London, Conn.
Government Island, Alameda, Calif.
United States Merchant Marine Academy, New York, N. Y.
California Maritime Academy.
Maine Maritime Academy.
Massachusetts Maritime Academy.
New York State Maritime Academy.
Hoffman Island, New York, N. Y.
St. Petersburg, Fla.
Sheepshead Bay, N. Y.
Port Hueneme, Calif.
Gallups Island Radio School, Boston, Mass.

(b) All graduates of the aforesaid training schools shall be assigned to ships through the offices of the Recruitment and Manning Organization, located at—

(1) 200 Bush Street, San Francisco, California;

(2) 45 Broadway, New York, New York;

(3) Federal Office Building, New Orleans, Louisiana; and

(4) Such other port offices as the Director of the Recruitment and Manning Organization may designate.

(c) Graduates of the aforesaid training stations who are assigned to vessels operating under preferential collective bargaining agreements with maritime unions with respect to the particular ratings involved will, upon the request of the union having such agreement, be assigned to vessels through the office of the Recruitment and Manning Organization via the established union hiring hall or employment center operated by said maritime union.

(d) All owners, operators, agents, maritime unions and other persons employing officers and crews are requested immediately to advise the Recruitment and Manning Organization, War Shipping Administration, Washington, D. C., of any agreements with, or commitments to, any trainee who is now in training at one of the aforesaid training stations, concerning employment upon his graduation, including in such information the name of the trainee, the date of his graduation, and the substance of the agreement or commitment.

(e) This section shall take effect immediately. (E.O. 9054, 7 F.R. 837)

By Order of the War Shipping Administrator.

W. C. PEET, Jr.,
Secretary.

JULY 25, 1942.

[F. R. Doc. 42-7177; Filed, July 27, 1942; 11:51 a. m.]

Notices

WAR DEPARTMENT.

[Public Proclamation No. 3]

TERRITORY OF ALASKA

IDENTIFICATION CERTIFICATE REQUIREMENT

Headquarters Alaska Defense Command,
Office of the Commanding General,
Fort Richardson, Alaska

MAY 14, 1942.

To the people within Alaska and the public generally:

Whereas, by Public Proclamation No. 1, dated April 7, 1942,[1] this Headquarters, the entire Territory of Alaska was designated a Military Area from which any or all persons may be excluded and with respect to which the rights of any person to enter, remain in, or leave are subject to whatever restrictions may be imposed by the Commanding General of the Alaska Defense Command; and

Whereas the present situation within this Military Area requires as a matter of military necessity the establishment of certain regulations within said Military Area;

Now, therefore, I, Simon Bolivar Buckner, Jr., Major General, Army of the United States, by virtue of the authority vested in me by the President of the United States and by the Secretary of War, and my powers and prerogatives as Commanding General of the Alaska Defense Command, do hereby order and direct that every native, citizen, denizen, or subject of any foreign nation or government with which the United States is now at war, and every native, citizen, denizen, or subject of Austria, Bulgaria, Hungary, Roumania and Korea, who is fourteen (14) years of age or older, who is within the Territory of Alaska, and who has not fully acquired United States citizenship, shall obtain a Certificate of Identification. All such persons as aforesaid will report to a post office within the Territory of Alaska between June 29, 1942, and July 3, 1942, for the purpose of obtaining such Certificate of Identification, and will thereafter carry such Certificate on the person at all times and will permit inspection thereof by any official of the Territory of Alaska or the Federal Government, any commissioned officer of the United States Army, any member of the Corps of Military Police of the United States Army, or any other person authorized by law or the headquarters of the Alaska Defense Command to require such inspection.

S. B. BUCKNER, Jr.,
Major General,
U. S. Army, Commanding.

Confirmed:

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-7116; Filed, July 25, 1942; 11:18 a. m.]

[Public Proclamation No. 4]

TERRITORY OF ALASKA

PERMITS FOR ENTRY AND DEPARTURE

Headquarters Alaska Defense Command
Office of the Commanding General

JUNE 30, 1942.

To the people within Alaska and the public generally:

Whereas, by Public Proclamation No. 1, dated April 7, 1942,[1] this Headquarters, the entire Territory of Alaska was designated and established a military area, and

Whereas, it is necessary, in order to provide the greatest possible portection against sabotage and against espionage within this area, to establish certain regulations for the control of civilians who enter or leave the Territory of Alaska by any means of transportation whatsoever, as set forth hereinafter:

Now, therefore, I, Simon B. Buckner, Jr., Major General, Army of the United States, by virtue of the authority vested in me by the President of the United States and by the Secretary of War and my powers and prerogatives as Commanding General, Alaska Defense Command, do hereby declare the present situation requires as a military necessity that, commencing at twelve midnight, A. W. T., July 10, 1942, all civilians who enter or depart from the Territory of Alaska will be required to obtain and have in their possession a permit for the aforesaid entrance or departure issued by competent military authority following application in writing in accordance with regulations and instructions promulgated by the Commanding General, Alaska Defense Command, as to such persons desiring to depart from the Territory of Alaska, and by the Commanding General, Western Defense Command and Fourth Army, as to such persons desiring to enter the Territory of Alaska, or their designated representatives.

Any person affected by this Proclamation who fails to comply with any of its provisions or with the provisions of published regulations and instructions pertaining thereto, will be subject to the criminal penalties of Public Law No. 503, 77th Congress, approved March 21, 1942, entitled: An act to provide a penalty for violation of restrictions or orders with respect to persons entering, remaining in, leaving or committing any act in

[1] 7 F.R. 4859.

military areas or zones. In the case of any alien enemy, such person will in addition be subject to immediate apprehension and internment.

S. B. BUCKNER, Jr.,
Major General,
U. S. Army, Commanding.

Confirmed:

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 42-7117; Filed, July 25, 1942; 11:18 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-292]

RIDGWAY COAL CO.

NOTICE OF AND ORDER FOR HEARING

In the matter of John H. Ridgway, doing business under the name and style of Ridgway Coal Company, Code Member.

A complaint dated July 8, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on July 11, 1942, by the Bituminous Coal Producers Board for District No. 4, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by John H. Ridgway, doing business under the name and style of Ridgway Coal Company (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder:

It is ordered, That a hearing in respect to the subject matter of such complaint be held on September 22, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Post Office Building, Canton, Ohio.

It is further ordered, That W. A. Cuff or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this Proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that John H. Ridgway, doing business under the name and style of Ridgway Coal Company, whose address is Uhrichsville, Ohio, a code member, whose code membership became effective as of December 15, 1937, operating the Buckeye Mine, Mine Index No. 1803, and the Ridgway Mine, Mine Index No. 1804, both located in Tuscarawas County, Ohio, District No. 4, has wilfully violated Orders No. 307, dated December 11, 1940, No. 309, dated January 14, 1941, No. 156 dated January 18, 1937 and 313 dated February 24, 1941 by:

1. Failing and refusing to file with the Statistical Bureau for District No. 4 for each month from and including January 1941 to and including June 1942 within five days after the end of each of said months reports of all sales made during each of said months of coal produced at its above-named mine, said coal being shipped by truck or wagon to various purchasers; and failing and refusing to file with the statistical bureau for said period copies of truck tickets, sales slips, invoices, and listing of said sales;

2. Failing and refusing to file for the months of January, February, and March 1941 copies of all invoices rendered for coal produced at the above-named mine, which coal was sold for rail shipment to various purchasers, and failing and refusing to file with the Statistical Bureau for District No. 4 for the months of January, February, and March 1941 copies of credit and debit memoranda and memoranda of all changes and specifications, or, in lieu thereof, the information required to be filed in the form of monthly reports for each of said months on the forms prescribed; and

3. Failing and refusing, for each month from and including April 1941 to January 1942, to maintain and file with the Division certain records relating to coal produced at the above-named mine and shipped by rail, and failing and refusing, for each said month, to maintain and keep on file at his office copies of all loading records, shipping records, and daily billing sheets, and further failing and refusing, during said period, to file with the Division copies of debit memoranda, credit memoranda, or other memoranda.

Dated: July 24, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7156; Filed, July 27, 1942; 11:28 a. m.]

[Docket No. B-290]

WILLIAM ARBAUGH, CODE MEMBER

NOTICE OF AND ORDER FOR HEARING

A complaint dated July 8, 1942, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on July 11, 1942, by Bituminous Coal Producers Board for District No. 4, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by William Arbaugh (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder:

It is ordered, That a hearing in respect to the subject matter of such complaint be held on September 24, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Post Office Building, Athens, Ohio.

It is further ordered, That W. A. Cuff or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regula-

tions Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matter specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that William Arbaugh, whose address is R. F. D. No. 2, Nelsonville, Ohio, a code member, whose code membership became effective as of September 1, 1940, operating the Arbaugh Mine, Mine Index No. 2468, located in Vinton County, Ohio, District No. 4 wilfully violated section 4 II (e) of the Act and Part II (e) of the Code by selling, during the period from March 1, 1941 to January 31, 1942, both dates inclusive, to various consumers f. o. b. the mine for truck shipment approximately 896.55 tons of 3'' lump coal (Size Group 2) produced at the above-named mine at prices ranging from $2.00 to $2.45 per net ton and approximately 45.9 net tons of ½'' x 3'' egg coal (Size Group 5) produced at the above-named mine at prices ranging from $1.75 to $2.10 per net ton and approximately 158 tons of ½'' x 0 slack coal (Size Group 8) produced at the above-named mine at $0.075 per net ton, whereas the effective minimum prices f. o. b. the mine were $2.85 per net ton for 3'' lump coal (Size Group 2), $2.45 per net ton for ½'' x 3'' egg coal (Size Group 5) and $1.65 per net ton for ½'' x 0 slack coal (Size Group 8), as set forth in the Schedule of Effective Minimum Prices for District No. 4 for Truck Shipment, as amended by Temporary Supplement No. 7, dated December 23, 1940, annexed thereto and made a part thereof.

Dated: July 24, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7157; Filed, July 27, 1942; 11:28 a. m.]

[Docket No. A-1438]

EASTERN GAS & FUEL ASSOCIATES

ORDER GRANTING TEMPORARY RELIEF

In the matter of the petition of District Board No. 7 for the establishment of minimum prices for river and ex-river shipments of the coals of Midvale No. 2 Mine (Mine Index No. 122) of Eastern Gas & Fuel Associates (Koppers Coal Division), a code member in District 7.

This proceeding was instituted upon an original petition filed with the Bituminous Coal Division on May 4, 1942, by District Board No. 7, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937. The petition requested the establishment of minimum prices for river (free alongside delivery) and ex-river shipments for the coals produced at the Midvale No. 2 Mine (Mine Index No. 122) of the Eastern Gas & Fuel Associates (Koppers Coal Division), in District 7, high volatile, that will permit such coals to be shipped via the C&O Railway to Cabin Creek Junction and there to be loaded into floating equipment on the Kanawha River in proper coordination with the high volatile coals in District 8 for shipment via the Kanawha and Ohio Rivers. It was alleged in the petition that such coordination necessitated an adjustment of 25 cents per net ton on account of variations in freight rates on shipments from the Midvale No. 2 Mine and District 8 high volatile mines. The petition requested temporary relief.

