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The President

PROCLAMATION 2702

ENLARGING THE DESCHUTES NATIONAL FOREST—OREGON

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA
A PROCLAMATION

WHEREAS all lands in public ownership within the area hereinafter described are within six miles of the exterior boundaries of the Deschutes National Forest and have been found by the Secretary of Agriculture and the Secretary of the Interior to be chiefly valuable for national-forest purposes; and

WHEREAS it appears that the addition of such public lands to the said forest would be in the public interest; and

WHEREAS the addition of such lands to the said forest makes it desirable for administrative purposes to extend the exterior boundaries of the forest to include within such boundaries the private lands, as well as the public lands, within the said hereinafter-described area:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the power vested in me by the act of February 2, 1922, c. 46, 42 Stat. 362, as amended by the act of May 24, 1935, c. 140, 49 Stat. 288, do proclaim (1) that the exterior boundaries of the Deschutes National Forest, in Oregon, are hereby extended to include all lands within the following-described area, and (2) that all lands in public ownership within such area are hereby added to and reserved as a part of the said forest, subject to any valid existing claims in such lands:

WILLAMETTE MERIDIAN

- T. 11 S., R. 9 E., sec. 35 (unsurveyed).
- T. 18 S., R. 12 E., sec. 35, NW $\frac{1}{4}$ and SE $\frac{1}{4}$.
- T. 19 S., R. 12 E., sec. 1, SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$.
- T. 21 S., R. 14 E., sec. 3, SW $\frac{1}{4}$; sec. 10, NE $\frac{1}{4}$.
- T. 21 S., R. 15 E., sec. 34, NW $\frac{1}{4}$ NE $\frac{1}{4}$.
- T. 21 S., R. 16 E., sec. 31, SW $\frac{1}{4}$.
- T. 22 S., R. 15 E., sec. 2, SW $\frac{1}{4}$ SW $\frac{1}{4}$; sec. 10, N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$; sec. 21, NE $\frac{1}{4}$; sec. 22, all; sec. 23, N $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$; sec. 25, NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$; sec. 26, N $\frac{1}{2}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$; sec. 27, N $\frac{1}{2}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$.
- T. 22 S., R. 16 E., sec. 17, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$.
- T. 23 S., R. 15 E., sec. 1, NW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$; sec. 2, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$; sec. 10, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$; sec. 11, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$; sec. 12, W $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$; sec. 14, W $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$; sec. 16, all; sec. 21, E $\frac{1}{2}$; sec. 22, all; sec. 23, W $\frac{1}{2}$ SE $\frac{1}{4}$; sec. 24, SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$; sec. 25, N $\frac{1}{2}$, SW $\frac{1}{4}$; sec. 26, N $\frac{1}{2}$; sec. 27, N $\frac{1}{2}$; sec. 36, all.
- T. 23 S., R. 16 E., sec. 6, SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$; sec. 7, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$.

The reservation herein made shall not affect any claim, filing, or entry hitherto made and hereafter legally maintained, or any withdrawal of lands for public purposes, other than for classification or use as a stock driveway, so long as such withdrawal is needed for such public purposes.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 9th day of September in the year of our Lord nineteen hundred and [SEAL] forty-six and of the Independence of the United States of America the one hundred and seventy-first.

HARRY S. TRUMAN

By the President:

W. L. CLAYTON,
Acting Secretary of State.

[F. R. Doc. 46-16451; Filed, Sept. 10, 1946; 4:04 p. m.]

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TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

PART 44—STUDY AND RESEARCH IN THE DEPARTMENT

SEPTEMBER 5, 1946.

Under the authority contained in R. S. 161 (5 U. S. C. 22), and pursuant to 27 Stat. 395 (20 U. S. C. 91), Part 44 in toto of Title 22 of the Code of Federal Regulations is hereby superseded by the following regulation:

- Sec.
- 44.1 Use of records by officials of the United States Government.
 - 44.2 Use of records by persons who are not officials of the United States Government.
 - 44.3 Liberal interpretation of regulation.

AUTHORITY: §§ 44.1 to 44.3, inclusive, issued under R. S. 161 (5 U. S. C. 22); 27 Stat. 395 (20 U. S. C. 91).

§ 44.1 *Use of records by officials of the United States Government.* The use of the records of the Department by Government officials will be subject to such conditions as the chiefs of the appropriate policy divisions in the Department of State may deem it advisable to prescribe.

§ 44.2 *Use of records by persons who are not officials of the United States Government.* (a) The confidential or unpublished files and records of the Department prior to December 31, 1932 (with the exception of the Department's records concerning the Paris Peace Conference of 1919 and related subjects), or such subsequent date as may be fixed by the Department, may be made available for consultation to persons who are not officials of the United States Government, subject to the following conditions:

(1) Files which are in current use in the Department or which cannot be made public without the disclosure of confidences reposed in the Department or without adversely affecting the public interest will not be made available to inquirers.

(2) Papers received by the Department from a foreign government which have not been released for publication by that government will not be made available to inquirers without the consent of the government concerned. If there is reason to believe that a foreign government may be willing to permit the use of the papers in question under certain conditions, the permission may, at the discretion of the appropriate officials of the Department, be requested. If such permission is requested, the expenses of communicating with the foreign government (cost of telegrams, postage, et cetera) will be met by the person desiring to consult the papers.

(3) Permission to consult the records of the Department through the date fixed by the Department may be granted, subject to the limitations set forth in this regulation, to such persons as lawyers, publicists, historians, instructors, and professors in accredited colleges and universities and holders of the doctor's

degree (or its equivalent) in foreign relations or allied subjects from such colleges and universities: *Provided, That:*

(i) The applicants are authorities of recognized standing in the field to which the records relate and that they have an important and definite use for the information desired.

(ii) Requests for permission to consult material are definitely limited in scope and are confined to specific subjects or particular papers. Owing to a lack of personnel, the Department is not in a position to assemble large quantities of papers or extensive files for consultation by persons not officials of the Government.

(4) An application from an alien to consult the records of the Department under this regulation will be considered only if such application is accompanied by a letter from the head of the embassy or legation in Washington of the country of which the alien is a citizen, subject, or national. Such letter will show that the applicant is favorably known to the appropriate embassy or legation and that the mission is familiar with the purpose of the applicant's work.

(5) All applications to consult the original records of the Department of dates prior to the one fixed by the Department will be referred to the Chief of the Division of Research and Publication. If the Chief of the Division of Research and Publication is of the opinion that the applicant possesses the requisite qualifications as set forth in the regulations in this part, the applications will be handled as follows:

(i) Documents or papers previously released or published and unpublished papers clearly involving no question of policy, intelligence, or security may be made available to qualified applicants by the Chief of the Division of Research and Publication without reference to other officials.

(ii) Material or information bearing a security classification originating with another Government agency will not be made available for inspection unless specific approval is obtained from the agency of origin.

(iii) For requests for all other material, information, or documents, the Chief of the Division of Research and Publication will have assembled all of the relevant papers and files which the applicant desires to consult and will have them submitted to the chief of the policy division charged with the consideration of questions in the field which is the object of the research or inquiry.

(iv) If the chief of the policy division concerned determines that the applicant will be permitted to use all or part of the papers desired, he will inform the Chief of the Division of Research and Publication of the conditions under which the papers may be examined—that is, whether copies may be made of the relevant documents or whether only notes may be taken; whether the copies or notes may be published in whole or in part or used only for background information; or any other conditions which the chief of the policy division may deem it advisable to prescribe. This decision will

be final except in cases of unusual importance where the question may be referred to an Assistant Secretary of State or higher officer.

(v) Upon receiving the decision of the chief of the policy division setting forth the conditions deemed advisable and necessary to prescribe, the Chief of the Division of Research and Publication will arrange for the applicant to consult the files, subject to the conditions mentioned.

(vi) After the applicant has consulted the papers, he will submit to the Chief of the Division of Research and Publication all notes, copies of documents, and the like which he has made. The Chief of the Division of Research and Publication will refer these notes, copies, and the like, except those based on the documents or papers referred to in subdivision (i) of this subparagraph, to the chief of the policy division for examination if the chief of the policy division so desires.

(vii) The chief of the policy division may, after such examination, return the papers to the Chief of the Division of Research and Publication for transmittal to the applicant, or he may, at his discretion, retain the notes and refuse the applicant permission to use them.

(b) In order that the records of the Department may be made available as liberally as circumstances permit, the Department, each year, will give consideration to the situation then existing with a view to advancing the date fixed whenever such action is deemed possible.

§ 44.3 *Liberal interpretation of regulations.* The provisions of the regulations in this part are to be interpreted as liberally as possible. In this regard it is to be borne in mind that the further it is possible to go in the way of promoting legitimate historical research and the study of the foreign policy of the United States without violating the confidences necessary for the transaction of diplomatic affairs, the more likely the Department will be to receive the support and trust of the intelligent public.

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

[SEAL] W. L. CLAYTON,
Acting Secretary of State.

[F. R. Doc. 46-16445; Filed, Sept. 10, 1946; 1:48 p. m.]

PART 63—VISAS: DOCUMENTS REQUIRED OF ALIENS ENTERING THE UNITED STATES ON AIRSHIPS

- Sec.
- 63.51 Crews of aircraft.
 - 63.52 Passengers on aircraft.
 - 63.53 Effective date.

§ 63.51 *Crews of aircraft.* Aliens entering the United States as members of the crews of, or otherwise employed on, aircraft are to be documented in accordance with the regulations contained in 22 CFR 65.51 et seq.

§ 63.52 *Passengers on aircraft.* Aliens entering the United States as passengers on aircraft are to be documented in accordance with the regulations contained in 22 CFR 61.101 et seq.

§ 63.53 *Effective date.* Sections 63.51 to 63.53, inclusive, shall become effective on September 10, 1946.

[SEAL]

DEAN ACHESON,
Acting Secretary of State.

AUGUST 28, 1946.

Recommended: September 9, 1946.

DOUGLAS W. MCGREGOR,
Acting Attorney General.

[F. R. Doc. 46-16443; Filed, Sept. 10, 1946;
1:48 p. m.]

PART 65—VISAS: DOCUMENTS REQUIRED OF
ALIEN SEAMEN AND AIRMEN ENTERING
THE UNITED STATES

Sections 65.1-7 and 65.51 are hereby canceled, and the following regulations are issued in lieu thereof:

Sec.

65.51	Definitions.
65.52	Passports and visas required.
65.53	Exemptions, immigrant (resident) seamen or airmen.
65.54	Exemptions, nonimmigrant (nonresident) seamen or airmen.
65.55	Crew-list visas required.
65.56	Crew-list visas not required.
65.57	Refusal of crew-list visa.
65.58	Crew-list form.
65.59	Preparation of crew lists.
65.60	Form of crew-list visa.
65.61	Disposition of crew lists.
65.62	Effective date.

AUTHORITY: §§ 65.51 to 65.62, inclusive, issued under Reorganization Plan V (3 CFR, Cum. Supp. 1304) E. O. 4049, July 14, 1924; E. O. 8766, June 3, 1941; E. O. 9352, June 15, 1943; Proc. 2523, Nov. 14, 1941; 39 Stat. 874-879, 892-897; 40 Stat. 559, 1012-1013; 41 Stat. 981, 1008-9, 1217; 43 Stat. 153-169, 976; 45 Stat. 1551; 46 Stat. 41; 47 Stat. 67; 48 Stat. 456, 462-3; 50 Stat. 164; 53 Stat. 561; 54 Stat. 673-6, 1137, 1151-1152; 5 U. S. C. 133; 8 U. S. C. 101-2, 136-173, 180, 201-226, 451, 452, 458, 459, 501; 22 U. S. C. 223-226, 227; 48 U. S. C. 1232, 1238.

§ 65.51 *Definitions.* For the purposes of §§ 65.51 to 65.61 the term:

(a) "The act" means the Immigration Act, approved May 26, 1924, as amended.

(b) "Alien" means an individual who is not a native-born or naturalized citizen of the United States, but this definition shall not be held to include citizens of the islands under the jurisdiction of the United States.

(c) "Immigrant" means an alien who is not classifiable within any of the non-immigrant categories mentioned in section 3 of the act.

(d) "Nonimmigrant" means an alien who is classifiable within one or more of the categories mentioned in section 3 of the act.

(e) "Seaman" or "airman" means any alien whose occupation or calling as such is bona fide, and who is employed in any capacity on board any vessel or aircraft arriving in the United States from any place outside of the United States.

(f) "Passport" means a document of identity and nationality issued by the appropriate authorities of a recognized foreign government to which the bearer owes allegiance, identifying the bearer and stating his nationality or, in the case of an alien unable to obtain such a document, a travel document in the nature of a passport issued by a duly authorized

official and showing the bearer's identity and nationality.

(g) "Crew-list visa" means the stamp and notations placed by a consular officer on a list of seamen or airmen who are members of the crew of a vessel or aircraft proceeding to the United States.

(h) "Consular officer" means an officer of the Foreign Service of the United States (except a consular agent), authorized to act in a consular capacity at a diplomatic or consular office, the Executive Secretary of the Panama Canal or a shipping commissioner in the Canal Zone, the Governors of Guam and American Samoa, or such officers subordinate to them as they may authorize to issue crew-list visas.

(i) "Nonresident alien's border-crossing identification card" means a card issued to an alien, who is a native-born or naturalized citizen of Canada domiciled or residing therein, or a British subject domiciled or residing in Canada, showing that the bearer has been found to be entitled to apply for admission into the United States as a nonimmigrant.

(j) "Resident alien's border-crossing identification card" means a card issued to an alien, who is a lawful permanent resident of the United States, showing that the bearer has been found to be entitled to apply for admission into the United States as an immigrant.

(k) "An alien who is a lawful permanent resident of the United States" means an alien who has been lawfully admitted into the continental United States, the Virgin Islands, Puerto Rico, or Hawaii for permanent residence therein, and who has since such admission maintained his domicile in the United States; *Provided*, That this term shall not include Philippine citizens residing in Hawaii, who are not citizens of the United States, who entered Hawaii without an immigration visa, unless such Philippine citizens are declared to be nonquota immigrants under section 4 of the act, other than subdivisions (c) and (e) thereof.

(l) "Government vessel" or "government aircraft" means a vessel or aircraft owned and operated, or merely operated, directly by the Government of the United States in the public business with government personnel and not operated on a commercial or profit basis, or a foreign flag vessel or foreign aircraft owned and operated, or merely operated, directly by a recognized foreign government in its public business and by official personnel, and not operated for what would ordinarily be regarded as commercial purposes or for profit. This definition does not include vessels or aircraft which are merely government-controlled or subsidized.

(m) "United States" means the States, the territories of Alaska and Hawaii, the District of Columbia, Puerto Rico, and the Virgin Islands.

(n) "Continental United States" means the territory of the several States, the District of Columbia, and Alaska.

§ 65.52 *Passports and visas required.* Before a seaman or an airman may be admitted into the United States for any purpose he must present a valid passport that is unexpired at the time of his admission and that bears his photograph,

and a visa appropriate to his case, unless exempted from these requirements by these regulations.