On May 29, 1942, an Order was entered granting, in part, pending final disposition of the proceeding, the temporary relief prayed for. The temporary relief established prices for river shipments, free alongside deliveries, for coal produced at the Midvale No. 2 Mine for shipment by the Kanawha River to free alongside consumers at all destinations down stream from Cabin Creek Junction, West Virginia, to and including Belle, West Virginia. The prices thus temporarily established are the same, size for size and class for class, as shown on page 37 of the Schedule of Effective Minimum Prices for District No. 8 for All Shipments Except Truck. The temporary supplement states that no adjustments for freight rates are permissible.

Pursuant to an appropriate order and after notice to all interested persons, a hearing was held on June 30, 1942, before Floyd McGown, a duly designated Examiner of the Division, at the hearing room thereof, in Washington, D. C., at which the petitioner and Bituminous Consumers' Counsel appeared. No intervening petitions were filed. The record of the hearing has been submitted to the undersigned for further consideration on the matter of temporary relief, pending final disposition of the proceeding.

It appears that the Midvale No. 2 Mine is situated in the high volatile field of District 7 and that the high volatile coals produced in Districts 7 and 8 were coordinated on a basis of the same price, size for size and class for class. However, while river prices were established for the high volatile coals produced in District 8, no such prices were established for the high volatile coals of District 7. Subsequently, a freight rate of 55 cents per net ton, applicable only when the origin, destination, and entire haul are within the State of West Virginia, has been established applicable to the coals produced at the Midvale No. 2 Mine (Freight Origin Group 70) for movement over the C&O Railway to Cabin Creek Junction. District 8 high volatile coals produced at the mines in Freight Origin Group 123 move to Cabin Creek Junction on a freight rate of 35 cents and subject to a deduction of 5 cents per net ton as a further adjustment necessary to effect coordination, which adjustment appears on page 39 of the District 8 Price Schedule. Thus, District 8 high volatile coals in Freight Origin Group 123 will deliver to Cabin Creek Junction, a loading point on the Kanawha River, on a transportation charge, 25 cents per net ton lower than coals produced at the Midvale No. 2 Mine.

Daniel T. Buckley, an employee of the Koppers Coal Division of Eastern Gas & Fuel Associates, testified that granting of the 25 cent adjustment to equalize the freight rates would not give the Midvale No. 2 Mine any advantage over other high volatile mines in District 7 and would not have any effect with respect to the high volatile mines in District 8.

There was no objection to the allowance of the 25 cent adjustment expressed at the hearing.

It appears from the record that a reasonable showing of necessity has been made for the granting of additional temporary relief pending final disposition of this proceeding, by permitting the prices established in the temporary supplement attached to and forming a part of the Order dated May 29, 1942, to be reduced 25 cents per net ton when such coal is loaded on floating equipment at Cabin Creek Junction on the Kanawha River.

It is therefore ordered, That, pending final disposition of the above-entitled matter, additional temporary relief be and the same hereby is granted as follows: Commencing forthwith, the temporary supplement attached to and made a part of the Order dated May 29, 1942, entered herein, is hereby amended by deleting the provision reading as follows: "No adjustments for freight rates are permissible," and inserting thereon a footnote reading as follows: "When floating equipment is loaded on Kanawha

River, Mine Index No. 122, may reduce the above prices 25 cents per net ton."

Nothing contained herein shall be deemed to constitute a ruling or expression of views concerning the final disposition of these proceedings or the nature of the relief which may hereafter be granted.

Dated: July 25, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7159; Filed, July 27, 1942; 11:28 a. m.]

[Docket No. B-175]

J. BRUCE MEYER, CODE MEMBER

ORDER APPROVING AND ADOPTING THE PROPOSED FINDINGS OF FACT, PROPOSED CONCLUSIONS OF LAW OF THE EXAMINER, AND CEASE AND DESIST ORDER

This proceeding was instituted upon a complaint filed with the Bituminous Coal Division on January 6, 1942, by District Board No. 1. The complaint alleged that code member had wilfully violated the Bituminous Coal Code or the rules and regulations thereunder, and prayed that the Division either cancel or revoke his code membership, or, in its discretion, direct the code member to cease and desist from violations of the Code and rules and regulations thereunder.

A hearing was held in this matter on February 18, 1942, before W. A. Cuff, a duly designated Examiner of the Division at a hearing room thereof in Altoona, Pennsylvania. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard. District Board No. 1 appeared and code member appeared without counsel.

The Examiner made and entered his Report, Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation in this matter, dated June 6, 1942, finding that code member wilfully violated the Order of the Director in General Docket No. 19, by selling between October 7, 1940 to December 5, 1940, 1427 tons of mine run coal produced at his Peters No. 2 Mine [1] Mine Index No. 1760, and delivered said coal by truck to a rail siding for rail shipment without having first obtained rail classification or prices therefor. The Examiner recommended that an order be entered cancelling and revoking the code membership of J. Bruce Meyer, and providing that prior to reinstatement into code membership there shall be paid by said J. Bruce Meyer to the United States a tax in the sum of $1,090.80 in accordance with the provisions of Section 5 (c) of the Act.

An opportunity was afforded to all parties to file exceptions and supporting briefs to the said Examiner's Report and no such exceptions or supporting briefs have been filed.

The undersigned has considered the record in this matter and has determined that the proposed findings of fact and proposed conclusions of law of the Examiner should be approved and adopted as his findings of fact and conclusions of law. The undersigned feels, however, that the purposes of the Act will be served in this matter by the entry of a cease and desist order,[2] and hence does not adopt the recommendation of the Examiner that an order be entered cancelling and revoking the membership in the Code of this code member.

Now, therefore, it is ordered, That the proposed findings of fact, and proposed conclusions of law of the Examiner be, and the same hereby are approved and adopted as the findings of fact and conclusions of law of the undersigned.

It is further ordered, That the code member, J. Bruce Meyer, his representatives, agents, servants, employees, attorneys, heirs, administrators, successors or assigns, cease and desist and they are hereby permanently enjoined and restrained from selling or offering to sell coal for which he had no rail price or classification, or from otherwise violating the Bituminous Coal Act, the Code, the Schedule of Effective Minimum Prices for District No. 1 for All Shipments Except Truck, the Marketing Rules and Regulations, and all appropriate orders of the Division.

It is further ordered, That the Division may, upon failure of code member herein to comply with this order, forthwith apply to the Circuit Court of Appeals of the United States within any circuit wherein the code member resides or carries on business for the enforcement hereof or take any other appropriate action.

Dated: July 25, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7158; Filed, July 27, 1942; 11:28 a. m.]

[Docket No. 1861-FD]

VANCUENEBROCK COAL COMPANY, CODE MEMBER

ORDER REVOKING AND CANCELLING CODE MEMBERSHIP

A complaint having been filed with the Bituminous Coal Division pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 by District Board 12 alleging violation by Vancuenebrock Coal Company, a code member partnership in District No. 12, of the Bituminous Coal Code and Rules and Regulations thereunder as follows:

That code member sold during the period May 4, 1941, and June 28, 1941, both dates inclusive, 339.09 tons of 6" x 2" egg coal produced at its Vancuenebrock No. 1 Mine (Mine Index No. 494), to the Beebout Coal Company at Knoxville, Iowa, at a price of $1.70 per ton f. o. b. the mine, whereas the effective minimum price for such coal was $2.90 per ton f. o. b. the mine, as shown by the Schedule of Effective Minimum Prices for District No. 12 for Truck Shipment;

Pursuant to an Order of the Division and after due notice to interested persons, a hearing having been held on November 28, 1941, before a duly designated Examiner of the Division at a hearing room thereof in Des Moines, Iowa;

An appearance having been entered by code member, and all interested parties having been afforded an opportunity to be present and participate fully in the hearing;

At the conclusion of the hearing all parties having joined in waiving preparation and filing of a report by the Examiner, and the matter thereupon being submitted to the undersigned;

The undersigned having made Findings of Fact and Conclusions of Law and having rendered an Opinion which are filed herewith;[1]

Now, therefore, it is ordered, That pursuant to section 5 (b) of the Act the code membership of Vancuenebrock Coal Company, and of John F. and Florent Vancuenebrock, partners thereof, be, and it hereby is, revoked and cancelled, effective fifteen (15) days from the date hereof.

It is further ordered, That prior to any reinstatement to membership in the Code, Vancuenebrock Coal Company or the individual partners thereof shall pay to the United States a tax in the amount of $383.51 as provided in section 5 (c) of the Bituminous Coal Act of 1937.

Dated: July 25, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7163; Filed, July 27, 1942; 11:29 a. m.]

[Docket No. A-1517 Part II]

DISTRICT BOARD NO. 8

ORDER GRANTING TEMPORARY RELIEF; HEARING, ETC.

In the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 8.

Memorandum opinion and order severing Docket No. A-1517 Part II from Docket No. A-1517, order granting temporary relief, in part, in Docket No. A-1517 Part II and notice of and order for hearing in Docket No. A-1517 Part II.

The original petition in the above-entitled matter which was filed with this Division requests the issuance of orders establishing temporary and permanent price classifications and minimum prices for the coals of certain mines in District No. 8.

As found in an order issued in Docket No. A-1517, a reasonable showing of necessity has been made for the granting of the relief prayed for by petitioner except as to the establishment of price

[1] During the month of February 1942, code member changed the name of his mine to that of Shannon No. 1, and notified the Division of this change in compliance with Order No. 288.

[2] On December 9, 1940, code member applied for, and has since obtained a rail classification and price for his coal by an order of the Director dated January 31, 1941 in Docket No. A-559.

[1] Not filed with the Division of the Federal Register.

classifications and minimum prices for the coals produced by Mine Index Nos. 136, 441 to 445, inclusive, 531, 614, 727, and 5517 of Stearns Coal & Lumber Co. for all shipments except truck from its Blue Heron Preparation Plant.

District Board No. 8 proposes price classifications and minimum prices for all shipments except truck from the Blue Heron Preparation Plant, some of which have heretofore been established for the coals of the various mines of Stearns Coal & Lumber Co. at various shipping points. In view of the probability that the coals of the various mines herein involved will be mixed and receive different preparation than they have formerly had, no reasonable showing has been made as to what price classifications and minimum prices should be established for these coals for shipment from the Blue Heron Preparation Plant, on a permanent basis.

Now therefore it is ordered, That the portion of Docket No. A–1517 relating to the coals of Mine Index Nos. 136, 441 to 445, inclusive, 531, 614, 727, and 5517 of Stearns Coal & Lumber Co. for all shipments except truck from its Blue Heron Preparation Plant be and the same hereby is severed from the remainder of Docket No. A–1517 and designated as A–1517 Part II.

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on August 17, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street, N. W., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Travis Williams or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit to the Acting Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before August 12, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the request of District Board No. 8 for the establishment of price classifications and minimum prices for all shipments except truck for the coals of Mine Index Nos. 136, 441 to 445, inclusive, 531, 614, 727, and 5517 of Stearns Coal & Lumber Co. from its Blue Heron Preparation Plant.

It is further ordered, That pending final disposition of Docket No. A–1517 Part II, temporary relief is granted as follows:

Commencing forthwith, Price Schedule No. 1 for District No. 8 for All Shipments Except Truck, is supplemented to include the price classifications and minimum prices set forth in the Schedule "R," annexed hereto and made a part hereof.

Notice is hereby given that applications to stay, terminate, or modify the temporary relief granted herein may be filed pursuant to the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: July 24, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42–7160; Filed, July 27, 1942; 11:29 a. m.]

[Docket No. B–288]

STROTH BROS. COAL CO.

NOTICE OF AND ORDER FOR HEARING

In the matter of A. W. Stroth, H. F. Stroth, L. B. Stroth, I. C. Stroth, and R. R. Stroth, individually and as co-partners doing business under the name and style of Stroth Bros. Coal Company, code member.

A complaint dated May 22, 1942, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on May 28, 1942, by the Bituminous Coal Producers Board for District No. 4, a district board, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by A. W. Stroth, H. F. Stroth, L. B. Stroth, I. C. Stroth, and R. R. Stroth, individually and as co-partners doing business under the name and style of Stroth Bros. Coal Company (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder; and

An amended complaint, dated June 26, 1942, in the above-entitled matter, having been duly filed on July 1, 1942 (the complaint as amended hereinafter referred to as the "complaint");

It is ordered, That a hearing in respect to the subject matter of such complaint be held on September 23, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Post Office Building, Athens, Ohio.

It is further ordered, That W. A. Cuff or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing, or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 [1] of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 [2] of the Rules of Practice and Procedure before

[1] 5 F.R. 4437.
[2] 6 F.R. 6138.

the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herein is in regard to the complaint filed by said complainant alleging wilful violation by the above-named Code Member as follows: That the said A. W. Stroth, H. F. Stroth, L. B. Stroth, I. C. Stroth, and R. R. Stroth, individually and as co-partners doing business under the name and style of Stroth Bros. Coal Company, a Code Member, whose address is Wellston, Ohio, whose code membership became effective as of September 17, 1937, and who operates the Stroth No. 6 Mine (Mine Index No. 2369), located in Vinton County, Ohio.

a. Sold and delivered by truck during the period December 23, 1940 to December 15, 1941, both dates inclusive, approximately 4,475 tons of run of mine coal, and during the period December 6, 1941, to December 31, 1941, both dates inclusive, approximately 255 tons of run of mine coal, produced at the above-named mine, to the MacArthur Brick Company of MacArthur, Ohio, at delivered prices of $2.00 per net ton and $2.25 per net ton, respectively, whereas the effective minimum price for said coal was $1.95 per ton f. o. b. said mine, as set forth in the Schedule of Effective Minimum Prices for District No. 4 for Truck Shipment, to which applicable minimum prices there should have been added the cost of transportation, handling and other incidental charges from the facilities at said mine to the point where all such costs were assumed and directly paid by the purchaser, as required by Price Instruction No. 6, as amended, of said Schedule, resulting in violation of section 4 II (e) and (g) of the Act and Part II (e) and (g) of the Code; and

b. Sold for shipment via truck during the period October 14, 1940, to December 22, 1940, both dates inclusive, approximately 955 tons of run of mine coal produced at the above-named mine to the MacArthur Brick Company of MacArthur, Ohio, at a delivered price of $2.00 per net ton, whereas prices, temporary or final, for said coal had not been established by the Division for such coal produced at said mine, resulting in violation of the Order of the Division in General Docket No. 19, dated October 9, 1940.

Dated: July 24, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7175; Filed, July 27, 1942; 11:29 a. m.]

[Docket No. 1714-FD]

THOMAS REDDING, CODE MEMBER

NOTICE OF AND ORDER FOR HEARING

A complaint dated April 25, 1941, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on April 26, 1941, by Bituminous Coal Producers Board for District No. 1, a district board, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by Thomas Redding (the "Code member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder; and

An amended complaint dated July 1, 1942, in the above-entitled matter, having been duly filed on July 7, 1942 (the complaint as amended hereinafter referred to as the "complaint");

It is ordered, That a hearing in respect to the subject matter of such complaint be held on September 10, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Community Room, City Hall, Altoona, Pennsylvania.

It is further ordered, That W. A. Cuff or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing, or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123[1] of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division within twenty (20) days after date of service thereof on the Code member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code member in the Code and the Code member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code member to cease and desist from violating the Code and regulations made thereunder.

[1] 5 F.R. 4437.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132[1] of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than fifteen (15) days after receipt by the Code member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant as follows: That the said Thomas Redding, Osceola Mills, Pennsylvania, whose code membership became effective as of June 21, 1937, and who operated the Mary Ellen Mine, Mine Index No. 589, located in Subdistrict No. 8 of District No. 1, Clearfield County, Pennsylvania,

I. Wilfully violated section 4 Part II (e) of the Act and Part II (e) of the Code,

(a) By selling subsequent to September 30, 1940, below the effective minimum prices established therefor in the Schedule of Effective Minimum Prices for District No. 1, For All Shipments Except Truck, coal produced at the aforesaid mine, including the sales during the period of November 22, 1940 to August 30, 1941, both dates inclusive, to the Bradford Coal Company (R. S. Walker), Bigler, Pennsylvania, of approximately 25,408 net tons of run of mine coal at prices ranging from $1.55 per net ton to $2.00 per net ton f. o. b. said mine whereas said coal is classified as Size Group No. 3, and priced at $2.25 per net ton f. o. b. the mine in said Schedule; and

(b) By selling subsequent to September 30, 1940, below the effective minimum prices established therefor in the Schedule of Effective Minimum Prices for District No. 1, For Truck Shipments, coal produced at the aforesaid mine, including the sales during the period of February 13 to February 22, 1941, both dates inclusive, to R. S. Walker, as partner in the Kriswal Mining Company, Lanse, Pennsylvania, for delivery by truck to the North American Refractories Company plant at Curwensville, Pennsylvania, of approximately 149 net tons of run of mine coal at a delivered price of $2.00 per net ton, whereas said coal is classified as Size Group No. 3 and priced at $2.25 per net ton f. o. b. the mine in said Schedule; and

II. Wilfully violated Rule 1 of Section III of the Marketing Rules and Regulations, by allowing subsequent to September 30, 1940, discounts from the effective minimum prices on sales of coal by said Code member to persons not authorized by the Division to receive such discounts, including the allowances during the period from February 13 to February 22, 1941, both dates inclusive, to the Kriswal

[1] 6 F.R. 6138.

Mining Company, Lanse, Pennsylvania, of discounts on the transactions referred to in Paragraph I (b) above.

Dated: July 24, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

[F. R. Doc. 42-7176; Filed, July 27, 1942; 11:29 a. m.]

[Docket No. A-1447]

MONONGAHELA RAIL AND RIVER COAL CORP.

ORDER DISMISSING PETITION

In the matter of the petition of District Board No. 3 for revision of price classifications and minimum prices of Emily No. 2 mine of Monongahela Rail and River Coal Corporation.

The original petitioner in the above-entitled matter having moved that its petition therein be dismissed, and there having been no opposition thereto;

Now, therefore, it is ordered, That the original petition in the above-entitled matter be dismissed without prejudice.

Dated: July 24, 1942.

[SEAL] DAN H. WHEELER, *Acting Director.*

[F. R. Doc. 42-7161; Filed, July 27, 1942; 11:30 a. m.]

[Docket No. A-780]

DELTA MINING CO., ET AL.

MEMORANDUM OPINION AND ORDER DENYING APPLICATION TO TERMINATE TEMPORARY RELIEF

In the matter of the petition of Delta Mining Company, Sahara Coal Company and the United Electric Coal Companies, code member producers in District No. 10, for minimum f. o. b. mine prices for F. A. S. delivery from District No. 10 to retail dealers at Minneapolis and St. Paul, pursuant to section 3 A, special river price instructions and exceptions, schedule of effective minimum prices for District No. 10, or in the alternative for establishment of just and equitable prices, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

This proceeding was instituted upon a joint petition filed with the Bituminous Coal Division on March 31, 1941, by Delta Coal Mining Company, Sahara Coal Company, and the United Electric Coal Companies, code members in District No. 10, pursuant to the provisions of section 3 A of the Special River Price Instructions and Exceptions of the Schedule of Effective Minimum Prices for District No. 10 for All Shipments Except Truck. The original petitioners sought authority to sell coal shipped from mines in District 10 via rail to the Mississippi River, thence via river to the municipal docks in Minneapolis and St. Paul for delivery to retail dealers, at minimum f. o. b. mine prices for free alongside delivery, instead of at the adjusted ex-river prices provided for those dealers. Numerous other code members in District 10 intervened in support of the petition, as did the City of Minneapolis. District Boards 7 and 11 intervened in opposition and other parties, including Consumers' Counsel, appeared generally.

The scheduled hearing ran for several days until May 29, 1941, when it was adjourned until July 15. By order of June 17, the Director granted a motion made during the hearing by the original petitioners to amend their petition to request as alternative relief the establishment for the coals in question of just and equitable prices under section 4 II (d) of the Bituminous Coal Act of 1937, and he extended the period for intervention and gave further notice of the continuance. The hearing was resumed on July 15 according to a schedule, and was concluded on July 22, 1941.

On June 4, during the recess of the hearing, the original petitioners filed a motion for temporary relief with accompanying brief. District Board 7 filed a brief in opposition. Following the close of the hearing, by a Memorandum Opinion and Order dated July 29, 1941, the Director stated that studied consideration of the record and of the results of temporary relief should be made prior to a ruling upon final relief, and granted temporary relief by amending the Schedule of Effective Minimum Prices for Districts No. 10 for All Shipments Except Truck. The important provisions of the amendment follows:

Under the Section "Prices for River (free alongside deliveries) and Ex-River shipments, Special River Price Instructions and Exceptions," "Special Cases C," page 53, add the following provision:

"Any code member producer, sales agent or registered distributor may sell coal for barge delivery to and over the municipal docks at Minneapolis and St. Paul at the minimum f. o. b. mine prices for free alongside delivery when shipped from the mines by rail and reloaded into barges on the Mississippi River for transshipment on the Mississippi River to retail coal dealers for resale at retail by such dealers located within the switching limits of these cities, whether such coal is for storage on the municipal docks or at inland retail coal yards."

Provided, however, That the relief herein granted shall apply only to coal shipped from the mine subsequent to the date hereof, and

Provided further, That any code member, sales agent or registered distributor offering for sale, selling or reselling any coal pursuant to this Order shall submit to the Bituminous Coal Division at 734 Fifteenth Street, NW., Washington, D. C., within five (5) days after such offer, sale or resale, a complete description of such offer, sale or resale, as is required by the Marketing Rules and Regulations of the Division, Order 313, and any other orders of the Division. The filing of this data at the offices of the Bituminous Coal Division in Washington, D. C., shall be in addition to that required for filing with the field office.

Petitioners have reported shipments by them of substantial tonnages under the terms of this order.

On June 18, 1942, District Board 7 filed an application to terminate the temporary relief herein, alleging in substance the following reasons:

(1) In granting temporary relief in order to aid the original petitioners in negotiating for the sale and shipment of coal to the Twin Cities during the balance of the 1941 navigation season, the Director found that, since more than one-half of the navigation season had passed, substantially less—and certainly no more—Illinois coal could be shipped by river to the Minneapolis-St. Paul area during that period than had been shipped during the 1940 season and that, therefore, temporary relief would not prejudice eastern producers. The records of the U. S. Engineer's Offices, however, show that total shipments of Illinois coal to the Minneapolis-St. Paul docks during the season 1941 increased 37.5 percent over the year 1940. District Board 7 believes that shipments made by petitioners subsequent to temporary relief during the balance of the 1941 navigation season exceeded the tonnage transported by river during the preceding season, and in the event that the records of the Division show this to be true, the Director's finding regarding prejudice would be proved erroneous, so the relief should be terminated.