Exemptions from these requirements stated herein are under two headings: exemptions, immigrant (resident) seamen or airmen; and exemptions, non-immigrant (non-resident) seamen or airmen.

§ 65.53 *Exemptions, immigrant (resident) seamen or airmen—(a) Passport and visa not required.* An alien seaman or airman who is a lawful permanent resident of the United States is not required to present a passport or a visa if arriving in the United States under the following circumstances:

(1) As a seaman or airman who is the holder of a resident alien's border-crossing identification card, and who is employed on vessels of United States, British, or Canadian registry, engaged solely in traffic on the Great Lakes and connecting waterways, or on aircraft traveling solely between the United States and Canada. (See § 61.202 (d) of this chapter.)

(2) As a passenger who is a shipwrecked or castaway seaman or airman rescued by, or transferred at sea to, a vessel or aircraft bound to a port in the United States.

(3) As a member of the crew of a vessel or aircraft who is in possession of a valid reentry permit.

(b) *Passport not required.* An alien seaman or airman who is a lawful permanent resident of the United States whose case does not fall within paragraph (a) of this section is not required to present a passport if arriving in the United States under the following circumstances:

(1) As a seaman or airman who has lost his passport, who is unable to obtain a replacement thereof, who is arriving as a member of the crew of a United States vessel or aircraft, or a United States-owned Panamanian flag vessel, and who presents evidence, when required, of having been examined for security by the United States Coast Guard; *Provided*, That this waiver of the passport requirement shall be valid only for a single entry of such seaman or airman, unless such waiver is extended by the Secretary of State.

(2) As a seaman or airman in whose case an individual waiver of the passport requirement has been granted by the Secretary of State, except that for a seaman or airman arriving at a port in the Virgin Islands, the Governor thereof may grant such waiver, and for a seaman or airman arriving at a port of the Canal Zone, the Governor thereof may grant such waiver; *Provided*, That such waivers may be granted only in cases of hardship in which the public security is not jeopardized.

(c) *Visa not required.* An alien seaman or airman who is a lawful permanent resident of the United States whose case does not fall within paragraph (a) of this section is not required to present a visa if arriving in the United States on a vessel or aircraft under the following circumstances:

(1) As a seaman or airman whose name is included in the visaed crew list

of the vessel or aircraft upon which he arrives.

(2) As a passenger who was a member of the crew of a United States vessel or aircraft which has been sold and delivered abroad when the contract of employment provides for the return of the crew or the laws of the United States provide for their return to a port in the United States.

(3) As a passenger who is returning to the United States in accordance with the terms of the articles of the vessel or aircraft on which he formerly served.

(4) As an alien (American) seaman who is a consular passenger, or is repatriated after and in accordance with the terms of his discharge in a foreign port before a consular officer, but who, for any reason, cannot be considered as serving as a seaman on the vessel on which he arrives at a port in the United States. (See § 61.203 (a), (b), and (c) of this chapter.)

§ 65.54 Exemptions, nonimmigrant (nonresident) seamen or airmen—(a) Passports and visas not required. An alien nonresident seaman or airman is not required to present a passport or a visa if arriving in the United States under the following circumstances:

(1) As an airman employed on an aircraft proceeding from one place to another in foreign contiguous territory and landing temporarily in the United States under emergency conditions. (See § 61.107 (u) of this chapter.)

(2) As a seaman or airman who is the holder of a nonresident alien's border-crossing identification card, and who is employed on vessels of United States, British, or Canadian registry, engaged solely in traffic on the Great Lakes and connecting waterways, or on aircraft traveling solely between the United States and Canada. (See § 61.109 (b) of this chapter.)

(b) **Passports not required.** A nonresident seaman or airman whose case does not fall within paragraph (a) of this section is not required to present a passport if arriving in the United States under the following circumstances:

(1) As a seaman or airman who has lost his passport, who is unable to obtain a replacement thereof, who is arriving in the United States as a member of the crew of a United States vessel or aircraft or a United States-owned Panamanian flag vessel, and who presents evidence, when required, of having been examined for security by the United States Coast Guard: *Provided*, That this waiver of the passport requirement shall be valid only for a single entry of such seaman or airman after the loss of his passport, unless such waiver is extended by the Secretary of State.

(2) As a seaman or airman in whose case an individual waiver of the passport requirement has been granted by the Secretary of State, except that for a seaman or airman arriving at a port in the Virgin Islands, the Governor thereof may grant such waiver, and for a seaman or airman arriving at a port of the Canal Zone, the Governor thereof may grant such waiver: *Provided*, That such waivers may be granted only in cases of hardship in which the public security is not jeopardized.

(c) **Visas not required.** A nonresident seaman or airman whose occupational status as such is found to be bona fide, entering a port of the United States solely in pursuit of his calling, but as a passenger on a vessel or aircraft and not as a member of the crew of the vessel or aircraft on which he arrives, may be admitted temporarily as a non-immigrant in the discretion of the Attorney General and under regulations prescribed by him. Such an alien must present a passport but not a visa, if he is arriving in the United States under the following circumstances:

(1) As a seaman or airman who was a member of the crew of an American vessel or aircraft, which has been sold and delivered abroad, when the contract of employment provides for the return of the crew or the laws of the United States provide for their return to an American port.

(2) As a seaman or airman who is returning to the United States in accordance with the terms of the articles of the outward voyage.

(3) As a shipwrecked or castaway seaman or airman rescued by, or transferred at sea to, a vessel or aircraft bound to a port in the United States. (In this case a passport will not be required for the first entry if the alien has lost his passport): *Provided*, That such a seaman or airman must agree to reship foreign or depart from the United States at the first available opportunity.

(4) As an alien (American) seaman who is a consular passenger, or is repatriated after, and in accordance with the terms of, his discharge in a foreign port before a consular officer, but who, for any reason, cannot be considered as serving as a seaman on the vessel on which he arrives at a port in the United States.

(5) As a shipwrecked or castaway seaman or airman, who was taken aboard a vessel or aircraft in a foreign port or place where no American consular officer was stationed, and who was brought to the United States as a passenger without touching at any port or place where such an officer was stationed: *Provided*, That such a seaman or airman must agree to reship foreign or depart from the United States at the first available opportunity.

(6) As a nonresident Canadian national, occupationally a seaman or airman, who is being sent forward to join a vessel or aircraft in a port of the United States, provided he presents a valid seaman's or airman's identification certificate issued by an appropriate Canadian Government agency.

§ 65.55 Crew-list visa required. (a) Except as otherwise provided in the regulations in this part, there shall be submitted to an American consular officer for visa a list of all the alien members of the crew of each vessel or aircraft proceeding to the United States from any foreign port or place from which the vessel or aircraft commences its voyage to the United States. No seaman or airman shall hereafter enter the United States as a member of the crew of a vessel or aircraft unless his name appears on a visaed crew list, or unless he is in pos-

session of an appropriate individual visa, except where the vessel or aircraft is exempted from the requirement of submitting a visaed crew list under §§ 65.51 to 65.62, inclusive.

(b) If there is no American consular officer stationed at the port or place from which the vessel or aircraft commences its voyage to the United States, but there is one stationed at a nearby port or place to whom the crew list may be submitted by mail, or by other means, for visa without delaying the departure of the vessel or aircraft, the crew list must be so submitted. If there is no American consular officer stationed nearby, the crew list must be submitted for visa at the first port or place of call where an American consular officer is stationed.

(c) A vessel or aircraft arriving at a port in the continental United States, Hawaii, Puerto Rico, or the Virgin Islands, after entering and clearing from a port or place in the Canal Zone for purposes other than transit, refueling, or landing passengers for medical treatment, shall be subject to all the crew-list visa requirements applicable to vessels or aircraft arriving in the United States from any foreign port or place.

(d) Supplemental crew-list visas should be obtained at subsequent ports or places of call to cover any additional seamen or airmen who have been signed on since the original or a prior supplemental crew-list visa was obtained.

(e) If one or more alien members of the crew are signed on after the crew list has been visaed and prior to the departure of the vessel or aircraft, the names of such aliens must be submitted to the consular officer for addition to the copies of the crew list.

§ 65.56 Crew-list visas not required. Crew-list visas are not required for the following classes of cases:

(a) Vessels or aircraft proceeding from a port or place where no American consular officer is stationed and it is not possible for such vessel or aircraft to comply with the conditions of § 65.55 (b).

(b) Government vessels or government aircraft.

(c) Vessels or aircraft operating between a port of the United States and a port of Canada or Newfoundland, and not touching at a port of any other country.

(d) Vessels or aircraft operating on a regular service exclusively between a port in Florida and Habana, Cuba, except that a new crew-list visa must be presented (1) to cover the first trip each month, and (2) at any other time during the month whenever a new crewman is signed on.

(e) A member of the crew of a vessel or aircraft who is in possession of an appropriate individual visa or a reentry permit.

(f) A member of the crew of a vessel or aircraft in whose individual case an emergency waiver of the crew-list visa requirements has been granted by the Secretary of State.

(g) A vessel or aircraft proceeding from one foreign place to another, which is diverted from its course under emergency conditions and enters a port of the United States, provided the crew-list visa

requirement is waived by the Secretary of State.

§ 65.57 *Refusal of crew-list visa.* (a) If a consular officer has definite knowledge that a crew list contains the name of an alien who is not a seaman or airman, or whose admission into the United States would be contrary to the public safety, or who is endeavoring to enter the United States in evasion of the immigration laws, the crew-list visa shall be withheld until the name of such alien has been removed from the crew list of the vessel or aircraft, or until such alien, if admissible into the United States, shall have made application for and received an appropriate individual visa.

(b) If a consular officer has doubt as to the admissibility into the United States of an alien named in a crew list, but the evidence is not sufficient to warrant the refusal of a visa, he should advise the master, commanding officer, or agent of the vessel or aircraft that the admissibility of the seaman or airman into the United States is doubtful. If the name of the alien concerned is not removed from the crew list, the consular officer may grant the visa, telegraphing a report to the Department and including in such report the name of the suspected alien and the facts on which the doubt is based.

(c) When a crew-list visa is refused in any case, a full report should be forwarded by the consular officer to the Department in sufficient time to reach the United States before the arrival of the vessel or aircraft. The original of the crew list may be returned to the master, commanding officer, or agent, but the duplicate should be filed in the consular office.

(d) Unless there is specific evidence that a previously deported alien, or removed alien (that is, an alien previously removed from the United States under the authority and provisions of section 23 of the act of February 5, 1917, as amended), included in a crew list intends to leave the vessel or aircraft in evasion of the law, in a port or place under the jurisdiction of the United States, the crew-list visa should not be refused. However in the cases of seamen, a notation (preferably in red ink) of the fact of the previous deportation or removal should be placed in the remarks column of the crew list after the name of the deportee or removed alien, and in the cases of airmen such notation may be made in an appropriate place on the aircraft crew list. The master, commanding officer, or agent of the vessel or aircraft should be informed that such an alien may not be admitted by the immigration authorities after the vessel or aircraft arrives in the United States.

(e) If the fact of deportation or removal has been discovered after the crew list has been visaed and the crew list does not, therefore, carry an appropriate notation in the remarks column, the Department should be immediately informed by telegraph or airmail.

§ 65.58 *Crew-list form.* (a) Crew lists or manifests of aliens employed on vessels as members of the crew shall be prepared in duplicate on Department of Justice Form I-480, or such other form

as the Department of Justice may prescribe. Masters or agents of vessels will ordinarily have a supply of crew-list forms, which they may purchase in the United States from collectors of customs, but consular offices having a possible demand for such forms will keep a supply on hand from which they may furnish copies in an emergency. Consular officers may obtain copies from the Department upon requisition.

(b) In view of the limited number of persons composing the crews of aircraft, and for other reasons, the crew lists or declarations of aircraft commanders covering the aliens employed on the aircraft shall be prepared on such form as the Commissioner of Immigration and Naturalization may prescribe or approve.

(c) No form of application for a crew-list visa shall be required other than the presentation of the complete crew list and all necessary information with respect thereto.

§ 65.59 *Preparation of crew lists.* (a) All entries on the crew lists of both vessels and aircraft shall be made in the English language. Bilingual or multilingual entries may be made if one of the languages is English. All entries on both copies shall preferably be printed in ink or typewritten; however, script copies may be accepted by the consular officer. The name of every member of the crew, citizens and nationals of the United States as well as aliens, should be included in the crew list. Citizens and nationals of the United States and alien immigrant seamen or immigrant airmen who are in possession of immigration visas, or reentry permits, or who are admitted under section 13 (b) of the act of 1924, as amended are not considered as being documented as nonimmigrant aliens, even if their names are included in a crew list which has been visaed. (E. O. 9352, Part III, June 15, 1943)

(b) There shall be inserted before the name of each seaman who is an alien, and who was not employed on the vessel on its last preceding trip to the United States the word "first." In addition the initials "PE" (meaning "Previous Experience") should be inserted immediately after the word "first" in the cases of seamen proceeding to the United States on their first trip on a vessel to which they have been transferred from another vessel of the same company. The neglect, failure, or refusal of the owner, agent, consignee, master, or other responsible person to comply with this requirement may constitute a violation of section 36 of the Act of February 5, 1917, and such persons should be so informed by consular officers, but a failure to warn them will not relieve them of liability.

(c) If a crew list is prepared on more than one page, the pages should be securely fastened together with eyelets in the upper left corner and tied by ribbon inserted through the eyelets. The ends of the ribbon should be brought through a slit cut in the last page and fastened to the page opposite the visa stamp by a wafer seal on which the impression seal of the consular office should be placed. The consular impression seal should be placed on all other pages in the lower

right corner. The pages should be properly numbered.

(d) In order to facilitate the handling of the crew list of a large vessel, a consular officer is authorized to separate a crew list containing 400 or more names into four separate sections. The separate sections should correspond to the following departments of the crew of the vessel: (1) Deck Department, (2) Engine Department, (3) Catering Department, and (4) Armed Guard. The crew-list visa should be placed on the last page of the last section of the crew list. Each section of the crew list should be closed in such a manner as to prevent any additions to the list after the visa has been granted with the words "I. Deck Department, (or II. Engine Department, III. Catering Department, or IV. Armed Guard), Containing ----- members of crew". The final section of the crew list should further carry the words "Crew list in four parties: Total members ----".

(e) If the name or names of seamen or airmen submitted as signed on after the crew list was visaed are in substitution for other members of the crew, the names of the latter seamen or airmen should be stricken from the list with pen and ink and the initials of the consular officer should be placed on the line opposite the names deleted. If there should not be sufficient time in which to complete an investigation of the seamen or airmen, the consular officer should not delay the vessel or aircraft, but may authorize the addition of such names to the crew list and telegraph the Department regarding any such alien in whose case investigation discloses information indicating a mala fide seaman or airman, or other grounds for exclusion at the port of entry.

(f) If the additional members of the crew are signed on in an emergency under circumstances which make it impossible to submit the names to the consular officer before sailing, the facts should be reported at the first port of call at which an American consular officer is stationed. The latter officer may issue a supplemental crew-list visa covering the members of the crew in question if satisfied regarding their bona fides. He should communicate with the consular officer at the port of shipment, before the visa is granted if time permits, and request information concerning the seamen or airmen in order that the Department may be advised regarding those whose status may be in doubt. The consular officer first discovering the doubtful status of the members of the crew should report the facts to the Department and advise the other officer that he has done so.