(2) At the known rate of shipments of coal to the area during the last summer, the annual rate of river shipments would now greatly exceed that of 1940 and previous years. The reason cited for temporary relief—that eastern producers would not be prejudiced because half of the navigation season had already passed—is inapplicable to the new season of 1942.

(3) Some of the original petitioners shipping under terms of the temporary relief order are not complying with the requirements regarding the filing of reports. The privilege of shipment to retail dealers has been abused by shipments to affiliated companies. Lower prices are quoted by producers and distributors to their retail departments and to affiliates than to independent retailers, and no ultimate resales are reported.

(4) District Board 7 is advised that neither the prices to retail dealers nor the dealers' prices to consumers have been reduced subsequent to the granting of temporary relief, and that the f. o. b. truck price of Illinois coal at the docks is slightly higher than the ex-river price for the same coal. Thus it appears to the Board that the savings resulting from the order are used for the benefit of the producers and not passed along to consumers.

(5) In Docket No. A-227 temporary relief in the nature of prices for free alongside delivery to certain Chicago dealers was restricted to the quantity of coal previously shipped by river to them, and the shipments were required to be spread as far as practicable over the entire year. If temporary relief is not here terminated, it should be similarly restricted.

On July 15, 1942, the original petitioners filed a "Motion to Dismiss Application to Terminate Temporary Relief," al-

leging as grounds therefor that the application is speculative, misinterprets the Director's Order, draws inaccurate conclusions, and that it would injure petitioners and impair fuel distribution in time of war.

I have carefully considered each of the contentions of District Board 7, and find therein nothing requiring termination of temporary relief. As noted by the Board, the tonnage figures of the United States Engineer's Office are not restricted to the coals shipped to retail dealers under temporary relief, and, therefore, are not necessarily indicative of unexpectedly heavy shipments to such dealers. Nor would a rate of shipment in 1941 somewhat in excess of that in 1940 be, in itself, an indication of improper temporary relief where the shipments arise from a new river development. The pressing need for prompt relief in 1941 because of the short season has been replaced by even more urgent need for early stocking of winter coals and the relief of overburdened rail and Great Lakes transportation.

While the reports made by coal shippers in accordance with the temporary relief order leave something to be desired from the standpoint of information, they are in substantial compliance with the order. The method of disposition of coal through retail departments of the producers or their sales agents, and the prices at which coal has been sold to them and to independent retailers, are matters to be considered by the Trial Examiner along with other data supplied by the reports. Pending the filing of his report, the temporary relief will be continued.

Now, therefore, it is ordered, That the application of District Board 7 to terminate temporary relief be, and the same hereby is, denied, and the motion of original petitioners to dismiss that application is granted to that extent.

Dated: July 24, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-7162; Filed, July 27, 1942; 11:30 a. m.]

Office of the Secretary.

CENTRAL VALLEY PROPECT

WAGE FIXING PROCEDURES

APRIL 22, 1942.

For the purpose of determining the prevailing rate of wages to be paid certain classes of Government employees on the three divisions of the Central Valley Project, and to enable the payment to such employees of time and one-half for work in excess of 40 hours a week, the following procedure is established:

I—Wage Board

A Wage Board, composed of there representatives of the Department, one selected from the Office of the Secretary of the Interior and at least one of the other two members selected from the Bureau of Reclamation, is hereby established to determine prevailing wages for similar work in the locality of the various divisions of the Project for persons employed by the Government in the various trades and occupations in the construction or operation and maintenance of the Central Valley Project, excluding employees whose wages are fixed on an annual basis pursuant to the Classification Act of 1923, as amended, and to make recommendations with respect to such wages to the Secretary of the Interior. The representatives selected from the Office of the Secretary of the Interior shall act as Chairman of the Board.

II—Procedure To Be Followed by Board

In determining the prevailing wages of various trades and occupations being considered by the Board in the locality of the Project, the Board shall procure evidence of the wages and compensation being paid to and perquisites received by those employed in these trades and occupations from local contractors, Federal agencies (including wage scales currently being paid pursuant to minima established pursuant to the Davis-Bacon Act), private industrial employers, and others employing labor in the locality, whether pursuant to union agreements or otherwise. Hearings for the purpose of adducing evidence of wages paid in the locality may be held when, in the judgment of the Board, this is required in order to determine the prevailing rates of wages.

Based on the evidence procured as to prevailing wages and the perquisites of employment in the locality in the classifications under consideration by the Wage Board, the Board shall make its recommendations as to the rates of wages to be paid to the Government employees of the classes above specified on the various divisions of the Central Valley Project to the Secretary of the Interior. The wages recommended shall become effective upon the date they are approved by the Secretary of the Interior, unless otherwise directed by the Secretary of the Interior: *Provided,* That the Secretary of the Interior may direct the Board to reconsider any recommendation in whole or in part when, in his judgment, the recommended wage does not accord with the evidence procured as to the prevailing wage in the locality or when there is insufficient evidence to support the wage recommended.

III—Effective Period of Approved Wage Determinations

Any wage rate fixed in the manner above provided shall remain in effect until that rate has been supplanted by a different rate determined by the Wage Board with the approval of the Secretary of the Interior. Unless directed by the Secretary of the Interior to do so at other intervals, the Wage Board shall review wage rates at six-month intervals, beginning with the effective date of the first schedule of wages made in accordance with the procedure herein provided: *Provided,* That the Secretary of the Interior may direct a review at any other time when, in his judgment, this is desirable.

IV

Unless otherwise ordered, the Board shall be composed of these departmental representatives:

Duncan Campbell, selected from the Office of the Secretary of the Interior,

Charles A. Bissell and Ralph Lowry, selected from the Bureau of Reclamation.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 42-7138; Filed, July 27, 1942; 10:48 a. m.]

PARKER DAM POWER PROJECT

WAGE FIXING PROCEDURES

JUNE 2, 1942.

For the purpose of determining the prevailing rate of wages to be paid certain classes of Government employees at the Parker Dam Power Project, Parker Dam, California, and to enable the payment to such employees of time and one-half for work in excess of 40 hours a week, the following procedure is established:

I—Wage Board

A Wage Board, composed of three representatives of the Department, one selected from the Office of the Secretary of the Interior, and at least one of the other two members selected from the Bureau of Reclamation, is hereby established to determine prevailing wages for similar work in the locality of the Project for persons employed by the Government in the various trades and occupations in the construction or operation and maintenance of the Project, excluding employees whose wages are fixed on an annual basis pursuant to the Classification Act of 1923, as amended, and to make recommendations with respect to such wages to the Secretary of the Interior. The representative selected from the Office of the Secretary of the Interior shall act as Chairman of the Board.

II—Procedure To Be Followed by Board

In determining the prevailing wages of various trades and occupations being considered by the Board in the locality of the Project, the Board shall procure evidence of the wages and compensation being paid to and perquisites received by those employed in these trades and occupations from local contractors, Federal agencies (including wage scales currently being paid pursuant to minima established pursuant to the Davis-Bacon Act), private industrial employers, and others employing labor in the locality, whether pursuant to union agreements or otherwise. Hearings for the purpose of adducing evidence of wages paid in the locality may be held when, in the judgment of the Board, this is required in order to determine the prevailing rates of wages.

Based on the evidence procured as to prevailing wages and the perquisites of employment in the locality in the classifications under consideration by the Wage Board, the Board shall make its recommendations to the Secretary of the

Interior as to the rates of wages to be paid to the Government employees of the classes above specified at the Project. The wages recommended shall become effective upon the date they are approved by the Secretary of the Interior, unless otherwise directed by him: *Provided,* That the Secretary of the Interior may direct the Board to reconsider any recommendation in whole or in part when, in his judgment, the recommended wage does not accord with the evidence procured as to the prevailing wage in the locality or when there is insufficient evidence to support the wage recommended.

III—Effective Period of Approved Wage Determinations

Any wage rate fixed in the manner above provided shall remain in effect until that rate has been supplanted by a different rate determined by the Wage Board with the approval of the Secretary of the Interior. Unless directed by the Secretary of the Interior to do so at other intervals, the Wage Board shall review wage rates at six-month intervals, beginning with the effective date of the first schedule of wages made in accordance with the procedure herein provided: *Provided,* That the Secretary of the Interior may direct a review at any other time, when, in his judgment, this is desirable.

Unless otherwise ordered, the Board shall be composed of these departmental representatives:

Duncan Campbell, selected from the Office of the Secretary of the Interior,

Charles A. Bissell, and S. A. McWilliams, selected from the Bureau of Reclamation.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 42-7137; Filed, July 27, 1942; 10:48 a. m.]

BOULDER CANYON PROJECT

RECOMMENDATIONS OF WAGE BOARD TO THE SECRETARY OF THE INTERIOR

Pursuant to the Order of the Secretary of the Interior, dated December 6, 1941, and entitled *Wage Fixing Procedures, Boulder Canyon Project,* the Boulder Canyon Project Wage Board has reviewed prevailing wage rates for certain classes of laborers and mechanics for work of a similar nature prevailing in the vicinity of the project. This review was occasioned by the expiration of the six months interval following the effective date of the previous recommendations of the Boulder Canyon Project Wage Board which you approved on February 12, 1942, and which became effective as of the close of business, December 15, 1941.

The Wage Board recommends that the following classifications of labor and wage rates be deleted from the approved list of classifications and wage rates:

Labor classification:	*Hourly rate*
Carpenter helper	$0.80
Floor polisher (maintenance)	1.00
Gardener's helper	.90
Grinder operator	$1.00
Mason helper	.80
Motor truck driver (on construction):	
Under 7½ tons	.87½
7½ to 10 tons	1.00
10 to 15 tons	1.12½
15 to 20 tons	1.25
20 tons or more	1.37½
Painter helper	.80
Terrazzo polisher (maintenance)	1.00
Mechanic	1.50
Mechanic helper	1.00
Hooktender	1.00
Core drill operator helper	.80
Painter (swing stage and structural steel)	1.50
Grout pump operator	1.25
Garageman	1.12½

The Wage Board further recommends that the following classifications and wage rates be added to the approved schedule of labor classifications and wage rates, as it finds that the rates listed below are prevailing in the vicinity of the project for work of a similar nature:

Labor classification	Prevailing hourly rate on private work	Recommended basic hourly rate for B/R employees
Mechanic, automotive	$1.50	$1.50
Mechanic, automotive helper	1.00	1.00
Surface buffer operator	1.00	1.00
Cable splicer	1.75	1.75
Painter (swing stage)	1.50	1.50
Painter (erected structural steel)	1.50	1.50
Grout pump operator (mechanic)	1.50	1.50
Water truck driver:		
Under 2,500 gallons capacity	.90	.90
2,500 gallons capacity and over	1.12½	1.12½
Flat rack truck driver:		
Under 5 tons	.87½	.87½
5 to 10 tons	1.00	1.00
10 to 15 tons	1.12½	1.12½
15 to 20 tons	1.25	1.25
Dump truck driver:		
Under 5 tons	.87½	.87½
5 to 10 tons	1.00	1.00
Garbage truck driver: 7 yards and over	1.00	1.00
Filter plant operator	1.12½	1.12½
Disposal plant operator	1.12½	1.12½
Lineman helper	.90	.90
Air compressor operator	1.25	1.25

It is recommended that these changes be made effective as of the close of business on July 15, 1942.

The Wage Board further recommends that no present employee of the Bureau of Reclamation on the Boulder Canyon Project receive a reduction in rate of pay as a result of the promulgation of the prevailing wage rates recommended herein.