§ 65.60 *Form of crew-list visa.* The passport visa stamp should be affixed, signed, and sealed, and the clauses concerning the period of validity of the visa should be struck out, as a crew-list visa is valid for only one entry. The visa should be shown as granted under section 3 (5) of the Immigration Act of 1924, and the notation "seamen" or "airmen" should be entered on the classification line below. The visa should be placed on the crew list in such a manner as to prevent any addition being made

to the list after the visa has been granted. The words "Closed with ---- members of crew" should be written at the end of the crew list and just ahead of the visa.

(a) *Numbering, fees, and fee stamps.* Crew-list visas need not be numbered. The fee for visaing a crew list is \$2.00, as prescribed by Item No. 7 of the Tariff of United States Foreign Service Fees. No fee should be charged for a crew-list visa issued to a United States vessel or aircraft or for supplemental visa issued to any vessel or aircraft. Fee stamps in the prescribed amount will be placed on the visa and canceled.

§ 65.61 *Disposition of crew list.* After the crew-list visa has been granted or refused, the original copy of the crew list should be returned to the master, commanding officer, or agent of the vessel or aircraft for delivery to the appropriate authorities at the first port or place of arrival in the United States. The crew list on Form I-480 or other prescribed form is for ultimate delivery to the immigration authorities in the United States. The duplicate copy of Form I-480 or other prescribed form should be filed in the consular office and should bear appropriate notations to identify the service, its date, fee, and fee number.

§ 65.62 *Effective date.* Sections 65.51 to 65.62, inclusive, shall become effective on September 10, 1946.

[SEAL] DEAN ACHESON,
Acting Secretary of State.

AUGUST 28, 1946.

Recommended: September 9, 1946.

DOUGLAS W. MCGREGOR,
Acting Attorney General.

[F. R. Doc. 46-16444; Filed, Sept. 10, 1946;
1:48 p. m.]

TITLE 24—HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Priorities Reg. 5, Amdt. 1]

PART 803—PRIORITIES REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

Section 803.5, Housing Expediter Priorities Regulation 5, is amended in the following respects:

1. Subparagraph (c) (1) (vi) is amended to read as follows:

(vi) A person who wishes authorization to make repairs or alterations to dwelling accommodations in order to maintain them in a habitable condition or to return them to a habitable condition, or to provide space for additional persons who are veterans or members of the immediate family of the applicant: *Provided*, That the estimated cost of the construction to provide such additional space for any such person shall not exceed \$1,500. Priorities assistance will be granted under this subparagraph only for emergency plumbing and heating repairs as explained in (a) below or for general repairs as explained in (b) below.

(a) Priorities assistance will be granted for the delivery of plumbing and heat-

ing supplies listed in Schedule A to CPA Priorities Regulation 33 to make emergency repairs to a dwelling rendered uninhabitable by the failure of plumbing or heating facilities to function, if it is not possible to make the facilities function without such supplies. A dwelling will be considered uninhabitable only if continued occupancy would constitute a threat to the health or safety of the occupant. The estimated total cost of supplies for which priorities assistance is approved on an application under this subdivision (a) may not exceed \$200 (or \$500 in the case of such supplies to repair a building designed for occupancy by six or more families).

(b) Priorities assistance will be granted for any repairs necessary to return a dwelling to a habitable condition which has been vacant for at least six months for lack of such repairs, and in such cases the dwellings repaired shall be subject to the same limitations and restrictions as provided for dwellings approved under paragraph (c) (1) (ii) of this section.

2. Subparagraph (c) (2) is amended by inserting the following after the words "NHA Form 14-56" in the first sentence: "(or on NHA Form 14-92 in cases of applications for priorities assistance for emergency plumbing and heating repairs under subparagraph (c) (1) (vi))."

This amendment shall become effective October 1, 1946.

(Pub. Law 388, 79th Cong.; Pub. Law 507, 77th Cong., as amended; CPA Directive 42 (11 F. R. 9514))

Issued this 10th day of September 1946.

WILSON W. WYATT,
Housing Expediter.

[F. R. Doc. 46-16478; Filed, Sept. 10, 1946;
4:52 p. m.]

Chapter IX—National Capital Housing Authority

PART 901—ORGANIZATION

- Sec. 901.1 Creation and authority.
- 901.2 General purpose and functions.
- 901.11 Central offices.
- 901.12 Office of the Executive Officer.
- 901.13 Administration Division.
- 901.14 Operations Division.

§ 901.1 *Creation and authority.* The National Capital Housing Authority was established by the District of Columbia Alley Dwelling Act approved June 12, 1934 (48 Stat. 930), amended by subsequent acts approved June 25, 1938 (52 Stat. 1186) Title 5, D. C. Code 1940, sec. 103 and the District of Columbia Redevelopment Act of 1945, Public Law, 592, 79th Congress, approved August 2, 1946. The agency of the Government to carry out the provisions of the act was designated in the legislation as "the Authority". It was given the name of "The Alley Dwelling Authority" in Executive Order 6868, of October 9, 1934; this order designated two officers of the Federal Government and one officer of the District of Columbia Government to serve, ex officio, as the Authority. The order also directed the Authority to appoint

an executive officer, who would act as secretary, and to prescribe his duties and responsibilities. Changes in the membership of the Authority were authorized by Executive Order 7784-A of January 5, 1938, and Executive Order 8033 of January 11, 1939. The name of the Authority was changed from "The Alley Dwelling Authority" to the "National Capital Housing Authority" by Executive Order 9344, May 21, 1943, 8 F. R. 6805. The Authority consists of the Chairman of the Board of Commissioners of the District of Columbia, the Architect of the Capitol, and the Director of Planning of the National Capital Park and Planning Commission. The members of the Authority elect annually a chairman and a vice-chairman of the Authority.

§ 901.2 *General purpose and functions.* The general purposes of the Authority are to eliminate communities in the inhabited alleys and sub-standard housing conditions in the District of Columbia and to provide public low-rent housing to prevent a shortage of an adequate supply of decent, safe, adequate and sanitary dwellings for families of low income in the District of Columbia. The Authority serves as the public housing agency for the national capital. The program of the original Alley Dwelling Act was greatly enlarged by the Authority's participation under the United States Housing Act of 1937, 50 Stat. 897, which provides Federal aid on a Nation-wide basis for low-rent housing for persons whose incomes are too low to cause private enterprise to provide such housing. Under the District of Columbia Redevelopment Act of 1945, Public Law 592, 79th Congress, approved August 2, 1946, the Authority is designated as a public redevelopment company to aid in the development of blighted areas in the District of Columbia only in the event private enterprise shall not be reasonably available for such development.

(b) The Authority manages housing built by it and by other agencies for occupancy by low-income families. During the war emergency Congress provided for defense housing under Public Law 781, 76th Congress, 54 Stat. 872, Public Law 671, 76th Congress, 54 Stat. 681, 42 U. S. C. 1501, and Public Law 849, 76th Congress 42 U. S. C. 1521. The Authority has been designated at various times as an agent of the President, of the Federal Works Administrator and of the Federal Public Housing Authority to provide and manage permanent and temporary housing for essential war workers and veterans in the District of Columbia and in Prince Georges County and Montgomery County, Maryland, adjacent to the District of Columbia; any vacancies in the war housing are made available by the Authority to the families of distressed veterans and of men who are absent in military service.

(c) The housing management operations of the Authority include establishment of rent and income schedules, selection of tenants from among qualified applicants, execution of leases and of subsequent rent adjustments, collection and deposit of rents and service charges, maintenance of buildings, grounds and equipment and examinations of tenants

to ascertain eligibility for continued occupancy.

§ 901.11 *Central offices.* The central offices of the National Capital Housing Authority are located at 1737 L Street NW., Washington, D. C. By inquiry at these offices, members of the public may obtain authorized information with respect to forms and procedures affecting members of the public and the locations of the various offices of property managers and other sub-offices of the Authority.

§ 901.12 *Office of the Executive Officer.* The Executive Officer is the secretary of the Authority, chief of its staff, and principal representative of the Authority in all official contacts, except on such specific occasions when the Authority is required by law or by public policy to take such official actions or make such official contacts as the necessity of a particular occasion may require. The Executive Officer acts in an executive and ministerial capacity for the Authority. The office of the Executive Officer includes the office of the General Counsel and the Budget Office of the Authority.

§ 901.13 *Administration Division.* The Administrative Officer is chief of the Administration Division, and is principal assistant to the Executive Officer for purposes of general internal administration; and acts for the Executive Officer in the absence of the latter.

§ 901.14 *Operations Division.* The Deputy in Charge of Operations is chief of the Operations Division, and is principal assistant to the Executive Officer in all phases of project development, property management, and property maintenance.

PART 902—PROCEDURES

§ 902.1 *Applications for housing accommodations.* Information and office forms required by members of the public who wish to make application for housing accommodations and to become tenants of the Authority, are available at the central offices of the Authority, 1737 L Street NW., Washington, D. C., on Mondays through Fridays, from 8:30 a. m. to 5:15 p. m., except on legal holidays and on other days declared to be nonwork days in the Federal service.

§ 902.2 *Property management offices.* The Authority maintains property management offices under the direction of the Deputy in Charge of Operations at various locations in or near the various housing properties under the management of the Authority. The list of the properties and property management offices is in the central offices of the Authority, 1737 L Street NW., Washington, D. C. The properties at each location are under the direction of a Property Manager who is immediately responsible for operation, management and maintenance.

[SEAL] JOHN IHLDER,
Executive Officer.

SEPTEMBER 10, 1946.

[F. R. Doc. 46-16447; Filed, Sept. 10, 1946;
8:08 p. m.]

TITLE 26—INTERNAL REVENUE

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

PART 601—PROCEDURE

ALCOHOL TAX UNIT

NOTE: In § 601.8 *Alcohol Tax Unit—*
(a) *General* (3) *Previously published rules*, appearing at 11 F. R. 117A-53, the blank references should be completed as follows: Treasury Decision 5535, 11 F. R. 9993.

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service, Department of the Treasury

Subchapter A—Bureau of Accounts

PART 202—DEPOSIT OF PUBLIC MONEYS AND PAYMENT OF GOVERNMENT CHECKS (REVISED)

COLLATERAL SECURITY FOR DEPOSITS

SEPTEMBER 9, 1946.

Section 202.20 of Part 202, Subchapter A, Chapter II, Title 31 of the Code of Federal Regulations of the United States of America, 31 CFR, 1945 Supp., 202.20 (appearing also as section 20 of Treasury Department Circular No. 176, Revised, dated December 21, 1945), is hereby amended by deleting paragraph (c), and substituting in lieu thereof the following paragraph (c), and by adding to that section new paragraphs (e) and (f) as follows:

§ 202.20 *Collateral security for deposits.* * * *

(c) Bonds of the Federal Land Banks, obligations of the Federal Intermediate Credit Banks, obligations of the Federal Home Loan Banks, obligations of the Federal National Mortgage Association, and bonds of Puerto Rico; all at face value.

(e) Bonds and certificates of indebtedness of the Philippine Islands, issued prior to May 1, 1934, under authority of acts of Congress of the United States, all at market value, not to exceed face value.

(f) Obligations issued or guaranteed by the International Bank for Reconstruction and Development, all at face value.

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

[F. R. Doc. 46-16477; Filed, Sept. 10, 1946;
4:21 p. m.]

PART 203—SPECIAL DEPOSITS OF PUBLIC MONEYS UNDER THE ACT OF CONGRESS APPROVED SEPTEMBER 24, 1917, AS AMENDED

PLEDGES OF COLLATERAL SECURITY

SEPTEMBER 9, 1946.

Section 203.7 of Part 203, Subchapter A, Chapter II, Title 31 of the Code of Federal Regulations of the United States of America, 31 CFR, 1943 Supp., 203.7 (appearing also as paragraph 7 of Treas-

ury Department Circular No. 92, Revised, dated December 15, 1943), is hereby amended by deleting paragraph (d), and substituting in lieu thereof the following paragraph (d), and by adding to that section a new paragraph (j) as follows:

§ 203.7 *Special depositaries must pledge collateral security before receiving deposits; acceptable securities.* * * *

(d) *Philippine Islands, Insular, and Territorial Government Securities.* Bonds and certificates of indebtedness of the Philippine Islands, issued prior to May 1, 1934, under authority of Acts of Congress of the United States, bonds of Puerto Rico and bonds of the Territory of Hawaii, all at market value, not to exceed face value.

(j) *Obligations of the International Bank for Reconstruction and Development.* Obligations issued or guaranteed by the International Bank for Reconstruction and Development, all at face value.

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

[F. R. Doc. 46-16476; Filed, Sept. 10, 1946;
4:21 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Office of International Trade, Department of Commerce

Subchapter B—Export Control

[Amdt. 242]

PART 801—GENERAL REGULATIONS

REFUNDS OF SUBSIDY PAYMENTS

Section 801.16 *Refunds of subsidy payments* is hereby amended to read as follows:

§ 801.16 *Refunds of subsidy payments.*

(a) No person shall export any of the types or varieties of food commodities set forth in paragraph (c) of this section of a value in excess of \$10 to any destination other than Hawaii, Alaska, the Virgin Islands (U. S.) or Puerto Rico; or any of the types or varieties of food commodities set forth in paragraph (d) of this section of a value in excess of \$10 to any destination other than Hawaii, Alaska, the Philippine Islands, the Virgin Islands (U. S.) or Puerto Rico, unless:

There is presented to the Collector of Customs at the port of exit a Certificate of Subsidy Clearance issued by the Department of Agriculture or Commodity Credit Corporation, which shall indicate (1) that any subsidy payments have been refunded in the amount, with respect to varieties, grade and size specified in paragraphs (c) and (d) of this section; or (2) that no refund of subsidy payments is required for the particular shipment; or (3) that refund of any subsidy payments has been waived for the particular shipment.

(b) Application for a Certificate of Subsidy Clearance relating to the commodities set forth in paragraphs (c) and (d) of this section shall be submitted to the Department of Agriculture or other

appropriate agency on such form or forms and in such manner as may be prescribed by the Department of Agriculture.

(c) Schedule of refunds to be made by exporters of processed prunes and processed raisins.

PROCESSED RAISINS, 1943, 1944, AND 1945 CROPS

Type and variety of standard quality raisins	Refund per ton (2,000 pounds)		
	1943	1944	1945
Natural Thompson Seedless	\$53.95	\$78.16	\$85.99
Seeded Muscat	75.13	107.26	116.26
Loose Muscat	65.93	95.47	
Valencia Type or Dehydrated Seeded Muscat			118.49
Sultana	55.79	82.93	90.84
Golden Bleached, Choice Color Thompson Seedless	54.03	78.39	106.68
Golden Bleached, Ex. Choice Color Thompson Seedless		79.48	105.25
Golden Bleached, Fancy Color Thompson Seedless		78.18	106.19
Sulfur Bleached Thompson Seedless		78.99	107.14
Soda Dipped Thompson Seedless		78.06	85.26

PROCESSED PRUNES, 1943, 1944, AND 1945 CROPS

CALIFORNIA THREE DISTRICT

Grade size group	Packed point ¹	Refund per ton (2,000 pounds)		
		1943	1944	1945
15/20	20	\$49.54	\$75.10	\$59.40
18/24	24	49.55	75.12	59.50
20/30	29	49.57	75.13	59.64
30/40	39	49.14	74.23	59.16
40/50	49	49.16	74.26	59.41
50/60	59	49.18	74.28	59.66
60/70	69	49.20	74.32	59.93
70/80	79	49.22	74.34	60.17
80/90	89	49.24	74.38	60.44
90/100	99	49.26	74.39	60.66
100/120	119	49.30	74.45	60.99

CALIFORNIA OUTSIDE DISTRICT AND NORTHWEST FRENCH

Grade size group	Packed point ¹	1943	1944	1945
15/20	20	\$49.54	\$75.11	\$59.52
18/24	24	49.56	75.12	59.61
20/30	29	49.57	75.13	59.75
30/40	39	49.15	74.24	59.27
40/50	49	49.17	74.27	59.53
50/60	59	49.20	74.30	59.78
60/70	69	49.21	74.33	60.04
70/80	79	49.23	74.37	60.31
80/90	89	49.25	74.39	60.55
90/100	99	49.26	74.41	60.78
100/120	119	49.30	74.47	61.02

NORTHWEST ITALIAN

Grade size group	Packed point ¹	1943	1944	1945
15/20	20	\$54.85	\$78.88	\$63.07
18/24	24	54.80	78.83	63.11
20/30	29	54.72	78.75	63.15
30/40	39	57.07	81.08	65.70
35/45	44		80.94	65.67
40/50	49	56.77	80.79	65.64
50/60	59	56.46	80.50	65.58
60/70	69	56.17	80.21	65.52
70/80	79	55.87	79.93	65.48
80/90	89	55.57	79.63	65.41
90/100	99	55.29	79.36	65.35
100/120	119	54.75	78.84	65.01

¹ The refund for prunes having a packed point falling between any 2 packs shown in this schedule will be that shown for higher of such packed points. Example: The refund for California Three District prunes of the 1945 crop with a packed point of 37 will be the refund for prunes with a packed point of 39, or \$59.16 per ton.

(d) Schedule of refunds to be made by exporters of soybean oil.

Commodity	Refund per pound
Crude soybean oil	\$0.0375
Refined soybean oil	.04

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; Pub. Law

389, 79th Congress; E. O. 8900, 6 F. R. 4795; E. O. 9361, 8 F. R. 9861; Order No. 1, 8 F. R. 9938; E. O. 9380, 8 F. R. 13081; E. O. 9630, 10 F. R. 12245; Order No. 390, 10 F. R. 13130)

Dated: September 6, 1946.

JOHN C. BORTON,
Director,

Requirements and Supply Branch.

[F. R. Doc. 46-16398; Filed, Sept. 10, 1946; 10:59 a. m.]

[Amdt. 240]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is amended as follows:

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

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

Dept. of Comm. Sched. B No.	Commodity	Unit	GLV dollar value limits country group	
			K	E.
240400	Clover seed mixtures.	Pound	25	25

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

Dept. of Comm. Sched. B No.	Commodity
	Dried and evaporated fruits (include dri-pack in tins):
132100	Dried fruits for salad.
132400	Raisins and currants.
132300	Prunes.
133005	Figs.
133100	Dates, fresh, dried or otherwise prepared.
545300	Asbestos paper, millboard, and roll board.
545400	Asbestos pipe covering and cement.
545915	Asbestos sheets.
	<i>Except:</i>
	Asbestos cement sheets 1/4" thick and under, other than electrical or insulating.
	Asbestos manufactures, n. e. s.:
545998	Baseboard panels, lumber, Miami tile, ridge roll, transit baseboard panels, wall board (chief value asbestos) and wood.
608690	Woven-wire screen cloth (other than insect) of all metals and alloys.
	<i>Except:</i>
	Plastiscreen.

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

This amendment shall become effective immediately except that with respect to commodities added to the list of commodities it shall become effective September 18, 1946.

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

Dated: September 6, 1946.

JOHN C. BORTON,
Director,

Requirements and Supply Branch.

[F. R. Doc. 46-16396; Filed, Sept. 10, 1946; 11:00 a. m.]

[Amdt. 243]

PART 802—GENERAL LICENSES

GENERAL IN TRANSIT LICENSE

Section 802.9 *General in transit license "GIT"* is hereby amended to read as follows:

§ 802.9 *General in transit license "GIT"*—(a) *General provisions.* There is hereby granted a general license designated "GIT" authorizing, subject to the other provisions of this section, the exportation from the United States of shipments of commodities moving in transit through the United States for which no formal or informal consumption entry has been made at a United States Customhouse, which originate in and are destined to any foreign country except Germany and Japan.

(b) *Excepted commodity list.* The following commodities may not be exported to any destinations under this general license:

Commodity	Schedule B No.	Schedule B No.
Monasite sands	664598	680
Thorium metals and alloys	664598	685
Uranium ores and concentrates	664598	680
Radium metal, radium content	664950	686
Polonium metal	664958	686
Radium salts and compounds for medical use (state radium content)	813590	810
Radon (radium emanations)	813590	810
Actinium-bearing salts and compounds	839900	830
Beryllium salts and compounds including beryllium carbonate and beryllium oxide	839900	830
Chemicals containing artificial radioactive isotopes	839900	830
Polonium-bearing salts and compounds	839900	830
Radium ore concentrates	839900	830
Radium salts and compounds (state radium content)	839900	830
Thorium salts and compounds, including thorium oxide and thorium nitrate	839900	830
Uranium acetate	839900	830
Uranium salts and compounds	839900	830
Motor trucks, busses, and chassis (new) ¹	7901-790500	780
Passenger cars and chassis (new) ¹	790700-791000	783
Passenger cars and chassis (second hand) ¹	791100	783

¹ Such commodities, if not manufactured in the United States, may move in transit through the United States under this general license and may move from the Republic of Panama in transit through the Panama Canal Zone whether or not manufactured in the United States.

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

Dated: September 6, 1946.

JOHN C. BORTON,
Director,
Requirements and Supply Branch.
[F. R. Doc. 46-16399; Filed, Sept. 10, 1946;
10:59 a. m.]

[Amdt. 241]

PART 801—GENERAL REGULATIONS
PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is amended as follows:

In the list of commodities set forth in paragraph (b) the description of the commodities classified under Schedule B No. 391800 is amended to read as follows:

Dept. of Comm. Sched. B No.	Commodity
391800	Waterproof outer garments of cotton and part cotton only.

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

Dated: September 6, 1946.

JOHN C. BORTON,
Director,
Requirements and Supply Branch.
[F. R. Doc. 46-16397; Filed, Sept. 10, 1946;
10:59 a. m.]

Chapter IX—Civilian Production Administration

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

Chapter IX—Civilian Production Administration

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

[Priorities Reg. 33, Direction 1A, as Amended September 11, 1946]

SOFTWOOD PLYWOOD

The fulfilment of requirements for the defense of the United States has created a shortage in the supply of softwood plywood for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

(a) *What this direction does.* This direction provides that the manufacturers of softwood plywood shall produce a percentage of their total production in construction and door panel grades and reserve a percentage of those grades for certified orders from prefabricators, distributors, cabinet manufacturers, door manufacturers, house trailer manufacturers and housing contractors. It

provides that the construction and door plywood delivered on certified orders and the product into which it is incorporated, may only be sold in accordance with the applicable regulations under which priorities assistance is granted.

(b) *Definitions for the purpose of this direction.* (1) "Softwood plywood" means laminated veneers of any species of softwood united with a bonding agent to produce board.

(2) "Construction plywood" means plywood of one or more softwood panels, 12 feet and shorter and without external sealer treatment of the following grades: Interior (moisture resistant) type as follows: $\frac{1}{4}$ " sanded or $\frac{5}{16}$ " unsanded wallboard; $\frac{3}{8}$ " sanded or $\frac{5}{16}$ " unsanded wallboard; $\frac{1}{4}$ " sanded or $\frac{5}{16}$ " unsanded sound one side plypanel; $\frac{3}{8}$ " sanded or $\frac{5}{16}$ " unsanded sound one side plypanel; $\frac{5}{16}$ " sheathing; $\frac{3}{8}$ " sheathing; $\frac{1}{2}$ " sheathing and $\frac{5}{8}$ " sheathing; and Exterior type $\frac{1}{4}$ " sanded or $\frac{5}{16}$ " unsanded sound one side plypanel and $\frac{3}{8}$ " sanded or $\frac{5}{16}$ " unsanded sound one side plypanel.

(3) "Door plywood" means softwood plywood, Interior (moisture resistant) and Exterior type without external sealer treatment of $\frac{1}{4}$ " sound two sides door plypanel.

(4) "Plywood manufacturer" means a person engaged in the manufacture of softwood plywood.

(5) "Prefabricator" means a person engaged in the manufacture of prefabricated houses, panels or sections who has been granted priorities assistance on Form CPA-4415 or NHA-14-53 to build prefabricated houses, panels or sections.

(6) "Housing contractor" means a builder (applicant) who has been directly assigned an HH rating by CPA, FHA or NHA. It also includes a general contractor who has been directly authorized by such a builder to use the HH rating for the whole job. It does not include a subcontractor authorized to use the HH rating for a part of the job.

(7) "Distributor" means a person who buys and stocks softwood plywood for resale as plywood at wholesale or retail.

(8) "Cabinet manufacturer" means a person who produces kitchen cabinets for built-in installation in housing.

(9) "Door manufacturer" means a person who consumes softwood plywood in the manufacture of standard house doors.

(10) "Square footage" means measurement on a $\frac{3}{8}$ " rough basis.

(11) "Certified order" means any order for the delivery of softwood plywood bearing the certificate prescribed in paragraph (j).

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

Plywood Manufacturers

(c) *Plywood manufacturers reserve production.* The following conditions will govern the amount of construction plywood and door plywood, plywood manufacturers shall produce and reserve for certified orders:

(1) Each softwood plywood manufacturer shall reserve in his total over-all production of softwood plywood in square footage for the month of April, 1946, and for each calendar month thereafter, time and supplies sufficient to produce and deliver within such month; (i) at least 45% of his expected monthly production of softwood plywood in the form of construction plywood of which not more than 20% of the construction plywood may be in exterior type; (ii) at least 5% of his expected monthly production of softwood plywood in the form of door plywood, for delivery on certified orders.

The CPA may from time to time change such percentages by amendments published

in the FEDERAL REGISTER prior to the first day of any month.

(2) Every plywood manufacturer must hold 60% of his production of construction plywood in square footage in any month for delivery on certified orders. A plywood manufacturer must accept and ship such certified orders in preference to all other orders (except AAA) to the extent that such orders do not require more than 60% of his production of construction plywood for that month. When a plywood manufacturer has accepted certified orders for construction plywood for this amount, he must not accept additional certified orders for construction plywood produced in that month. Any portion of the plywood manufacturer's reserve which is not required to fill certified orders received in the month it was produced, may be sold only on uncertified and unrated (except AAA) orders.

(3) A plywood manufacturer must reserve 40% of his total production of construction plywood in square footage beginning with the month of April, 1946, and for each calendar month thereafter for delivery only on uncertified and unrated orders from distributors.

(4) A plywood manufacturer must hold his reserve production of door plywood in any month for delivery on certified orders from door manufacturers or distributors. He must accept and ship such certified orders in preference to all other orders (except AAA) to the extent that such certified orders do not require more than the monthly reserve production of door plywood. When a plywood manufacturer has accepted certified orders for door plywood for the amount of his reserve production, he must not accept additional certified orders for door plywood produced in that month. Any portion of the plywood manufacturer's reserve of door plywood which is not required to fill certified orders received in the month in which it was produced, may be sold only on uncertified and unrated (except AAA) orders.

Prefabricators and House Trailer Manufacturers

(d) The following provisions tell how prefabricators or house trailer manufacturers may place with a plywood manufacturer or distributor certified orders for construction plywood:

(1) A prefabricator or a house trailer manufacturer may place certified orders with a plywood manufacturer or a distributor for construction plywood in the amount for which he has received priorities assistance on Form CPA-4415, NHA-14-53 or on Form NHA-14-44. A prefabricator or house trailer manufacturer must order, accept delivery and use construction plywood in accordance with the provisions of Direction 8 or Direction 13 to Priorities Regulation 33.

(2) A prefabricator or house trailer manufacturer may not apply or extend an HH rating for construction plywood.

Housing Contractors

(e) *Housing contractors.* The following provisions tell how a housing contractor may place certified orders or HH rated orders with a plywood manufacturer or distributor for construction plywood.

(1) A housing contractor may apply the HH rating on orders for construction plywood to a distributor, but not to a plywood manufacturer, or a housing contractor purchasing in not less than carload lots, may place certified orders for mill shipment delivery each month starting with the month of April 1946, with a plywood manufacturer or a distributor, in an amount in square footage not in excess of the total construction plywood required to meet his construction schedule for housing for which he has received priori-

ties assistance on Form CPA-4386. A housing contractor may not place HH rated or certified orders for construction plywood except for use in kitchen cabinets and bathroom and kitchen flooring. He may not apply the HH rating or use a certificate for an amount in excess of 300 square feet per house or apartment. If kitchen cabinets are purchased as millwork the total permissible amount of construction plywood must be reduced by the amount of plywood in the cabinets.

(2) A housing contractor must not specify delivery dates (at site or warehouse) on certified orders or HH rated orders, more than 30 days from the time that the construction plywood is needed for incorporation into the housing. Furthermore, the housing contractor must not place certified orders for construction plywood in which is specified a delivery date later than the third calendar month after the time when the purchase order is placed. A housing contractor may place certified orders for construction plywood only to the extent that HH rated orders have not been placed with a distributor.

(3) A housing contractor must use the construction plywood obtained on certified orders or HH rated orders on housing construction for which the HH rating was authorized.

Cabinet Manufacturers

(f) *Cabinet manufacturers.* The following provisions tell how a cabinet manufacturer may obtain authority to place certified orders with a plywood manufacturer or a distributor for construction plywood for use in drawer bottoms of built-in kitchen cabinets and how the cabinets must be sold:

(1) A cabinet manufacturer wishing to place certified orders with a plywood manufacturer or a distributor for construction plywood to be used in the manufacture of drawer bottoms for kitchen cabinets, shall apply to the CPA for authority to place such orders. A cabinet manufacturer must apply to CPA before May 10, 1946, unless already authorized, for the months of May and June, 1946, and for calendar quarters thereafter must apply at least 20 days before the first day of the quarter, by letter stating: (i) average monthly consumption of construction plywood in drawers for built-in kitchen cabinets in year 1940 (required in first application only); (ii) average anticipated monthly production of kitchen cabinets in units to be produced in the period for which authorization is requested, and (iii) total requirements in $\frac{3}{8}$ " basis of construction plywood for drawers for built-in kitchen cabinets in item (ii) above. Such application will be processed equitably. A cabinet manufacturer must not specify delivery dates (at plant or warehouse) on certified orders more than 30 days before the time the construction plywood is needed for incorporation into the kitchen cabinet drawers. Furthermore, the cabinet manufacturer must not place certified orders for construction plywood in which is specified a delivery date later than during the third calendar month after the time the purchase order was placed.