The foregoing recommendations approved and adopted by the Boulder Canyon Project Wage Board this 29th day of June 1942.

DUNCAN CAMPBELL,
Chairman.
CHARLES A. BISSEL,
Member.
E. A. MORITZ,
Member.

Approved: July 13, 1942.

ABE FORTAS,
Acting Secretary of the Interior.

[F. R. Doc. 42-7134; Filed, July 27, 1942; 10:47 a. m.]

CENTRAL VALLEY PROJECT

RECOMMENDATIONS OF WAGE BOARD TO THE SECRETARY OF THE INTERIOR

Pursuant to the Order of the Secretary of the Interior dated April 22, 1942 and entitled *Wage Fixing Procedure, Central Valley Project,* the Central Valley Project Wage Board has determined prevailing wage rates for certain classes of laborers and mechanics employed on work of a similar nature in the vicinity of the Kennett Division of the Central Valley Project. A public hearing was held in Redding, California on June 17.

In addition to the testimony offered by witnesses at the hearing, the Wage Board has considered wage rate data contained in collective agreements, decisions of the Secretary of Labor made pursuant to the Davis-Bacon Act, as amended; and payroll studies covering private employment on large construction projects in the vicinity of Shasta Dam.

The Wage Board finds that the hourly wage rates listed below are prevailing for similar work in the vicinity of the Kennett Division of the project and recommends them for your adoption.

Labor classification	Prevailing hourly rate on private work	Recommended basic hourly rate for B/R employees
Air compressor operator	$1.25	$1.25
Air hammer operator, jackhammer, paving breaker, high scaler, etc	1.00	1.00
Axeman (survey parties)	.85	.85
Blacksmith	1.50	1.50
Blacksmith's helper	1.00	1.00
Bulldozer operator	1.50	1.50
Carpenter	1.37½	1.37½
Cement screening plant operator	1.25	1.25
Cement finisher	1.50	1.50
Concrete mixer operator, 1 cubic yard and over	1.50	1.50
Concrete mixer operator, under 1 cubic yard	1.25	1.25
Concrete vibrator operator	1.00	1.00
Core driller	1.25	1.25
Core drill operator's helper	.90	.90
Crane operator (powerhouse)	1.75	1.75
Electrical worker	1.50	1.50
Electrical worker's helper	1.10	1.10
Grader, operator, power or pull blade	1.62½	1.62½
Grout machine operator	1.25	1.25
Laborer	.85	.85
Laborer, concrete (wet or dry)	.90	.90
Track laborer	.90	.90
Machinist	1.50	1.50
Machinist's helper	1.10	1.10
Oiler or fireman	1.10	1.10
Operator, power shovel or other excavating equipment up to and including one yard	1.60	1.60
Painter:		
Brush	1.37½	1.37½
Swing stage and structural steel	1.50	1.50
Spray	1.50	1.50
Pipefitter	1.50	1.50
Pipefitter's helper	1.10	1.10
Plumber	1.50	1.50
Reinforcing steel worker	1.50	1.50
Rigger (structural iron worker)	1.50	1.50
Sheet metal worker	1.31¼	1.31¼
Tractor driver	1.50	1.50
Truck crane operator	1.60	1.60
Truck driver:—		
Dump trucks:		
Under 4 yards (water level)	.90	.90
4 yards and under 8 yards (water level)	1.06¼	1.06¼
Pickup carrying under 1,000 lbs	.87½	.87½
Flat rack trucks, carrying between 1,000 and 4,500 lbs	1.00	1.00
Foremen:—		
Carpenter foreman	1.50	1.50
Electrical worker foreman	1.75	1.75
Labor foreman	1.25	1.25
Machinist foreman	1.62½	1.62½
Pipefitter foreman	1.62½	1.62½
Rigger foreman	1.75	1.75

The prevailing basic hourly wage rate for foremen other than those listed above is twelve and one-half cents per hour in excess of the basic hourly wage rate paid to workers supervised.

It is the understanding of the Wage Board that Bureau of Reclamation employees paid in accordance with this schedule will receive overtime pay on a basis of one and one-half times the basic hourly rate for all time worked in excess of forty hours in any one week. Refer to 40-hour week act (Sec. 23, Act of March 28, 1934; 48 Stat., 522).

The foregoing recommendations approved and adopted by the Central Valley Project Wage Board this nineteenth day of June 1942, for the Kennett Division.

DUNCAN CAMPBELL,
Chairman.
CHARLES A. BISSELL,
Member.
RALPH LOWRY,
Member.

Approved: July 13, 1942.

ABE FORTAS,
Acting Secretary of the Interior.

[F. R. Doc. 42-7135; Filed, July 27, 1942; 10:47 a. m.]

PARKER DAM POWER PROJECT

RECOMMENDATIONS OF WAGE BOARD TO THE SECRETARY OF THE INTERIOR

Pursuant to the Order of the Secretary of the Interior, dated June 2, 1942, and entitled *Wage Fixing Procedure, Parker Dam Power Project*, the Parker Dam Power Project Wage Board has determined prevailing wage rates for certain classes of laborers and mechanics employed on work of a similar nature in the vicinity of Parker Dam. A public hearing was held in Boulder City, Nevada, on June 24.

In addition to the testimony offered by witnesses at the hearing, the Wage Board has considered wage rate data contained in collective agreements, decisions of the Secretary of Labor made pursuant to the Davis-Bacon Act, as amended; and payroll studies covering private employment in the vicinity of the Project.

The Wage Board finds that the hourly wage rates listed below are prevailing for similar work in the vicinity of Parker Dam, and recommends them for your adoption:

Labor classification	Prevailing hourly rate on private work	Recommended basic hourly rate for B/R employees
Axeman (survey parties)	$0.62½	$0.62½
Blacksmith	1.25	1.25
Blacksmith helper	.90	.90
Boilermaker	1.50	1.50
Carpenter	1.25	1.25
Concrete chipper	1.00	1.00
Concrete finisher	1.37½	1.37½
Diamond driller	1.25	1.25
Electrician	1.50	1.50
Electrician helper	.90	.90
Glazier	$1.12½	$1.12½
Laborer	.80	.80
Laborer, concrete	.90	.90
Laborer, leadman	.92½	.92½
Lineman	1.50	1.50
Lineman helper	.90	.90
Machinist	1.50	1.50
Machinist helper	1.00	1.00
Mechanic, automotive	1.50	1.50
Mechanic, heavy duty	1.37½	1.37½
Motor truck driver (1½ tons and less)	.85	.85
Motor truck driver (over 1½ tons)	1.00	1.00
Oiler, dragline	.97½	.97½
Operator, airhammer	1.00	1.00
Operator, boat	1.15	1.15
Operator, chuck drill	1.25	1.25
Operator, compressor, portable	1.00	1.00
Operator, compressor, stationary	1.25	1.25
Operator, concrete mixer	1.25	1.25
Operator, concrete vibrator	.90	.90
Operator, core drill	1.25	1.25
Operator, crane	1.50	1.50
Operator, engine, gasoline	1.12½	1.12½
Operator, grout machine	1.25	1.25
Operator, hoist drum	1.37½	1.37½
Operator, pump	1.00	1.00
Operator, pumpcrete	1.25	1.25
Operator, shovel, power	1.62½	1.62½
Operator, tractor	1.50	1.50
Painter	1.25	1.25
Pipefitter	1.50	1.50
Pipefitter helper	.90	.90
Powderman	1.25	1.25
Reinforced steel worker	1.37½	1.37½
Rigger (ironworker)	1.50	1.50
Roofer	1.25	1.25
Sandblaster, pot tender	1.00	1.00
Sandblaster, nozzleman	1.12½	1.12½
Sheet metal worker	1.25	1.25
Structural steel worker	1.50	1.50
Foreman, carpenter	1.37½	1.37½
Foreman, concrete	1.37½	1.37½
Foreman, electrician	1.62½	1.62½
Foreman, labor	1.25	1.25
Foreman, pipefitter	1.62½	1.62½
Foreman, reinforcing steel	1.50	1.50
Foreman, rigger	1.62½	1.62½
Foreman, structural steel	1.62½	1.62½

Foreman, other than those listed above, should be paid a basic hourly wage rate which is twelve and one-half cents per hour in excess of the basic hourly wage rate paid to workers supervised.

It is recommended that the changes in wage rates be made effective as of the close of business July 31, 1942.

It is the understanding of the Wage Board that Bureau of Reclamation employees paid in accordance with this schedule will receive overtime pay on a basis of one and one-half times the basic hourly rate for all time worked in excess of forty hours in any one week. Refer to 40-hour week act (Sec. 23, Act of March 28, 1934; 48 Stat., 522).

The foregoing recommendations approved and adopted by the Parker Dam Power Project Wage Board this first day of July, 1942.

DUNCAN CAMPBELL,
Chairman.
CHARLES A. BISSELL,
Member.
S. A. MCWILLIAMS,
Member.

Approved: July 13, 1942.

ABE FORTAS,
Acting Secretary of the Interior.

[F. R. Doc. 42-7136; Filed, July 27, 1942; 10:47 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under Section 6 of the Act are issued under Section 14 thereof. Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, June 25, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 29, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective July 27, 1942. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel

Barron, Anderson Company; 116 Harrison Avenue, Boston, Massachusetts; Men's Topcoats and Overcoats; 5 percent (T); July 27, 1943.

Herbert Manufacturing Co., 206 E. Fifth Street, St. Paul, Minnesota; Overcoats and Topcoats; 5 learners (T); July 27, 1943.

The Krown Company, Inc., 118 East 9th Street, Los Angeles, California; Ladies' Belts and Leather Goods; 2 learners (T); July 27, 1943.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-lined Garments Divisions of the Apparel Industry

The Badger Raincoat Company, 209 Franklin Street, Port Washington, Wisconsin; Men's and Boys' Clothing, Sportswear & Other Odd Outerwear, Leather & Sheep-lined Garments & Rainwear; 10 learners (T); July 27, 1943. (This certificate replaces the one issued to you bearing the expiration date of October 20, 1942.)

The Badger Raincoat Company, Milwaukee, Wisconsin; Men's & Boys' Clothing, Sportswear & Other Outerwear, Leather & Sheep-lined Garments & Rainwear; 10 learners (T); July 27, 1943. (This certificate replaces the one issued to you bearing the expiration date of December 4, 1942.)

Best Made Dresses, 615 North Ninth Street, St. Louis, Missouri; Dresses; 10 learners (T); July 27, 1943.

Buffalo Faultless Pants Co., Inc., 133 South Division Street, Buffalo, New York; Army & Civilian Trousers, Civilian Sportswear; 10 learners (T); July 27, 1943.

Cary & Co., Inc., 111 Port Watson Street, Cortland, New York; Children's Playsuits and Overalls; 10 learners (T); July 27, 1943.

Chaincraft, Inc., 25 Banta Place, Hackensack, New Jersey; Brassieres; 9 learners (T); July 27, 1943.

Frances Dress Company, 1201 Wyoming Avenue, Scranton, Pennsylvania; Dresses; 20 learners (E); January 27, 1943.

Freemont Manufacturing Company, Mt. Pleasant Mills, Pennsylvania; Men's Shirts; 13 learners (E); January 27, 1943.

Lamm Brothers, Inc., Colonial Beach, Virginia; Cotton & Woolen Trousers; 30 learners (E); January 27, 1943.

Looksrite Economy, Inc., 6030 Buchanan Place, West New York, New Jersey; Ladies' Rayon Underwear; 5 learners (T); July 27, 1943.

Malouf Company, 115 South Poydras Street, Dallas, Texas; Women's Cotton Dresses; 10 learners (T); July 27, 1943.

Metropolitan Sportswear Company, 743 Santee Street, Los Angeles, Calif.; Sport Shirts, Herringbone Jackets; 5 learners (T); July 27, 1943.

Parksley Garment Company, Cassatt Avenue & Bennett Street, Parksley, Virginia; Shirts; 10 learners (T); July 27, 1943.

Salant and Salant, Inc., Henderson, Tennessee; Cotton Work Shirts; 10 percent (T); July 27, 1943.

Smoler Bros. Inc., 318 E. Colfax Avenue, South Bend, Indiana; Dresses; 10 percent (T); July 27, 1943.

Trembly Mfg. Company, 2124½ Main Street, Dallas, Texas; Pants; 5 learners (T); July 27, 1943.

Joseph Zukin of California, Inc., 939 South Broadway, Los Angeles, Calif.; Dresses, Slacks, etc.; 10 learners (T); July 27, 1943.

Hosiery

B. C. & C. W. Mayo, 402 Chestnut Street, Tarboro, North Carolina; Seamless Hosiery; 5 percent (T); July 27, 1943.

Knitted Wear

Langley Manufacturing Company, Langley, South Carolina; Warped Knitted Cloth; 5 learners (T); July 27, 1943.

Monroe Mills, Monroeville, Alabama; Knit Underwear; 5 percent (T); July 27, 1943.

Textiles

Columbia Manufacturing Company, Ramseur, North Carolina; Cotton; 5 learners (T); July 27, 1943.

Prime Needle Art Company, 220 West Huron Street, Chicago, Illinois; Pillow Cases, Lunch Cloths, Spreads, Scarfs, etc.; 1 learner (T); July 27, 1943.

Swift Manufacturing Company, 1410 6th Ave., Columbus, Georgia; Cotton Paper Fiber; 3 percent (T); July 27, 1943.

Signed at New York, N. Y., this 25th day of July 1942.

MERLE D. VINCENT,
Authorized Representative of the Administrator.

[F. R. Doc. 42-7132; Filed, July 27, 1942; 10:37 a. m.]

PROCESSING OF SORGO INTO SORGO SYRUP IN LOUISIANA

APPLICATION FOR EXEMPTION FROM MAXIMUM HOURS PROVISIONS

In the matter of the application for the exemption of the processing of sorgo into sorgo syrup in Louisiana from the maximum hours provisions of the Fair Labor Standards Act of 1938, pursuant to section 7 (b) (3) of the Act and Part 526, as amended, of the regulations issued thereunder.

Whereas the American Sugar Cane League of the U. S. A., Inc., has filed an application for the exemption of the processing of sorgo into sorgo syrup in Louisiana from the maximum hours provisions of the Fair Labor Standards Act of 1938, pursuant to section 7 (b) (3) of the Act and Part 526, as amended, of the regulations issued thereunder; and

Whereas it appears from the said application that:

1. Sorgo is harvested in Louisiana during a period of twenty to forty days, beginning in the latter part of July; and

2. The processing of sorgo into sorgo syrup is similar to the process of converting sugar cane into syrup and is carried on in Louisiana in the same plants, using the same equipment and labor, which are used in the processing of the sugar cane into sugar, syrup, and molasses; and

3. The processing of sorgo into sorgo syrup in sugar processing plants in Louisiana takes place during a regularly recurring season of the year, shortly after it is harvested in order to prevent deterioration; and

4. The operating season of the plants in Louisiana engaged in the processing of sorgo into sorgo syrup and in the converting of sugar cane into sugar, syrup, and molasses bears a reasonable relationship to the fourteen workweeks exemption period provided in section 7 (b) (3) of the Act; and

5. Such plants do not engage in any other operations and close at the end of the operating season each year, except for maintenance, repair, clerical and sales work; and

Whereas it appears that the processing of sorgo into sorgo syrup in the sugar processing plants in Louisiana is an integral part of the cane sugar processing and milling branch of the cane sugar industry in Louisiana; and

Whereas the Administrator, on November 16, 1939, found that that portion of the sugar cane processing and milling branch of the cane sugar industry located in Louisiana is a branch of an industry and is of a seasonal nature, within the meaning of section 7 (b) (3) of the Fair Labor Standards Act of 1938, and of the regulations issued thereunder, and is therefore entitled to the exemption provided in section 7 (b) (3) of the Act;

Now, therefore, upon consideration of the facts stated in the said application the Administrator hereby determines, pursuant to § 526.5 (b) (ii),[1] as amended, of the regulations, that a *prima facie* case has been shown for amendment of the exemption granted under section 7 (b) (3) of the Act to that portion of the cane sugar processing and milling branch of the cane sugar industry which is located in Louisiana to include in the exemption granted to this industry the processing of sorgo into sorgo syrup.

The term "processing of sorgo into sorgo syrup" includes the operation of receiving, handling, unloading, and weighing the sorgo at the processing establishment, the extraction of the juice from the sorgo, the processing of this juice into sorgo syrup, but it does not include the subsequent processing of the sorgo syrup, and it includes the removal, handling, and conveying of the sorgo syrup to tank cars or storage tanks on or in the vicinity of the mill site, and the removal, conveying, burning, bagging, baling, and piling and storing in bags or in baled form on or in the vicinity of the mill site of bagasse resulting from the processing of sorgo into sorgo syrup, and the operations necessary or incident to the foregoing.

In accordance with the procedure established by § 526.5 (b) (ii), as amended, of the regulations, the Administrator, for fifteen days following the publication of this determination, will receive objection to the granting of the exemption and request for hearing from any person interested. Upon receipt of objection and request for hearing, the Administrator will set the application for hearing before himself or an authorized representative.

If no objection and request for hearing is received within fifteen days, the Administrator will make a finding upon the *prima facie* case.

Objections and request for hearing should be filed in writing at the National

[1] 5 F.R. 711.

Offices of the Wage and Hour Division, 165 West 46th Street, New York, New York. The application of the American Sugar Cane League may be examined in Room 1619 at this address.

Signed at New York, New York, this 24th day of July 1942.

WILLIAM B. GROGAN,
Acting Administrator.

[F. R. Doc. 42-7133; Filed, July 27, 1942; 10:37 a. m.]

CIVIL AERONAUTICS BOARD.

AIR TRAFFIC RULES

ORDER RENUMBERING AMENDMENTS NOS. 60-1 THROUGH 60-5 ADOPTED BETWEEN MAY 11 AND JUNE 12, 1942

Correction

In paragraph (a) of the order appearing on page 5649 of the issue for Thursday, July 23, 1942, "whether" should read "weather."

[Docket No. 484]

PENNSYLVANIA-CENTRAL AIRLINES CORP.

NOTICE OF ORAL ARGUMENT

In the matter of the compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith of Pennsylvania-Central Airlines Corp.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly Sections 406 and 1001 of said Act, in the above-entitled proceeding, that oral argument is hereby assigned to be held on August 4, 1942, at 10 a. m. (eastern war time) in Room 5042, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated Washington, D. C., July 23, 1942.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,
Secretary.

[F. R. Doc. 42-7153; Filed, July 27, 1942; 11:17 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6262]

THOMAS PATRICK, INC. (KWK)

NOTICE OF HEARING

In re application of Thomas Patrick, Incorporated, (KWK), dated December 4, 1940, for modification of construction permit; class of service, broadcast; class of station, broadcast; location, St. Louis, Missouri. Operating assignment specified: Frequency, 1,350 kc., 1,380 kc., NARBA; power, 5 kw. (directional antenna); hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine the cost of completing the construction authorized in permit number B4-ML-386, and the financial outlay, if any, incurred in connection therewith by the applicant, prior to April 27, 1942.

2. To determine when the construction heretofore authorized in permit number B4-ML-386 was actually commenced.

3. To determine what materials and equipment the applicant has on hand or available for the construction authorized by permit number B4-ML-386 and the additional materials and equipment, if any, necessary for the completion thereof.

4. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

5. To determine whether, in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Thomas Patrick, Incorporated, Radio Station KWK, Hotel Chase, 4965 Lindell Boulevard, St. Louis, Missouri.

Dated at Washington, D. C., July 22, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-7165; Filed, July 27, 1942; 11:33 a. m.]

[Docket No. 6340]

TAMPA TIMES CO. (WDAE)

NOTICE OF HEARING

In re application of Tampa Times Company (WDAE), dated April 9, 1942, for construction permit; class of service, broadcast; class of station, broadcast; location, Tampa, Florida; operating assignment specified; Frequency, 770 kc.; power, 5 kw (DA, night); hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether the granting of this application would be consistent with the Section 3.25 (a), Federal Communications Commission's Rules.

3. To determine the extent of the interference which would be caused by the operation of Station WDAE as proposed herein to the nighttime secondary service area of Station WJZ.

4. To determine the populations and areas which would be deprived of secondary service from Station WJZ should Station WDAE operate as proposed herein, and what other broadcast services are available to these areas and populations.

5. To determine the areas and populations which would gain primary service from the operation of Station WDAE as proposed herein and what other broadcast services are available to these areas and populations.

6. To determine whether the operation of Station WDAE at the proposed transmitter site would be consistent with the Standards of Good Engineering Practice, particularly as to the population residing within the "blanket area" (250 millivolt-per-meter contour).

7. To determine whether the granting of this application would be consistent with Standards of Good Engineering Practice, particularly in view of the expected nighttime interference limitation to the service of Station WDAE operating as proposed.

8. To determine whether the proposed radiating system complies with the Standards of Good Engineering Practice, particularly as to the minimum height requirements.

9. To determine whether in view of the foregoing public interest, convenience and necessity, would be served by the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Tampa Times Company, Radio Station WDAE, 114 North Franklin Street, Tampa, Florida.

Dated at Washington, D. C., July 22, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-7166; Filed, July 27, 1942; 11:33 a. m.]

[Docket No. 6370]

HUGHES TOOL CO.

NOTICE OF HEARING

In re application of Hughes Productions, Division of Hughes Tool Company (New), dated October 7, 1941, for Construction Permit; class of service, Commercial Television Broadcast; class of station, Commercial Television Broadcast; location, Los Angeles, California; operating assignment specified: Frequency, Ch. #2, 60,000–66,000 kilocycles ESR: 500; power, —; hours of operation, Unlimited.

You are hereby notified that the Commission on July 7, 1942 denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Hughes Productions Division of Hughes Tool Company, 7000 Romaine Street, Los Angeles, California.

Dated at Washington, D. C., July 22, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42–7167; Filed, July 27, 1942; 11:33 a. m.]

[Docket No. 6371]

HUGHES TOOL CO.

NOTICE OF HEARING

In re application of Hughes Productions, Division of Hughes Tool Company (New), dated February 13, 1942; for construction permit; class of service, commercial television broadcast; class of station, commercial television broadcast; location, San Mateo County, California; operating assignment specified: Frequency, Ch. 2 60000–66000 kilocycles, ESR: 740; power —; hours of operation, unlimited.

You are hereby notified that the Commission on July 7, 1942 denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Hughes Productions, Division of Hughes Tool Company, 7000 Romaine Street, Los Angeles, California.