(2) Authorizations to cabinet manufacturers will bear a serial number which must be inserted by the cabinet manufacturer in the place provided in the certificate required by paragraph (j) below.

(3) A cabinet manufacturer must use the construction plywood received on certified orders in the production of built-in kitchen cabinets suitable for housing. The cabinets manufactured from the construction plywood must be held for sale as millwork and sold in conformity with paragraph (f) (2) of Direction 1 to PR 33 providing for the sale of millwork.

Door Manufacturers

(g) *Door manufacturers.* The following provisions tell how door manufacturers may

place with plywood manufacturers or distributors certified orders for door plywood for the manufacture of standard house doors and how the doors must be sold.

(1) A door manufacturer may place certified orders for door plywood for delivery in each month beginning with the month of April, 1946, with the plywood manufacturer or a distributor for an amount in square footage not in excess of 10% of the amount in square footage of door plywood consumed by him in the manufacture of standard house doors in the year 1940.

(2) A door manufacturer must use each month, all the door plywood received on certified orders in the manufacture of standard house doors. The doors so manufactured must be held for sale as millwork and sold in conformity with paragraph (f) (2) of Direction 1 to PR 33 providing for the sale of millwork.

Distributors

(h) *Distributors.* The following provisions tell how distributors may place orders for construction plywood, and how the construction plywood may be sold:

(1) A distributor may place uncertified and unrated orders for delivery each month for construction plywood with a plywood manufacturer. Every distributor must reserve 75% of the construction plywood received in any month for delivery on certified and rated orders. A distributor must accept all certified and rated orders which are received before the end of the month up to the reserve quantities regardless of whether such orders call for delivery within that month. A distributor, however, may not accept for delivery in any month orders rated MM for more construction plywood than 5% of the quantity reserved in that month. In addition, he must not accept certified or rated orders (except AAA) for construction plywood for a quantity in excess of the reserve. Any construction plywood which a distributor is not required to reserve, and any construction plywood in the reserve for which certified and rated orders are not received during the month, may be delivered by a distributor only on uncertified and unrated (except AAA) orders.

(2) A distributor who has received a certified order for construction or door plywood may place the certified order with a plywood manufacturer to get the construction or door plywood which will be delivered direct to consumer subject to the applicable inventory regulations. A distributor may not place a certified order with a producer for replacement of inventory.

(i) *Newcomers.* (1) A person who in the year 1940 was not established as a cabinet manufacturer or a door manufacturer, and who wants to place monthly certified orders for construction plywood for use in kitchen cabinets or for door plywood for use in standard house doors, may apply to CPA for authorization to place certified orders for a calendar quarter. Authorization will be issued on a quarterly basis and application by letter must be filed at least 10 days before the first day of the calendar quarter for which authorization is asked. The letter should state: (i) location of plant; (ii) amount of equipment and its production capacity to manufacture kitchen cabinets or house doors; (iii) line of kitchen cabinets to be produced; (iv) anticipated monthly production of house doors or kitchen cabinets in which plywood is required; (v) total requirements on a $\frac{3}{8}$ " basis of plywood for house doors or kitchen cabinets for the next current quarter. Such application will be processed in an equitable manner.

(2) A person receiving authorization to place a certified order under paragraph (i) (1) above, must hold kitchen cabinets or doors manufactured for sale in conformity with the provisions of paragraph (f) (3) and (g) (2) above, respectively.

Certification

(j) *General provisions.* An order for construction plywood may only be certified by endorsing or attaching one of the following forms of certificate on the purchase order, sales ticket or other order calling for the delivery of construction plywood. Certificates must be signed manually or as explained in PR 7. However, the standard form described in that regulation cannot be used in place of the certificates described in this direction. The certification required by this direction cannot be waived under paragraph (f) of PR 7. The Serial Number must be inserted by all persons permitted to place certified orders except door manufacturers in the place provided in the certificate. An order bearing a certification without a Serial Number where required must be treated as an uncertified and unrated order.

Manufacturers and distributors who place certified orders calling for delivery of construction plywood or door plywood must use the certificate reading substantially as follows:

"The undersigned certifies to the supplier and to the CPA that he is a ----- (prefabricator, house trailer manufacturer, housing contractor, cabinet manufacturer, door manufacturer or distributor) and that the quantities of construction plywood or door plywood covered by this order (together with all other certified orders placed with this or other suppliers for construction plywood or door plywood for delivery in the months specified in this order) do not exceed the amount he has been allowed under Direction 1A of PR 33 with the provisions of which he is familiar.

Dated-----

Serial Number-----

Signature-----

Miscellaneous

(k) *Miscellaneous.* The following provisions generally affecting plywood manufacturers, prefabricators, housing contractors, cabinet manufacturers, door manufacturers, house trailer manufacturers and distributors should be carefully read:

(1) *Status of certified orders.* Certified orders for the purpose of this direction are subject to the rules for acceptance and rejection of rated orders as provided in Priorities Regulation 1 as if they were rated orders. The order of precedence where orders are received by distributors, cabinet manufacturers and door manufacturers is (subject to any provision of this direction limiting the quantity of orders that need be accepted) as follows: (i) AAA; (ii) MM; (iii) CC, HH and certified orders which are of equal value.

(2) *Applicability of regulations.* Except as otherwise required by this direction Priorities Regulations 1 and 3 govern the use of ratings and the acceptance, scheduling and filling of orders. All other applicable regulations and orders of the Civilian Production Administration must be observed.

(3) *Extension of rated orders.* Ratings (except AAA) may not be applied or extended to a plywood manufacturer for construction or door plywood. However, any person who has received a rated order for the delivery of construction or door plywood may extend the rating to his suppliers (except to a plywood manufacturer) to get plywood which he will deliver on that order subject to applicable inventory regulations. If a person has made delivery of construction or door ply-

wood on a rated order, he may extend the rating to his suppliers (except to a plywood manufacturer) to replace the amount in his inventory subject to the applicable inventory regulations. A millwork manufacturer who has received a rated order (except AAA) for millwork or who has delivered millwork on a rating (except AAA), may not extend the rating (except AAA), for construction or door plywood for incorporation into millwork. These rules supersede paragraphs (d) and (d-1) of Priorities Regulation 3 on the extension of ratings.

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

(5) *Reports.* Every person shall file with the Civilian Production Administration, or any other federal agency, through which the Civilian Production Administration may distribute plywood, such reports and questionnaires as the Civilian Production Administration or such other agency may from time to time require subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

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

(7) *Communications.* All communications unless otherwise directed must be addressed as follows: Civilian Production Administration, Forest Products Division, Washington 25, D. C.

(8) *Directives.* The Civilian Production Administration may issue directives to plywood manufacturers, cabinet manufacturers, door manufacturers or distributors to set aside specific quantities or percentages of production or shipments for persons placing certified or rated orders. CPA may also allocate the production or shipments to specified persons for specified uses and may direct how and in what quantities deliveries to specified persons or uses may be made. It may also direct distribution to particular areas and may direct or prohibit the production by any person of particular items of softwood plywood, cabinets, or doors. Directives according to their terms supersede any preference rating or certification assigned to particular purchase orders or contracts. They may be issued for the satisfaction of Veterans' Emergency Housing Program and essential civilian requirements, including Temporary Re-use Housing under Direction 11 to PR 33, and in order to carry out more fully the purpose of this direction.

Issued this 11th day of September 1946.

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

[F. R. Doc. 46-16553; Filed, Sept. 11, 1946; 12:43 a. m.]

Chapter XI—Office of Price Administration

PART 1345—BUILDING MATERIALS

[MPR 224, Amdt. 20]

CEMENT

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

Maximum Price Regulation 224 is amended in the following respect:

Section 1346.104 (b) (1) (ii) (a) is amended to read as follows:

(a) The manufacturer may use the alternative method set forth in paragraph (ii), above, if he indicates on the billing that the price has been determined in accordance with § 1346.104 (b) (1) (ii) of this Maximum Price Regulation 224, and if the cement is to be sold to a person who will not resell it in the same form; *Provided*, That the obligations of a manufacturer under this provision will be met if he secures an affidavit from the purchaser that the latter will not resell the cement, purchased under this pricing method, in the same form, and the manufacturer retains such affidavit in his possession until the final expiration date of the Emergency Price Control Act of 1942, as amended, and makes such affidavit available for inspection by the Office of Price Administration.

This Amendment No. 20 shall become effective September 10, 1946.

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

Regulation	Commodity	Sellers	Effective date
GMPR.....	(1) Shortening, cooking and salad oil, margarine.	All distributors, except in Puerto Rico....	Sept. 4, 1946
	(2) Mayonnaise and salad dressing.....	Processors, except in Puerto Rico.....	Aug. 30, 1946
	(3) Mayonnaise and salad dressing.....	All distributors, except in Puerto Rico....	Sept. 4, 1946
	(4) Food products manufactured in whole or substantial part from livestock, cottonseed or soybeans.	(1) Processors or manufacturers in Puerto Rico.	Sept. 1, 1946
		(2) Wholesale distributors in Puerto Rico.	Sept. 7, 1946
		(3) Retailers in Puerto Rico.....	Sept. 9, 1946
		(4) All sellers in the Virgin Islands.....	Do.
		(5) All sellers in Alaska.....	Sept. 16, 1946

b. Inserting after the provisions for the regulation therein designated as "MPR 422, 423" and before "All regulations other than those listed above * * *" the following listings:

Regulation	Commodity	Sellers	Effective date
RMPR 194, 288.....	Food products manufactured in whole or substantial part from livestock, cottonseed, or soybeans.	All.....	Sept. 16, 1946
RMPR 373, GMPR for Hawaii.	.....do.....	Wholesale distributors.....	Sept. 15, 1946
RMPR 395, MPR 201.	.....do.....	Retailers.....	Sept. 23, 1946
RMPR 183:		All.....	Sept. 9, 1946
(Sec. 4.10).....	Fats and oils.....	Wholesalers.....	Sept. 7, 1946
(Sec. 4.17).....	Meat, fresh.....	Retailers.....	Sept. 14, 1946
(Sec. 4.15).....	Meat, processed and frozen.....	Wholesalers.....	Sept. 7, 1946
(Sec. 6.1, 6.3).....	Live cattle, calves and hogs.....	Retailers.....	Sept. 7, 1946
		Slaughterers.....	Sept. 1, 1946

¹ 10 F. R. 14954, 15170; 11 F. R. 296, 297, 881, 1102, 1467, 2378, 2640, 2989, 2927, 3247, 3396, 4021, 4090, 4861, 5066, 5353, 5598, 5539, 5650, 5740, 5868, 5781, 5332, 6606, 6863, 7185, 8446, 8534, 8647, 8643, 8827, 8846, 9031.

Issued this 10th day of September 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-16452; Filed, Sept. 10, 1946; 4:10 p. m.]

PART 1305—ADMINISTRATION

[SO 132, Amdt. 57]

EXEMPTION AND SUSPENSION FROM PRICE CONTROL OF GRAPEFRUIT

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

Section 2 (a) (1) is amended by adding the following item in its alphabetical order:

Isle of Pines grapefruit (fresh, imported).
From Sept. 10, 1946. Termination date, indefinite.

This amendment shall become effective September 10, 1946.

Issued this 10th day of September 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-16453; Filed, Sept. 10, 1946; 4:10 p. m.]

PART 1305—ADMINISTRATION

[SO 177, Amdt. 5]

POSTPONING REIMPOSITION OF CONTROL ON CERTAIN COMMODITIES

A statement of the considerations involved in the issuance of this amendment to Supplementary Order No. 177, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1 (b) of Supplementary Order 177 is amended by:

a. Changing the provisions contained therein for the regulation designated as GMPR to read as follows:

This amendment shall become effective as of September 1, 1946.

Issued this 11th day of September 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-16546; Filed, Sept. 11, 1946; 12:42 p. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[RMPR 293, Amdt. 20]

STOCK MILLWORK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith,

TABLE I—BASE DISCOUNTS TO LIST PRICES AND LIST EXTRAS CONTAINED IN STANDARD LISTS CATALOG NO. 40

[Description of product: No. 1 ponderosa pine windows and sash; Western, New York and Boston openings; stock sticking; single strength "B" (SSB) or double strength "B" (DSB) glass; full bundles; face crated]

	Delivered to—						
	Zones 1, 16, 17	Zones 1½, 2, 3, 5	Zone 3½	Zones 4, 7, 8, 9, 10, 12	Zones 6, 11, 14	Zone 13	Zone 15
All 1½" plain rail 2-light windows.....	60½	59½	59	58	58½	57½	60
All 1½" plain rail 4 or more light windows.....	59	58	57½	56½	57	56	58½
All 2, 3, 4 and 6-light (3 wide only) cellar and barn sash.....	59	58	57½	56½	57	56	58½
1½" 2-light storm sash.....	59	58	57½	56½	57	56	58½
1½" 4 or more light storm sash.....	58	57	56½	55½	56	55	57½
All other types 2-light windows and 1-light sash.....	59	58	57½	56½	57	56	58½
All other types divided light windows and sash.....	58	57	56½	55½	56	55	57½

TABLE II—BASE DISCOUNTS TO LIST PRICES CONTAINED IN SUPPLEMENTAL LISTS TO STANDARD LISTS CATALOG NO. 40

[Description of product: No. 1 ponderosa pine windows and sash; modular standards openings; stock sticking; single strength "B" (SSB) or double strength "B" (DSB) glass; full bundles; face crated]

	Delivered to—						
	Zones 1, 16, 17	Zones 1½, 2, 3, 5	Zone 3½	Zones 4, 7, 8, 9, 10, 12	Zones 6, 11, 14	Zone 13	Zone 15
All 1½" plain rail windows.....	60½	59½	59	58	58½	57½	60
All 2, 3, 4 and 6-light (3 wide only) cellar and barn sash.....	60½	59½	59	58	58½	57½	60
1½" storm sash.....	59	58	57½	56½	57	56	58½
All other types of windows and sash.....	59	58	57½	56½	57	56	58½

2. In section 18 (e) (6) and section 19 (d) (2), the discounts applicable to glass are amended to read as follows:

Discounts applicable to glass

SSB or DSB.....	80½
SSA or DSA.....	78
½" Florentine Maze or Syenite (from DSA list):	
12 x 16 and under.....	72
over 12 x 16.....	74

3. In paragraph (a) of section 19 the last five items of the table on combination storm and screen doors are amended to read as follows:

Following discounts apply to all zones

Complete door, wired 14-mesh galvanized, single strength "B" (SSB).....	49½
Sash section only, glazed single strength "B" (SSB) set with putty.....	48
Complete door, wired 14 x 18 mesh galvanized, glazed single strength "B" (SSB), add \$0.25 to 14-mesh galvanized list in Standard Lists Catalog No. 40.....	49½
Complete door, wired 14 x 18 mesh bronze, glazed single strength "B" (SSB), add \$1.20 to 14-mesh galvanized list in Standard Lists Catalog No. 40.....	49½

has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 293 is hereby amended in the following respects:

1. Paragraph (a) of section 18, Appendix B, is amended to read as follows:

(a) The maximum prices for Ponderosa pine glazed windows and sash sold alone, or with other millwork, in carload quantities shall be the net prices, f. o. b. mill, full freight allowed, computed by applying the base discounts shown in Tables I and II to the list prices and list extras contained in Standard Lists Catalog No. 40 and the list prices contained in Supplemental Lists to Standard Lists Catalog No. 40 as follows:

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

[RMPR 187, Amdt. 12]

CERTAIN PAPERBOARD PRODUCTS

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

Revised Maximum Price Regulation No. 187 is amended in the following respects:

In Appendix C, paragraph (c) is added to read as follows:

(c) (1) *Maximum prices for lining paper-board sheets.* (1) Where the manufacturer supplies the lining paper, the manufacturer's price shall not exceed the following:

News lining paper.....	\$1.40 per 100 sheets (25 x 40 basis).
Book lining paper.....	\$1.90 per 100 sheets (25 x 40 basis).
Other lining paper....	The maximum price computed pursuant to section 1 (c) or Appendix A plus an amount not to exceed \$0.40 per 100 sheets (25 x 40 basis).