Dated at Washington, D. C., July 22, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42–7168; Filed, July 27, 1942; 11:33 a. m.]

[Docket No. 6372]

WOKO, INC.

NOTICE OF HEARING

In re application of WOKO, Inc. (New), dated December 2, 1940, for construction permit; class of service, high frequency broadcast; class of station, high frequency broadcast; location, Albany, New York; operating assignment specified: Frequency, 45,100 kcs.; coverage, 7,164 square miles; power, —; hours of operation —.

You are hereby notified that the Commission on July 7, 1942 denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether in view of the foregoing the granting of the application would serve public interest, convenience and necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: WOKO, Incorporated, Radio Center, 8 Elk Street, Albany, New York.

Dated at Washington, D. C., July 23, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42–7169; Filed, July 27, 1942; 11:34 a. m.]

[Docket No. 6373]

LA CROSSE TRIBUNE COMPANY

NOTICE OF HEARING

In re application of The La Crosse Tribune Company (New), dated April 30, 1941, for construction permit; class of service, highway frequency broadcast; class of station, high frequency broadcast; location, East of La Crosse, Wisconsin; operating assignment specified: Frequency, 46,500 kilocycles; coverage: 7,040 sq. mi., power, —; hours of operation, unlimited.

You are hereby notified that the Commission on July 7, 1942 denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether in view of the foregoing the granting of the application would serve public interest, convenience and necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: The La Crosse Tribune Company, 4th and Cass Streets, La Crosse, Wisconsin.

Dated at Washington, D. C., July 23, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42–7170; Filed, July 27, 1942; 11:34 a. m.]

[Docket No. 6379]

BANKS OF WABASH, INC. (WBOW)

NOTICE OF HEARING

In re application of Banks of Wabash, Incorporated (WBOW), dated January 29, 1942, for construction permit to install new transmitter; class of service, broadcast; class of station, broadcast; location, Terre Haute, Indiana; operating assignment specified: Frequency, 1,230 kc.; power, 250 watts; hours of operation, unlimited.

You are hereby notified that the Commission on July 14, 1942 denied the motion of the applicant filed pursuant to the Commission's Memorandum Opinion of April 27, 1942 and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Banks of Wabash, Incorporated, Radio Station WBOW, 303 South Sixth Street, Terre Haute, Indiana.

Dated at Washington, D. C., July 23, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-7171; Filed, July 27, 1942; 11:34 a. m.]

[Docket No. 6380]

LEHIGH VALLEY BROADCASTING CO. (WSAN)

NOTICE OF HEARING

In re application of Lehigh Valley Broadcasting Company (WSAN), dated January 13, 1942, for modification of construction permit as modified; class of service, broadcast; class of station, broadcast; location, Allentown, Pennsylvania; operating assignment specified (under C. P.): Frequency, 1,470 kc.; power, 5 kw. (Directional Antenna); hours of operation, unlimited.

You are hereby notified that the Commission on July 14, 1942 denied the motion of the applicant filed pursuant to the Commission's Memorandum Opinion of April 27, 1942 and designated the above entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Lehigh Valley Broadcasting Company, Radio Station WSAN, 39–41 North 10th Street, Allentown, Pennsylvania.

Dated at Washington, D. C., July 23, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-7172; Filed, July 27, 1942; 11:35 a. m.]

[Docket No. 6381]

DOUGHTY & WELCH ELECTRIC COMPANY, INC. (WSAR)

NOTICE OF HEARING

In re application of Doughty & Welch Electric Company, Inc. (WSAR), dated August 4, 1941, for construction permit, class of service, broadcast; class of station, broadcast; location, Fall River, Mass.; operating assignment specified: Frequency, 1470 kc.; power, 1 kw. (directional antenna); hours of operation, unlimited.

You are hereby notified that the Commission on July 14, 1942 denied the motion of the applicant filed pursuant to the Commission's Memorandum Opinion of April 27, 1942 and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Doughty and Welch Electric Company, Inc., Radio Station WSAR, Academy of Music Building, South Main Street, Fall River, Massachusetts.

Dated at Washington, D. C., July 23, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-7173; Filed, July 27, 1942; 11:35 a. m.]

[Docket No. 6382]

NEW JERSEY BROADCASTING CORP. (WHOM)

NOTICE OF HEARING

In re application of New Jersey Broadcasting Corporation (WHOM), dated July 22, 1941, for construction permit, class of service, broadcast; class of station, broadcast; location, Jersey City, N. J. (request to move to New York, N. Y.); operating assignment specified: frequency, 1,480 kc.; power, 5 kw. (directional antenna); hours of operation, unlimited.

You are hereby notified that the Commission on July 14, 1942 denied the motion of the applicant filed pursuant to the Commission's Memorandum Opinion of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: New Jersey Broadcasting Corporation, Radio Station WHOM, Observer Building, 2866 Hudson Boulevard, Jersey City, New Jersey.

Dated at Washington, D. C., July 23, 1942.

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 42-7174; Filed, July 27, 1942; 11:35 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Docket No. 3010–1]

PITTSBURGH FERROMANGANESE CO.

ORDER GRANTING PETITION FOR EXCEPTION

Order No. 2 Under Revised Price Schedule No. 10 [1]—Pig Iron.

On May 15, 1942, Pittsburgh Ferromanganese Company, 1905 Grant Building, Pittsburgh, Pennsylvania, filed a petition for an exception under § 1306.55 (b) of Revised Price Schedule No. 10, and pursuant to a letter from the Office of Price Administration to J. H. Hillman, Jr., President of Pittsburgh Coke and Iron Company, dated November 13, 1941. Due consideration has been given to the petition and an opinion in support of this Order No. 2 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered:

(a) Pittsburgh Ferromanganese Company may, so long as the lease of the blast furnace plant at Chester, Pennsylvania, pursuant to an Agreement of Lease between Defense Plant Corporation and Pittsburgh Ferromanganese Company dated December 4, 1941, shall remain in effect, sell or deliver or offer to sell or deliver pig iron produced at said plant at prices not to exceed the Basing Point Base Prices fixed in Revised Price Schedule No. 10, plus $2.25 per gross ton. The prices herein established are to be subject to the switching charges and differentials set forth in Revised Price Schedule No. 10. Any person may buy or accept delivery or offer to buy or accept delivery from Pittsburgh Ferromanganese Company of such product at the price herein established.

(b) The permission granted to Pittsburgh Ferromanganese Company in this Order No. 2 is subject to the condition that there be filed with the Office of Price Administration on or before the tenth day of each month itemized and verified statement of blast furnace and all other costs incurred in the production of pig iron during the preceding month; also balance sheet and profit and loss statement of Pittsburgh Ferromanganese Company as of the last day of the preceding month.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1306.31 of Revised Price Schedule No. 10 shall apply to terms used herein.

(f) This Order No. 2 shall become effective July 27, 1942.

Issued this 25th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7126; Filed, July 25, 1942; 12:17 p. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 1230, 1836, 2841.

[2] 7 F.R. 971, 3663.

[Docket No. 3120–54]

RED JACKET COAL CORPORATION

ORDER GRANTING EXCEPTION

Order No. 19 Under Maximum Price Regulation No. 120 [1]—Bituminous Coal Delivered From Mine or Preparation Plant.

On May 30, 1942, Red Jacket Coal Corporation, 115 East Rich Street, Columbus, Ohio, filed a document styled a "Petition for Amendment and Adjustment or Exception", pursuant to § 1340.207 of Maximum Price Regulation No. 120. Due consideration has been given to the petition and an opinion in support of this Order No. 19 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered:

(a) The Red Jacket Coal Corporation may sell and deliver, and agree, offer, solicit, and attempt to sell and deliver, by all methods of transportation except truck or wagon, the kinds and grades of bituminous coal delivered from its No. 6 mine (Mine Index No. 394) set forth in paragraph (b) at prices not in excess of those stated therein. Any person may buy and receive, and agree, offer, solicit, and attempt to buy and receive such kinds and grades of bituminous coal delivered from the No. 6 mine at such prices from the Red Jacket Coal Corporation.

(b) Coals produced at the No. 6 Mine (Mine Index No. 394) of the Red Jacket Coal Corporation may be sold in Size Group 16 at a price no higher than $2.85 per ton and in Size Groups 19 and 20 at a price no higher than $2.80 per ton.

(c) This Order No. 19 may be revoked or amended by the Price Administrator at any time.

(d) All prayers of the petition not granted herein are denied.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

(f) This Order No. 19 shall become effective July 27, 1942.

Issued this 25th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7128; Filed, July 25, 1942; 12:18 p. m.]

[1] 7 F.R. 3168, 3447, 3901, 4336, 3432, 4404

[2] 7 F.R. 971, 3663

[Docket No. 3120–84]

GASTON COAL COMPANY

ORDER GRANTING EXCEPTION

Order No. 20 Under Maximum Price Regulation No. 120 [1]—Bituminous Coal Delivered from Mine or Preparation Plant.

On June 2, 1942, Gaston Coal Company, Alpoca, West Virginia filed a petition for adjustment or exception pursuant to § 1340.207 (a) of Maximum Price Regulation No. 120. Due consideration has been given to the petition and an opinion in support of this Order No. 20 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,[2] issued by the Office of Price Administration, it is hereby ordered:

(a) The Gaston Coal Company may sell and deliver, and agree, offer, solicit, and attempt to sell and deliver the sizes of bituminous coal produced at its Gaston No. 2 Mine (Mine Index No. 255), located in Wyoming County, West Virginia, District No. 7, set forth in paragraph (b) at prices not in excess of those stated therein. Any person may buy and receive, and agree, offer, solicit, and attempt to buy and receive such sizes of bituminous coal produced at the Gaston No. 2 Mine at such prices.

(b) On shipments other than by truck or wagon and other than on shipments for railroad fuel, the coals produced at the Gaston No. 2 Mine (Mine Index No. 255) of the Gaston Coal Company may be sold at prices not to exceed $3.00, $2.85, $2.80 and $2.75 per net ton f. o. b. the mine, in Size Groups 7, 8, 9 and 10, respectively.

(c) This Order No. 20 may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

(e) This Order No. 20 shall become effective July 27, 1942.

Issued this 25th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42–7129; Filed, July 25, 1942; 12:16 p. m.]

[Docket No. 1122–14–P]

MICHIGAN LIMESTONE AND CHEMICAL COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 7 Under Maximum Price Regulation No. 122 [1]—Solid Fuels Delivered From Facilities Other Than Producing Facilities—Dealers.

[1] 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059.

[2] 7 F.R. 971, 3663.

[1] 7 F.R. 3239, 3666, 3856, 3940, 3941, 5024.

On June 15, 1942, the Michigan Limestone and Chemical Company, Rogers City, Michigan filed a protest against the provisions of Maximum Price Regulation No. 122. The facts, however, justify treatment of the protest not only as such, but also as a petition for adjustment or exception, filed pursuant to § 1340.257a of this regulation and it is therefore being so treated in accordance with § 1300.33 of Procedural Regulation No. 1.[2] An opinion in support of this Order No. 7 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* For the reasons set forth in the opinion, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1, it is hereby ordered:

(a) Michigan Limestone and Chemical Company may sell and deliver, agree, offer, solicit and attempt to sell and deliver such kinds, sizes and qualities of solid fuels as are set forth in paragraph (b) below at prices not in excess of those stated therein. Any person may buy and receive, agree, offer, solicit, and attempt to buy and receive, such kinds, sizes and qualities of solid fuels at such prices from Michigan Limestone and Chemical Company.