(1) In the case of specialty grades where the customer supplies the lining paper, the maximum price computed pursuant to Section 1 (c) or Appendix A plus an amount not to exceed \$0.25 per 100 sheets (25 x 40 basis).

(2) If the manufacturer has been granted an individual adjustment in his maximum price by the Office of Price Administration, he may continue to charge the individually adjusted price, or he may charge the maximum price computed pursuant to paragraph (c) (1) of this Appendix C whichever is the higher, but he shall in no event add the increases provided for in paragraph (c) (1) to his individually adjusted price.

This amendment shall become effective September 16, 1946.

Issued this 11th day of September 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-16516; Filed, Sept. 11, 1946; 12:39 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses, Amdt. 93 (\$ 1388.1231)]

HOTELS AND ROOMING HOUSES

The Rent Regulation for Hotels and Rooming Houses is amended in the following respects:

1. Section 4 is amended by adding paragraphs (i) and (j) to read as follows:

(i) *Rooms in the Polk County Defense-Rental Area.* For the rooms in the Polk County Defense-Rental Area for which the maximum rent was changed or established by order of the Administrator between September 1, 1942 and Decem-

Complete door, wired 16 x 16 mesh aluminum wire, glazed single strength "B" (SSB), add \$1.35 to 14-mesh galvanized list in Standard Lists Catalog No. 40..... 49½

4. Section 19 (d) (6) is amended to read as follows:

(6) **Crating—combination doors:**
¼ dozen to a crate: 3 points shorter discount.
½ dozen to a crate: 2 points shorter discount.
1/12 dozen to a crate: 6 points shorter discount.

5. Section 20 (c) (1) is amended to read as follows:

(1) Garage doors glazed with SSB glass: \$1.45 net per pair or set.

This amendment shall become effective September 16, 1946.

Issued this 11th day of September 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-16524; Filed, Sept. 11, 1946; 12:39 p. m.]

¹⁸ F. R. 14395, 17367; 9 F. R. 1320, 2464, 4782; 10 F. R. 7851, 12446; 11 F. R. 7081.

²¹ 11 F. R. 4000, 4163, 4582, 4720, 5542, 5954, 5925, 5951, 8952, 6492, 6763, 7424, 7426, 8162, 8156, 8162, 8448, 9696.

ber 31, 1945, inclusive, the rent provided by such order. Any order issued by the Administrator for rooms in the Polk County Defense-Rental Area between September 1, 1942 and December 31, 1945, inclusive, which was in effect on the latter date shall be effective under this regulation.

(j) *Rooms in the Sarasota Defense-Rental Area.* For the rooms in the Sarasota Defense-Rental Area for which the maximum rent was changed or established by order of the Administrator between October 1, 1944 and December 31, 1945, inclusive, the rent provided by such order. Any order issued by the Administrator for rooms in the Sarasota Defense-Rental Area between October 1, 1944 and December 31, 1945, inclusive, which was in effect on the latter date shall be effective under this regulation.

2. Section 7 is amended by adding paragraphs (h) and (i) to read as follows:

(h) *Rooms in the Polk County Defense-Rental Area.* Section 7 (a) shall not apply to the registration of maximum rents which were registered between September 1, 1942 and December 31, 1945, inclusive.

(i) *Rooms in the Sarasota Defense-Rental Area.* Section 7 (a) shall not apply to the registration of maximum rents which were registered between October 1, 1944 and December 31, 1945, inclusive.

Effective as of September 1, 1946.

Issued September 11, 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-16540; Filed, Sept. 11, 1946; 12:42 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Housing, Amdt. 99 (§ 1388.1181)]

HOUSING

The Rent Regulation for Housing is amended in the following respects:

1. Section 4 of the Rent Regulation for Housing is amended by adding paragraphs (l) and (m) to read as follows:

(l) *Housing in Polk County Defense-Rental Area.* The housing accommodations in the Polk County Defense-Rental Area for which the maximum rent was changed or established by order of the Administrator between September 1, 1942 and December 31, 1945, inclusive, the rent provided by such order. Any order issued by the Administrator for housing accommodations in the Polk County Defense-Rental Area between September 1, 1942 and December 31, 1945, inclusive, which was in effect on the latter date shall be effective under this regulation.

(m) *Housing in the Sarasota Defense-Rental Area.* For housing accommodations in the Sarasota Defense-Rental Area for which the maximum rent was changed or established by order of the

¹ 10 F. R. 13528, 13454, 14399; 11 F. R. 247, 248, 740, 1299, 1773, 2116, 2189, 2445, 3480, 4015, 4153, 4731, 5395, 5824, 5952, 5953, 5763, 7337, 7341, 8108, 8160, 8162, 8164, 9697.

Administrator between October 1, 1944 and December 31, 1945, inclusive, the rent provided by such order. Any order issued by the Administrator for housing accommodations in the Sarasota Defense-Rental Area between October 1, 1944 and December 31, 1945, inclusive, which was in effect on the latter date shall be effective under this regulation.

2. Section 7 is amended by adding paragraphs (g) and (h) to read as follows:

(g) *Housing in the Polk County Defense-Rental Area.* The first three sentences of section 7 (a) shall not apply to housing accommodations in the Polk County Defense-Rental Area for which a registration statement was filed between September 1, 1942 and December 31, 1945, inclusive, except where the maximum rent established under this regulation is different than the maximum rent which was in effect on December 31, 1945.

(h) *Housing in the Sarasota Defense-Rental Area.* The first three sentences of section 7 (a) shall not apply to housing accommodations in the Sarasota Defense-Rental Area for which a registration statement was filed between October 1, 1944 and December 31, 1945, inclusive, except where the maximum rent established under this regulation is different than the maximum rent which was in effect on December 31, 1945.

Effective as of September 1, 1946.

Issued September 11, 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-16541; Filed, Sept. 11, 1946; 12:42 p. m.]

PART 1398—OFFICE AND STORE MACHINES

[MPR 596, Amdt. 4]

TRADE-IN ALLOWANCES

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

Maximum Price Regulation No. 596 is amended in the following respects:

1. Section 16 is amended to read as follows:

SEC. 16. *Trade-in allowances.* A seller of used business machines may not reduce his trade-in allowances below those he had in effect during March 1942 except that in no case need a trade-in allowance be greater than the maximum price for a sale of the article being traded in when sold by the person trading it in to the person accepting the article as a trade-in. A seller not engaged in the sale of used business machines in March 1942 may not make trade-in allowances below those of his closest competitor who was in business at that time.

This amendment shall be effective on the 16th day of September 1946.

Issued this 11th day of September 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-16528; Filed, Sept. 11, 1946; 12:40 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 188, Amdt. 88]

MANUFACTURERS' MAXIMUM PRICES FOR CONSUMER GOODS OTHER THAN APPAREL

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

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

1. Section 1499.168 (b) (1) is amended by changing the item "comforters" to read: "Comforters, down and feather filled", and deleting the following item: "High chair, play yard, basket and nursery seat pads, and other nursery pads, made with new or used filling materials."

2. Section 1499.168 (b) (3) is amended by eliminating the semicolon at the end of the first item and adding the following to that item: "and floor coverings made principally of fiber, grass, hemp or sisal".

3. Section 1499.168 (4) (c) is amended by deleting the following items:

Scythes and snaths.
Sprayers and dusters, hand operated, insecticide.
Lawn mowers, hand operated.
Oilers.

4. Section 1499.168 (b) (5) is amended by deleting the following item: "Air conditioning equipment, portable, under one horse power".

5. Section 1499.168 (b) (9) is amended to read as follows:

(9) The following articles of glassware:

Articles used for the preparation, service, and storage of foods and beverages, but not including bar glassware and soda fountain glassware. (Tumblers with bottoms $\frac{3}{8}$ " thick and over are articles of bar glassware; and tumblers marked with a trade name are articles of soda fountain glassware.)

Lamp chimneys.
Lantern globes.
Illuminating glassware.
Glass bottles and containers, including malt beverage glass containers (but not other spirituous glass containers).

6. Section 1499.168 (b) (12) is amended to read as follows: "(12) Table flatware (table ware and cutlery, silver plated, or base metal)."

7. Section 1499.168 (b) (14) is amended by deleting the following items:
Motor scooters.
Baby carriages, strollers, and walkers.

8. Section 1499.168 (b) (15) is amended to read as follows:

(15) The following optical goods:
Finished and semi-finished lenses for optical, ophthalmic, and scientific use.
Frames and mountings for eye glasses, spectacles, and sun glasses.

9. Section 1499.168 (b) (20) is amended by deleting the following items:
Dry batteries.

Fountain pens and mechanical pencils, and sets.
Razors and razor blades.

10. The item "Buckles and parts, fasteners (slide and snap), and parts; hooks and eyes, clasps" in the list in Section 1499.168 (b) (20) is changed to read

as follows: "Fasteners, slide, including parts".

This amendment shall become effective on the 11th day of September 1946.

Issued this 11th day of September 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-16517; Filed, Sept. 11, 1946; 12:39 p. m.]

PART 1499—COMMODITIES AND SERVICES
[RMFR 539¹, Amdt. 4]

CUSTOM MILLING AND KILN DRYING OF
WESTERN SOFTWOODS

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.

In section 13 of Revised Maximum Price Regulation 539, General Note 1 (c) is amended to read as follows:

(c) No charge may be made for ripping or resawing any stock thicker than four inches (4") or wider than twelve inches (12") except stock two inches (2") thick and thinner in random width shipments.

Where the stock is green, four and a quarter inch (4 1/4") stock shall be, for the purposes of this regulation, considered as though it were four inches (4") thick, and a charge for the required custom milling may be made, based on the four inch (4") thickness.

This amendment shall become effective September 16, 1946.

Issued this 11th day of September 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-16526; Filed, Sept. 11, 1946; 12:41 p. m.]

TITLE 46—SHIPPING

Chapter II—United States Maritime
Commission

Subchapter B—Regulations Affecting Maritime
Carriers

[G. O. 65]

PART 231—TARIFF REGULATIONS; COMMON
CARRIERS BY WATER IN INTERSTATE
COMMERCE

Section 231.0 is amended to read:

§ 231.0 *Statutory provisions.* Every common carrier engaged in the transportation by water of passengers or property on the high seas, on regular routes from port to port, between one State, Territory, District, or possession of the United States, and any other Territory, District, or possession of the United States, or between places in the same Territory, District, or possession of the United States, is required by law (section 18 of the Shipping Act, 1916 (39 Stat. 735) the Intercoastal Shipping Act, 1933 (47 Stat. 1425); section 43 of Public, No. 705, 75th Congress (52 Stat. 964), to establish, observe, and enforce

just and reasonable rates, fares, charges, classifications, and tariffs, and just and reasonable regulations and practices relating thereto and to the issuance, form, and substance of tickets, receipts, and bills of lading, the manner and method of presenting, marking, packing, and delivering property for transportation, the carrying of personal, sample, and excess baggage, the facilities for transportation, and all other matters relating to or connected with the receiving, handling, transporting, storing, or delivering of property.

Section 18 of the Shipping Act, 1916, and section 2 of the Intercoastal Shipping Act, 1933, further provide that every such common carrier by water shall file with the United States Maritime Commission and keep open to public inspection, in the form and manner and within the time prescribed by the Commission, the rates, fares, and charges for or in connection with the transportation between points on its own route, and points on the route of any other carrier by water.

The rates, fares and charges concerned shall be published in tariffs conforming to the following regulations in this part and shall be filed with the Commission and posted for public inspection in conformity with said regulations not later than the day on which the transportation to which they relate is begun.

Tariffs lawfully filed with the Commission on or before April 30, 1920, and not cancelled, suspended, or otherwise superseded, will be treated as continued in effect until they can be reissued in accordance with the regulations in this part. Tariffs thereafter filed with the Commission shall conform to the provisions in the sections following.

Part 234 is amended to read:

PART 234—TERMINAL FACILITIES; INTER-
COASTAL CARRIERS

Sec.

- 234.1 Special Permission No. 920 as amended; establishing additional facilities.
- 234.2 Special Permission No. 1834; changes in rates, charges and provisions of terminal operators.
- 234.10 Special permissions not waiver of rules.

§ 234.1 *Special Permission No. 920, as amended; establishing additional facilities—(a) Three day notice.* All common carriers by water in intercoastal commerce, as defined in the Intercoastal Shipping Act, 1933, as amended, and in interstate commerce, subject to the Shipping Act, 1916, as amended, or their duly appointed agents, shall publish and file schedules establishing additional terminal facilities for the loading and/or discharging of one or more commodities at the rates concurrently applicable at other facilities in the same port or harbor for account of the carrier for which the additional facility is established, such schedules to be made effective upon not less than three days' filing and posting in the manner required by law.

(b) *Notation on schedules.* The schedules posted and filed under this section shall bear the notation: "Issued on not less than three days' notice under Special Permission of the United States Maritime Commission No. 920, as amended."

§ 234.2 *Special Permission No. 1834, changes in rates, charges and provisions of terminal operators—(a) Ten day notice by carriers.* Common carriers by water in interstate (including intercoastal) commerce, or their duly appointed agents, are authorized to publish, file and post schedules establishing changes in rates, charges and provisions of terminal operators, over which such carriers have no control and also changes in provisions for absorption of said terminal rates and charges, such schedules to be made effective upon not less than ten days' filing and posting in the manner prescribed by law, but not earlier than the date the said changes are made effective by said terminal operators.

(b) The schedules posted and filed under this section shall bear the notation: "Issued on ten days' notice, authority of the United States Maritime Commission, Special Permission No. 1834. Said authority does not constitute an approval of the changes therein authorized to be published, same being subject to review, on complaint, in the manner prescribed by law."

§ 234.10 *Special permissions not waiver of rules.* The special permissions prescribed in this part do not constitute a waiver of the requirements of the Commission's published rules relative to the construction and filing of the tariff schedules, nor a modification of any of the provisions of the Shipping Act, 1916, as amended, or the Intercoastal Shipping Act, 1933, as amended, except as to the notice to be given.

PART 235—SCHEDULES OF COMMON CARRIERS BY WATER IN FOREIGN COMMERCE

Section 235.3 *Sworn statement* is revoked.

(39 Stat. 735; 47 Stat. 1425; 52 Stat. 964)

By order of the United States Maritime Commission.

A. J. WILLIAMS,
Secretary.

SEPTEMBER 10, 1946.

[F. R. Doc. 46-16446; Filed, Sept. 10, 1946; 1:50 p. m.]

TITLE 49—TRANSPORTATION AND
RAILROADS

Chapter I—Interstate Commerce
Commission

PART 56—ISSUANCE OF SECURITIES, ASSUMPTION OF OBLIGATIONS, AND FILING OF CERTIFICATES AND REPORTS

At a session of the Interstate Commerce Commission, Division 4, held at its office in Washington, D. C., on the 9th day of August A. D. 1946.

Rules and regulations governing applications under Sections 20a and 214 of the Interstate Commerce Act for authority to issue securities and assume obligation or liability in respect of the securities of others and the filing of certificates of notification and reports relating to such issue and assumption.

The matters of (a) applications under sections 20a and 214 of the interstate commerce act for authority to issue se-

¹ 10 F. R. 3224, 8617, 14147.

curities or to assume obligation or liability, as lessor, lessee, guarantor, indorser, surety, or otherwise in respect of the securities of any other person, natural or artificial, (b) certificates of notification of securities sold, pledged, repledged, or otherwise disposed of required by paragraph (5) of said section 20a, (c) certificates of notification of the issue of notes maturing not more than two years after the date thereof required by paragraph (9) of said section 20a, and (d) periodical reports required by paragraph (10) of said section 20a of (1) disposition made of securities authorized by the commission, and/or (2) notes maturing not more than two years after the date thereof for which under paragraph (9) of said section 20a authorization is not required, and (3) the application of the proceeds of such securities and/or notes being under consideration:

It is ordered, That the following rules and regulations be, and they are hereby, approved and prescribed, and that on and after September 9, 1946, all carriers and other persons subject to sections 20a and 214 of the Interstate Commerce Act observe and comply with these rules and regulations (a) in making application for authority (1) to nominally issue securities, (2) to sell, pledge, repledge, or otherwise dispose of securities nominally or conditionally issued, or assumed, (3) to actually issue securities, or (4) to assume any obligation or liability as lessor, lessee, guarantor, indorser, surety, or otherwise in respect of the securities of any other person, natural or artificial, and (b) in filing certificates of notification required under the provisions of paragraphs (5) and (9) of said section 20a, and periodical reports required under the provisions of paragraph (10) of said section 20a (note 1):

Sec.

- 56.1 Form and contents of application.
- 56.2 Required exhibits.
- 56.3 Procedure.
- 56.4 Certificates of notification required by paragraph (5) of section 20a.
- 56.5 Certificates of notification required by paragraph (9) of section 20a.
- 56.6 Periodical reports required by paragraph (10) of section 20a.

AUTHORITY: §§ 56.1 to 56.6, inclusive, issued under 41 Stat. 494, 49 Stat. 557, 52 Stat. 1240, 54 Stat. 924; 49 U. S. C. 20a, 214.

§ 56.1 *Form and contents of application.* The application and supporting exhibits shall conform to Rule 15 of the General Rules of Practice (See Appendix C and Note 2), and shall show, in the order indicated and under section numbers and letters corresponding to those used in the regulations in this part, the following information:

(a) Full and correct name and business address of the applicant (street and number, city and zone, county and State).

(b) Whether applicant is a corporation, partnership, association, individual, or trustee, receiver, assignee, or other fiduciary, and trade name or style, if any, under which applicant is doing business, and,

If applicant is a corporation, date of incorporation, and the Government, State, or Territory under the laws of

which applicant was organized and received its present charter (Note 3);

If applicant is a partnership (1) date on which partnership was formed and the State and county in which it was formed (Note 3), and (2) the names and business addresses of all present partners, including silent partners and their respective interests;

If applicant is an association or other form of organization, except a corporation, (1) date of organization and place of organization (Note 3), and (2) full description of the nature and objectives of the organization;

If applicant is a trustee, receiver, assignee, or other fiduciary (1) the name and address of the court, if any, under the direction of which the applicant is acting, and (2) the nature of the proceeding, if any, in which the applicant was appointed.

(c) Whether applicant is a carrier by railroad, a common or contract carrier by motor vehicle, a corporation organized for the purpose of engaging in transportation as any such carrier, or a person who is not a carrier but which has been authorized by order entered under section 5 (2) of the interstate commerce act to acquire control of any such carrier.

(d) The name of each State in which the applicant carrier operates, has been authorized by certificate to operate, or proposes to operate.

(e) The nature of the application and the purposes and uses of the proposed issue and the proceeds thereof, or the proposed assumption of obligation or liability in respect of the securities of any other person, natural or artificial (Note 4).

(f) The facts and circumstances on which the applicant relies to establish that the proposed issue or assumption (1) is for some lawful object within its corporate purposes, and compatible with the public interest, which is necessary or appropriate for or consistent with the proper performance by the carrier of service to the public as a common carrier, and which will not impair its ability to perform that service, and (2) is reasonably necessary and appropriate for such purpose.

(g) At what price or prices, rate or rates, and upon what terms and conditions it is proposed to sell or otherwise dispose of the securities, including an estimate of the expenses to be incurred in connection with such sale or other disposition (Note 5).

(h) How and to whom, and by or through whom, it is proposed to issue the securities, with details of all contracts, underwritings, and other arrangements made or proposed to be made in connection with the issue.

(i) Reference to action by stockholders or directors of applicant, if a corporation, by directors or members of applicant, if an association, and by the court having jurisdiction over the applicant, if a trustee, receiver, or other fiduciary authorizing the proposed issue or assumption and the making and filing of the application, giving dates and places of meetings of stockholders, directors or association members, the date

of the court's order, and the names, titles, and post-office addresses of the applicant's president, secretary, principal attorney, or other officer or person authorized to sign, verify, and file the application on behalf of the applicant.

(j) The name, title, and post-office address of counsel, officer, or other person to whom correspondence in regard to the application is to be addressed.

§ 56.2 *Required exhibits.* There shall be filed with and made a part of each original application and, except as otherwise provided, with each copy thereof, the following exhibits:

(a) As Exhibit 1 (with the original application but not with copies thereof), one or more of the following documents as may be appropriate (Note 6):

A copy of the charter or articles of incorporation, with amendments to date, of the applicant corporation, duly certified by the appropriate public officer, and a copy of the applicant's bylaws, with amendments to date, authenticated by a proper executive officer of the applicant.

A properly authenticated copy of articles or agreement pursuant to which the applicant partnership was formed.

A properly authenticated copy of the articles of association, trust agreement, or other documents evidencing organization of applicant association, or other organization, except a corporation.

A duly certified copy of the order of the court, or instrument appointing each applicant trustee, receiver, assignee, or other fiduciary.

(b) As Exhibit 2, one or more of the following as may be appropriate:

If applicant is a corporation (1) copies of all resolutions of directors authorizing the proposed issue of securities or the proposed assumption of obligation or liability for which authority is requested, authenticated by a proper executive officer of the applicant; (2) if the charter or bylaws require approval by stockholders, copies of resolutions of stockholders, authorizing such issue or assumption, all such resolutions of stockholders to be accompanied by sufficient transcripts of the minutes of their meetings to show the number of shares voted for and against the resolutions, and the number of share-votes required to adopt the resolution; and (3) copies of resolutions of stockholders or directors, or duly authorized committee thereof, authenticated by a proper executive officer of the applicant, designating by name and for that purpose the executive officer by whom the application is signed, verified, and filed on behalf of the applicant.

If applicant is an association or other organization except a corporation, documentary evidence showing authorization of the proposed issue or assumption and designation of the individual signing, verifying, and filing on behalf of the applicant.

If applicant is a trustee, receiver, assignee, or other fiduciary, a certified copy of the order, if any, of the court having jurisdiction, authorizing the proposed issue or assumption, and the filing of the application.

(c) As Exhibit 3, opinion of counsel that the issue or assumption with respect to which the application is made meets

the requirements of the law as set forth in § 56.1 (f), and will be legally authorized and valid if approved by the commission, with specific reference to any specially pertinent provisions of charter or articles of incorporation or association.

(d) As Exhibit 4, if applicant is a carrier by railroad, a map of applicant's existing railroad and a map and profile of the line or lines to be constructed, if any; if applicant is a motor carrier, a general or key map clearly indicating the lines or routes of the applicant, identifying them by United States highway numbers, whenever applicable, otherwise by state or county highway numbers; or if applicant is an operating company other than a carrier by railroad or a motor carrier, a general or key map clearly indicating the applicant's operations.

(e) As Exhibit 5, specimens or forms where specimens are not available, of all securities with respect to which the application is made.

(f) As Exhibit 6, in case of the issue or assumption of bonds or evidences of indebtedness, a copy of the mortgage or indenture by which secured or proposed to be secured (Note 6).

(g) As Exhibit 7, a verified copy of the applicant's general balance sheet as of the latest practicable date.

(h) As Exhibit 8, a verified copy of the applicant's income and profit and loss statement for the last calendar year, unless such copy is on file with the commission, and a copy of such statement for the current calendar year to the latest available date.

(i) As Exhibit 9, if the application is with respect to the acquisition of property other than equipment, a statement showing:

(1) The name and post-office address of the owner or vendor of the property to be acquired.

(2) A general description as to character and size of the property and its location, accompanied by a general map and profile or by a general plan, as may be appropriate.

(3) The agreed or estimated purchase price, and the full terms of the contract, if any has been made, for such acquisition.

(4) Such other information or data as may be necessary for a determination of the reasonableness of the agreed or estimated purchase price.

(5) The account or accounts of the commission's effective classifications of accounts in which the cost of such property would be properly classified.

(j) As Exhibit 10, if the application is with respect to the acquisition of equipment, a statement showing:

(1) The name and post-office address of the owner or vendor of the equipment to be acquired, the name of builder, and the unit prices paid or to be paid; whether the equipment was purchased through competitive bidding; and, if the unit prices shown are not the lowest bids received, the reason for accepting a higher bid.

(2) A general description of the equipment showing:

For steam locomotives:

Service type (passenger, freight, or switch), kind of fuel used, Whyte symbols, cylinder size (diameter and stroke), whether saturated or superheated, total light weight of engine and tender, and list of any special devices contributing materially to cost, such as stokers, feed water heaters, etc.

For other locomotives:

Kind, drive (geared, rod, etc.), number of units coupled, total light weight (type of current, voltage if electric, and maximum sustained tractive effort), and a list of special devices contributing materially to cost.

For freight-train cars:

Service type (box, gondola, stock, flat, etc.), kind of body and underframe (steel, wood, or composite), capacity, length (over end sills), trucks (kind).

For refrigerator cars, furnish one complete set of drawings and specifications.

If motor equipped, state kind of motor equipment used and builder, if electric, give also horsepower of motor, type of current, and voltage used; if gasoline or oil driven, give number and size of cylinders (diameter and stroke).

For passenger-train cars:

Service type (coach, baggage, postal, etc.), capacity in passengers or pounds, kind of vestibules, kind of lighting, kind of body and underframe (wood, steel, or composite), kind of trucks, and a list of special devices contributing materially to cost.

If motor equipped, state kind of motor equipment used and builder; if electric, give also horsepower of motor, type of current, and voltage used; if gasoline or oil driven, give number and size of cylinders (diameter and stroke).

For floating equipment:

Service type (tug, float, ferry, lighter, etc.), builder, displacement tonnage, length over all, and cargo capacity.

For work equipment:

Kind (derrick, cinder car, steam shovel, etc.); give builder, size, and capacity; where applicable, describe units in conformity with the requirements of the preceding paragraphs.

If motor equipped, state kind of motor equipment used, and builder; if electric, give also horsepower of motor, type of current, and voltage used; if gasoline or oil driven, give number and size of cylinders (diameter and stroke).

(3) For carriers by motor vehicle subject to section 214 a general description of the equipment showing:

For trucks, make and model, wheel base, tire size front and rear (S for single, D for dual rear), engine, Diesel or gasoline, number of cylinders, bore and stroke, gross vehicle weight for normal service and limit load capacity.

For tractor, trailer, semitrailer units, service cars, automobiles, and dollies give pertinent description from above outline.

In addition to the foregoing show any special devices contributing materially to cost.

For buses, automobiles, and dollies, make and model, wheel base, tire size front and rear (S for single, D for dual rear), engine, Diesel or gasoline, number of cylinders, bore and stroke, gross vehicle weight for normal service and rated passenger capacity. In addition show any special devices contributing materially to cost.

In addition to the foregoing show:

For equipment purchased secondhand: Name of builder, date built, and name of former owner.

For equipment to be rebuilt:

Date built, original cost, a bill of material showing reusable material, the price at which it is to be taken into the rebuilt unit, new material, and labor used in rebuilding.

(k) As Exhibit 11, if the application is by a common carrier by railroad and is with respect to the construction, completion, extension, or improvement of facilities, or additions and betterments thereto (accomplished expenditures or expenditures not yet made), a report in accordance with Form A of Appendix A hereof, showing quantities and prices (actual or estimated) attested by a competent engineer, also distribution of total cost by the primary accounts of the commission's classification of investment in road and equipment, together with one copy of each A. F. E. (authority for expenditure) or of each completion report, as may be appropriate.

(l) As Exhibit 12, if the application is with respect to the discharge of refunding of existing obligations (including notes maturing not more than two years after the date thereof, issued under paragraph (9) of section 20a of the Interstate Commerce Act), a statement containing a full description, together with terms and conditions (including discounts and commissions, counsel fees, and all other expenses) of sale or other disposition of such existing obligations.

(m) As Exhibit 13, if the application is with respect to the reimbursement of money expended from income or from other moneys in the treasury of the applicant (including proceeds of notes maturing not more than two years after the date thereof, issued under paragraph (9) of section 20a of the act), not yet capitalized, a statement showing:

(1) The period covered by the total disbursement.

(2) The purposes of the disbursements.

(3) The amount of disbursements (gross capital charge) and all credits to capital account within the period.

(4) The primary accounts of the commission's accounting classification to which the disbursements or retirements were charged or credited.

If the expenditures were for any of the purposes stated in paragraph (k) of this section, a report in accordance with Form A of Appendix A hereof, with quantities and prices attested by a competent engineer, together with one copy of each A. F. E. or of each completion report, as may be appropriate.

(n) As Exhibit 14, if the application is with respect to other purposes than those classified in paragraphs (i) to (m), inclusive, of this section, a statement containing complete details of the purposes of the proposed issue or assumption.