(b) Maximum prices for the sale of the following kinds, sizes and qualities of solid fuels by Michigan Limestone and Chemical Company shall be the maximum prices determined in accordance with § 1340.261 of Maximum Price Regulation No. 122, plus not more than the following amounts per net ton:

(1) $1.00 per ton in the case of domestic coke;

(2) $2.28 per ton in the case of the chestnut size of anthracite.

Provided, That in the event of a decrease or decreases in the delivered cost to Michigan Limestone and Chemical Company of such domestic coke or such anthracite below $7.29 and $11.50 per net ton, respectively, then the maximum prices set forth in paragraph (b) above shall be reduced accordingly for application to sales of such coke or such anthracite purchased by it at such decreased prices.

(c) This Order No. 7 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.258 of Maximum Price Regulation No. 122 shall apply to terms used herein.

(e) This Order No. 7 shall become effective July 27, 1942.

Issued this 25th day of July 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-7127; Filed, July 25, 1942; 12:17 p. m.]

*Copies may be obtained from the Office of Price Administration.

[2] 7 F.R. 971, 3663.

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-297]

SIVYER STEEL CASTING COMPANY

ORDER GRANTING APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23d day of July, A. D. 1942.

The Sivyer Steel Casting Company pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder having made application to withdraw its Common Stock, No Par Value, from listing and registration on the Chicago Stock Exchange; and

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on August 3, 1942.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7100; Filed, July 24, 1942; 4:13 p. m.]

[File No. 812-281]

BANKERS NATIONAL INVESTMENT CORPORATION

NOTICE OF 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 23rd day of July, A. D. 1942.

Bankers National Investing Corporation, a registered investment company, has filed an application for an order under and pursuant to the provisions of section 17 (b) of the Investment Company Act of 1940 exempting from the provisions of section 17 (a) of said Act a proposed transaction involving the sale by applicant and the purchase by Beneficial Industrial Loan Corporation, an affiliated company, of stock issued by Beneficial Industrial Loan Corporation.

It is ordered, That a hearing on the aforesaid application be held on the 29th day of July, 1942 at 10 o'clock in the forenoon of that day in the hearing room of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise the interested parties where such hearing will be held.

It is further ordered, That Robert P. Reeder, Esquire, or any officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such application. The officer so designated to preside at any such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to the above named applicant and to any other person or persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7101; Filed, July 24, 1942; 4:13 p. m.]

[File No. 70-407]

TRUSTEES OF MIDLAND UTILITIES CO.

ORDER CONSENTING TO WITHDRAWAL OF APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 22d day of July, A. D. 1942.

In the matter of Clarence A. Southerland and J. Samuel Hartt, Successor Trustees of Midland Utilities Company.

The above named parties having heretofore on September 26, 1941, filed an application, pursuant to section 9 (a) (1) of the Public Utility Holding Company Act of 1935, concerned with the proposed acquisition of certain securities of Gary Railways Company, an Indiana corporation, Gary & Southern Traction Company, an Indiana corporation, Farina's Bus Line & Transportation Company, an Illinois corporation; a Notice of Filing of such application having been issued by this Commission on October 16, 1941; no person having requested the Commission in writing that a hearing be held on such matters; a telegraphic request having been received from a representative of applicant requesting that the effective date of said application be postponed by the Commission until further notice from applicant; a written request having now been received by the Commission representing that applicant no longer wishes to make such acquisitions and requesting that the Commission allow the withdrawal of such application;

It is ordered, That the request for the withdrawal of the above described application be, and the same hereby is, granted.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7102; Filed, July 24, 1942; 4:14 p. m.]

[File No. 70-579]

TRI-CITY UTILITIES COMPANY AND ASSOCIATED ELECTRIC COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its

office in the City of Philadelphia, Pa., on the 23rd day of July, A. D. 1942.

Notice is hereby given that a declaration and application have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Associated Electric Company, a registered holding company, and Tri-City Utilities Company, a wholly owned subsidiary of Associated Electric Company; and

Notice is further given that any interested person may, not later than August 7, 1942, at 5:30 p. m., E. W. T., request the Commission in writing that a hearing be held on such matters stating the reason for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration and application as filed, or as amended, may become effective and may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said Act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Eighteenth and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to the said declaration and application, which are on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized below:

Tri-City Utilities Company was organized on April 28, 1942, under the laws of the Commonwealth of Kentucky, to assist Associated Electric Company in the disposition of certain properties owned by it but which properties are to be disposed of in connection with an integration program of Associated Electric Company and its subsidiaries. Recently Tri-City Utilities Company sold certain water production and distribution properties to the City of Mayfield, Kentucky, which sale generated approximately $400,000. It is anticipated by Tri-City that from time to time it will effect further sales of properties or assets. In order to make distribution to its parent, Associated Electric Company, of the proceeds of such sales Tri-City Utilities Company proposes to reduce its capital stock from time to time through the purchase and retirement of common stock at its par value in amounts equal to the cash available for such purposes. The total capitalization of Tri-City Utilities Company consists of common stock.

Associated Electric Company indicates that is proposes to use the cash received from Tri-City Utilities Company for one or more of the following purposes:

(a) For the purchase of bonds of Associated Electric Company;

(b) For the purchase of bonds or stocks of subsidiaries:

(c) For advances or contributions to subsidiary companies;

(d) For such other purposes as may be deemed desirable.

The filing indicates that in the judgment of the applicant and declarant sections 9 (a), 12 (c), 12 (d) and Rules U-42 and U-43 are applicable to the proposed transactions.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7103; Filed, July 24, 1942; 4:14 p. m.]

[File Nos. 59-11, 59-17 and 54-25]

UNITED LIGHT AND POWER CO., ET AL.

ORDER PERMITTING DECLARATIONS TO BECOME EFFECTIVE AND GRANTING APPLICATIONS—APPLICATION NO. 12

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 22d day of July 1942.

In the matter of the United Light and Power Company, the United Light and Railways Company, Continental Gas & Electric Corporation, Columbus and Southern Ohio Electric Company, and Point Pleasant Water and Light Company.

The United Light and Power Company (Power), a registered holding company, The United Light and Railways Company (Railways) and Continental Gas & Electric Corporation (Continental), registered holding companies and subsidiaries of Power, Columbus and Southern Ohio Electric Company (Columbus), a subsidiary of Continental, and Point Pleasant Water and Light Company (Point Pleasant), a subsidiary of Columbus, having filed joint and several applications and declarations pursuant to the Public Utility Holding Company Act of 1935, particularly sections 10, 11, 12 (c), 12 (d) and 12 (f) thereof and Rules U-42, U-43, U-44, and U-46 thereunder, with respect to the following transactions:

1. Point Pleasant proposes to sell its electric utility assets to the Appalachian Electric Power Company, a subsidiary of the American Gas and Electric Company and a non-affiliate, for the consideration of $379,000 in cash, subject to adjustment for additions and retirements of property from October 31, 1941 to the date of closing.

2. Point Pleasant proposes, upon consummation of the sale and the payment of its debts and taxes, to liquidate by distributing its net assets to Columbus, which company will thereupon surrender for cancellation all of the outstanding stock of Point Pleasant, consisting of 2,039 shares of common stock with a par value of $100 per share.

3. Thereafter Point Pleasant will be dissolved in accordance with the laws of the State of West Virginia under which it was organized.

Said applications and declarations having been filed on June 1, 1942, and certain amendments having been filed thereto, the last of said amendments having been filed on July 16, 1942, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said declarations and applications within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

Said applicants and declarants having requested that the effective date of the applications and declarations be accelerated and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said applications and declarations to become effective, and that the effective date should be advanced, as requested, and finding with respect to said application under section 10 of the Act that the transactions have the tendency required by section 10 (c) (2) and that no adverse findings are necessary under section 10 (b) or 10 (c) (1); and

The Commission finding that the transactions described hereinabove are appropriate to effectuate the provisions of section 11 (b) of the Act and to comply with the applicable provisions of our order of August 5, 1941 issued pursuant to section 11 (b) (1) (Holding Company Act Release No. 2636).

It is hereby ordered, Pursuant to Rule U-23 of said Act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declarations, as amended, be, and they hereby are, permitted to become effective forthwith, and that the aforesaid applications, as amended, be, and they hereby are, granted forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7104; Filed, July 24, 1942; 4:15 p. m.]

[File No. 1-2884]

ALLEN ELECTRIC & EQUIPMENT COMPANY

ORDER SETTING HEARING ON APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23d day of July, A. D. 1942.

The Allen Electric & Equipment Company, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its Common Stock, $1 Par Value, from listing and registration on the Detroit Stock Exchange; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10 a. m. on Wednesday, August 19, 1942, at the office of the Securities and Exchange Commission, 1370 Ontario Street, Cleveland, Ohio, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That C. J. Odenweller, Jr., or any other officer or officers of the Commission named by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the case and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7113; Filed, July 25, 1942; 10:06 a. m.]

[File No. 70-577]

ILLINOIS IOWA POWER COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 23d day of July, A. D. 1942.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission by Illinois Iowa Power Company pursuant to the Public Utility Holding Company Act of 1935 and particularly sections 9 and 10 thereof. All interested persons are referred to said declaration or application which is on file in the office of said Commission for a statement of the transactions therein proposed which is summarized as follows:

Illinois Iowa Power Company proposes to acquire from time to time from the holders thereof at prices not exceeding $35.00 per share all or such part as it may be able to purchase of the 5,504 shares of 7% cumulative preferred stock, $50.00 par value per share, of Kewanee Public Service Company held by the public, such purchases to be made in the open market or as the result of tenders by holders of said shares.

The declaration or application states that the properties of Kewanee Public Service Company have been and are operated as part of the Northern Division of Illinois Iowa Power Company, and in proceedings (File No. 59-10) in regard to The North American Company and its Subsidiary Companies, respondents, pursuant to section 11 (b) (1) of the Act, the Commission issued its findings and opinion on April 14, 1942 in which it found that the electric properties of Kewanee Public Service Company and the electric properties of Illinois Iowa Power Company constitute a single integrated system within the meaning of the Act. Illinois Iowa Power Company desires to acquire the securities of Kewanee Public Service Company so that the properties of Kewanee may continue to be operated as part of the Illinois Iowa Power Company system.

Notice is further given that any interested person may, not later than August 11, 1942, at 5:30 P. M., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7114; Filed, July 25, 1942; 10:06 a. m.]

[File No. 7-674]

SALT LAKE STOCK EXCHANGE—NATIONAL TUNNEL & MINES CO.

ORDER SETTING HEARING ON APPLICATION TO EXTEND UNLISTED TRADING PRIVILEGES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23d day of July, A. D. 1942.

In the matter of Application of the Salt Lake Stock Exchange to extend unlisted trading privileges to National Tunnel & Mines Company, Common Capital Stock, No Par Value.

The Salt Lake Stock Exchange, pursuant to section 12 (f) of the Securities Exchange Act of 1934, and Rule X-12F-1 promulgated thereunder, having made application to the Commission to extend unlisted trading privileges to the abovementioned security; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10 a. m. on Friday, August 21, 1942, at the office of the Securities and Exchange Commission, 444 17th Street, Denver, Colorado, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That John L. Geraghty, or any other officer or officers of the Commission named by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-7115; Filed, July 25, 1942; 10:07 a. m.]