§ 56.3 Procedure. The following procedure shall govern the execution, filing, and disposition of the application:

(a) The original application shall be signed in ink by the applicant or applicants, if an individual or individuals, by all partners, if a partnership, and, if applicant is a corporation, an association or other similar form of organization, by its president, a vice president, auditor, comptroller, or other executive officer

having knowledge of the matters therein set forth and duly designated for that purpose by the applicant, shall be made under oath and shall show, among other things, that the affiant is duly authorized by the applicant to verify and file the application.

(b) The original application and supporting papers, six copies thereof for the use of the commission, and one copy for the governor of each State in which the applicant operates, and in case of holding companies, one copy for the governor of each State in which the applicant is incorporated or authorized to do business, shall be filed with the Secretary of the Interstate Commerce Commission, Washington, D. C., sufficiently in advance of the date of the proposed issue or assumption to give the commission reasonable time, not less than 30 days, for the notices and investigation required by law. Each copy shall bear the dates and signatures that appear in the original and shall be complete in itself, but the signatures in the copies may be stamped or typed, and the notarial seal may be omitted: *Provided*, That if unusual difficulties arise in the furnishing of any of the exhibits specified in paragraphs (a) to (f), both inclusive, of § 56.2, the applicant may, with the consent of the commission, file not less than an original and two copies of such exhibit.

(c) Upon receipt of the application the commission as provided in paragraph (6) of said section 20a, will cause notice thereof to be given to, and a copy of the application to be filed with, the governor of each State in which the applicant operates, and in the case of holding companies, with the governor of each State in which the applicant is incorporated or authorized to do business, with inquiry as to whether such governor or other appropriate authority of the State desires to be heard in the matter.

(d) Petitions for leave to intervene may be filed by persons interested in the application within 15 days after the filing thereof or prior to or at the time the application is called for hearing, if a hearing is ordered, but not after, except for good cause shown, the practice in regard to such petitions and answers thereto to be governed as nearly as may be by the Commission's General Rules of Practice. If deemed necessary, a public hearing on the application will be ordered.

§ 56.4 *Certificates of notification required by paragraph (5) of section 20a.* The certificate of notification of securities sold, pledged, repledged, or otherwise disposed of required by paragraph (5) of section 20a of the interstate commerce act shall be made in accordance with Form B of Appendix A hereof.

§ 56.5 *Certificates of notification required by paragraph (9) of section 20a.* The certificate of notification for the issue of notes maturing not more than two years after the date thereof required by paragraph (9) of section 20a of the interstate commerce act shall be made in accordance with Form C of Appendix A hereof.

§ 56.6 *Periodical reports required by paragraph (10) of section 20a.* Periodical reports (required by paragraph (10)

of section 20a of the interstate commerce act) of the disposition made of securities issued under authority of the commission and notes maturing not more than two years after the date hereof (for which under paragraph (9) of said section 20a authorization is not required), and the application of the proceeds of such securities and notes, shall be made for the 6 months' periods ending June 30 and December 31, respectively, in accordance with Forms D-1 and D-2 of Appendix A hereof.

And it is further ordered, That this order shall, and it does hereby, supersede the order of February 19, 1927 (49 CFR 56.1-56.10), and the orders of Division 5 dated January 10, 1936 (49 CFR 7.22-7.23), and August 3, 1936, in the aforesaid matters (1 F. R. 1037-1038, 49 CFR 7.28, 7.29, 7.30) and that notice of these regulations will be given to the general public by posting copies in the Office of the Secretary, Interstate Commerce Commission, Washington, D. C., and by filing with the Director of the FEDERAL REGISTER, Washington, D. C.

By the Commission, Division 4.

[SEAL]

W. P. BARTEL,
Secretary.

NOTES

1. Capital stock is considered to be nominally issued when certificates are signed and sealed and placed with the proper officer of the carrier for sale and delivery. Funded debt securities are considered to be nominally issued when certified by trustees and placed with the proper officer of the carrier for sale and delivery. "Securities" as that term is defined in section 20a are considered to be (a) conditionally issued when pledged or otherwise placed in some special fund of the obligor or issuing carrier, and (b) actually issued when they have been sold to a bona fide purchaser for valuable consideration.

2. Exhibits may be in any convenient size, but shall be folded to conform to the size of the application.

3. If the applicant is incorporated or organized under the laws of, or authorized to operate in, more than one State, Territory, or Federal District, give all pertinent facts as to such incorporation, organization, or authorization.

4. The statement in response to paragraph (e) of § 56.1 should be condensed, as most of the details will be supplied in the exhibits required by § 56.2, but should give a detailed description of the securities proposed to be issued. If the application covers the issue of stock, the detailed description should include (1) the kind and class of stock, (2) the number of shares authorized, outstanding and to be issued, (3) par value of each share and/or stated value, if having no par value, (4) amount, (5) voting rights, (6) preferences, (7) conversion privileges, (8) call provisions, and (9) liquidation rights. If the application covers the issue of securities other than stock, the detailed description should include (1) full title of the securities, (2) title and date of the indenture, if any, under which the securities are to be issued, and the name of the trustee or trustees under the indenture, (3) principal amount authorized, previously issued, and proposed to be issued under the indenture, (4) denominations of the securities to be issued, (5) date of the securities, (6) interest rate or rates, (7) interest payment dates, (8) date or dates of maturities, with amounts maturing on each date, if maturing serially, (9) reference to provisions of the indenture, if any, under which the securities will be issued, permitting the proposed issue of securities thereunder, and

relating to sinking funds, redemption features, and conversion rights.

5. The estimate of expenses to be incurred in connection with the sale or other disposition of securities should be itemized to show the commissions to be paid, discounts to be allowed, and the total of these, and in addition, legal expenses, accounting expenses, engineering expenses, expenses for certification, expenses for authentication, other expenses, and the total expenses; also the grand total of commissions, discounts, and expenses. Where the amounts of the items grouped under "other expenses" are relatively substantial, they should also be itemized under that general item.

6. If documents here requested have been previously filed in connection with an application under the interstate commerce act, it will be sufficient to make reference to the docket number under which filed: *Provided*, That any change or changes occurring in such documents since the filing thereof shall be shown in an exhibit identified to correspond with the specific exhibit requested.

APPENDIX A—FORMS FOR REPORT TO BE MADE—AS REQUIRED UNDER THIS ORDER

FORM A¹

Sheet No. _____ of _____

(Name of applicant)

Report to Interstate Commerce Commission of (a) proposed expenditures or (b) expenditures made but not yet capitalized and all retirements during the period _____ to _____ in connection with the accompanying application dated _____ 19__ for authority to issue securities under section 20a of the Interstate Commerce Act

Line No.	A. F. E. No.	Location and description of project	Chargeable to capital account

Instructions

1. There shall be attached to the original of this report, arranged in numerical order, one copy of each A. F. E. (authority for expenditure) covering all expenditures proposed or in progress. For finished projects attach in numerical order one copy of each completion report under Valuation Order 3, except that no completion reports will be required for projects fully reported on B. V. form 588, checked by the Bureau of Valuation and all adjustments fully accepted by the applicant.

2. The total of each page of this report shall be carried forward to a grand total at the end of the report.

3. The original report shall be signed on behalf of the applicant by its president, a vice president, auditor, comptroller, or executive officer having knowledge of the matters therein set forth, and shall be made under oath.

4. The original report and six copies thereof for the use of the commission and one copy for the governor of each State in which the applicant operates shall be filed, together with the application, with the secretary of the Interstate Commerce Commission, Washington, D. C. Each copy shall bear the dates and signatures that appear in the original and shall be complete in itself, but the

¹ Not applicable to motor carriers.

signatures in the copies may be stamped or typed and notarial seal may be omitted.

5. The report shall be on paper approximately 8½ inches by 11 inches. A margin of 1½ inches shall be left on the left side for binding.

FORM B

Certificate of notification to the Interstate Commerce Commission of securities sold, pledged, repledged, or otherwise disposed of, required by paragraph (5) of section 20a of the Interstate Commerce Act, including obligations of the carrier authenticated or issued by trustees or others.

Date _____ 19____

The undersigned hereby certifies that within the 10 days next preceding the above date the _____

(Name of carrier)

has disposed of the securities set forth and described below:

1. Description of securities.
2. Date of application for authority with respect to the securities.
3. Interstate Commerce Commission's finance docket number assigned to application for authority.
4. Date of the Commission's order authorizing the disposition of the securities.
5. Date of prior certificate of notification (if any) in which the securities are set forth and described.
6. Disposition of the securities.
 - (a) Authenticated by trustee:
 - (1) Date of authentication.
 - (2) Date of delivery to carrier.
 - (3) Par value or principal amount.
 - (b) Sold:
 - (1) Date sold.
 - (2) Par value or principal amount.
 - (3) Name and address of purchaser.
 - (4) Purpose for which sold.
 - (5) Conditions and terms of sale.
 - (c) Pledged or repledged (stating which):
 - (1) Date pledged or repledged.
 - (2) Par value or principal amount.
 - (3) Name and address of pledgee.
 - (4) Purpose of pledge.
 - (5) Conditions and terms of pledge.
 - (d) Otherwise disposed of:
 - (1) Date disposed of.
 - (2) Par value or principal amount.
 - (3) Name and address of party or parties to whom disposition was made.
 - (4) Manner and purpose of disposition.
 - (5) Conditions and terms of disposition.

Instructions

1. The original certificate shall be signed by an executive officer of the carrier having knowledge of the matters therein set forth and shall be made under oath.

2. The original certificate and two copies thereof shall be filed with the secretary of the Interstate Commerce Commission, Washington, D. C., within 10 days after the issuance of the securities with respect to which the certificate is filed. Each copy of the certificate shall bear the dates and signatures that appear in the original and shall be complete in itself; the signatures in the copies may be stamped or typed and the notarial seal may be omitted.

3. The certificate shall be on paper approximately 8½ inches by 11 inches. A margin of 1½ inches shall be left on the left side for binding.

¹ Not required of a motor carrier if the amount of the notes issued together with the par value of all other securities of the motor carrier then outstanding (fair market value as of the date of their issue in case of securities having no par value) does not exceed \$500,000, or if the aggregate amount of the notes and all outstanding obligations maturing in two years or less does not exceed \$100,000.

FORM C¹

Certificate of notification to the Interstate Commerce Commission of the issue of notes maturing not more than two years after the date thereof, required by paragraph (9) of Section 20a of the Interstate Commerce Act.

Date _____ 19____

The undersigned hereby certifies that within the 10 days next preceding the above date the _____

(Name of carrier)

has issued notes set forth and described below:

- (a) Principal amount of each note; date; date of delivery; date of maturity; rate of interest; and name of payee.
- (b) Description and amount of securities pledged as collateral for each note. (If carrier pledged its own stocks, bonds, or other securities as such collateral, reference shall be made to the order of the Commission authorizing such pledge.)
- (c) The price at which, and the terms under which, each note was sold or otherwise disposed of.
- (d) How and by whom, or through whom, issued.
- (e) The purposes in detail of each note and proposed disposition of proceeds.

The total amount of the carrier's securities actually outstanding on the date of the note or notes covered by the certificate was as follows:

1. Capital stock (par value) ----- \$
2. Long-term debt (par value) ----

8. Securities not included above, including value of securities issued without par value, but excluding notes of maturity of two years or less -----

Total of securities outstanding -----

4. Notes of maturity of two years or less, including notes covered by this certificate (face amount) -----

Instructions

1. The original certificate shall be signed by an executive officer of the carrier having knowledge of the matters therein set forth and shall be made under oath.

2. The original certificate and two copies thereof shall be filed with the secretary of the Interstate Commerce Commission, Washington, D. C., within 10 days after the issuance of the securities with respect to which the certificate is filed. Each copy of the certificate shall bear the dates and signatures that appear in the original and shall be complete in itself; the signatures in the copies may be stamped or typed and the notarial seal may be omitted.

3. The certificate shall be on paper approximately 8½ inches by 11 inches. A margin of 1½ inches shall be left on the left side for binding.

FORM D-1

Report to the Interstate Commerce Commission of the disposition made of securities authorized under sections 20a or 214 of the interstate commerce act, or of notes maturing not more than two years after the date thereof, issued under paragraph (9) of section 20a, and of the application of the proceeds of such securities or notes, required by paragraph (10) of section 20a.

(This space for use of commission)

Finance Docket No.
Report No.
Date report filed,, 19....

Name of reporting carrier.....
Report for period ended..... 19....
Description (or name) of security covered by this report.....
Date of commission's order authorizing the issue of securities covered by this report....., 19....
Finance Docket No.

Summary

Not including notes maturing not more than two years after the date thereof, for which authorization is not required

	Principal amount (number shares, if stock)*	Purpose
(1) Authorized by commission's order of.....		
(2) Released from pledge.....		
(3) Total.....		
(4) Disposed of: Previously reported..... This period.....		
(5) Total.....		
(6) Balance not disposed of (3)-(5).....		

*State par value if other than \$100 per share.

Notes maturing not more than two years after the date thereof for which authority is not required

Covered by report on Form C, dated _____, 19.... \$.....

SCHEDULE 1—Securities issued and/or securities as to which obligation is assumed

Line ref.	Date disposed of	Date of maturity (if bonds or notes)	Annual rate of interest (if bonds or notes)	Date of interest payments (if bonds or notes)	To whom disposed of and nature of consideration	Number of shares (if stock)	Par value or principal amount
	(a)	(b)	(c)	(d)	(e)	(f)	(g)
1							
2							
3							
Etc.							
Total							

SCHEDULE 1—Securities issued and/or securities as to which obligation is assumed—Continued
COST OF FLOTATION

Line ref.	Discount or premium ¹ (h)	Commissions (i)	Counsel fees (j)	All other fees and expenses (k)	Total cost, columns (h) to (k) ² (l)	Net proceeds, column (g)—column (l) (m)	Net annual interest rate to maturity based on column (m) (n)
1							
2							
3							
Etc.							
Total							

¹ Show premium in red.
² If premium exceeds total of columns (i), (j), and (k), show in red.

SCHEDULE 2—Application of net proceeds and/or face values of securities issued or assumed

1. Unexpended balance from Schedule 2, previous report of.....	\$.....
2. Net proceeds of issues during period covered by this report (column (m), Schedule 1).....	.....
3. Total net proceeds of securities.....	.....
4. Purpose to which applied ¹.....	.....
5. Unexpended net proceeds (carried to line 1, Schedule 2, net report).....	.....
6. Expenditures for above purpose made from funds other than those obtained from this issue of securities.....	.....
7. Total expenditures, accounting for \$..... face value of securities (3+6).....	.....

¹ See paragraph 3 of "Instructions."

SCHEDULE 3—Securities pledged or repledged

Date pledged or repledged ¹ (a)	Number of shares (if stock) (b)	Par value or principal amount (c)	Obligation for which pledged		
			Description of obligation and name of holder (d)	Amount of obligation (e)	Date of maturity (f)
Total...					

¹ Show in footnote whether pledged or repledged.

Instructions (Form D-1)

1. Original report covering each 6 months' period ended June 30 and December 31, and

two copies thereof, shall be filed with the secretary of the Interstate Commerce Commission within 30 days after the end of each period.

FORM D-2¹

These reports shall be continued until—
(a) In case of securities authorized under sections 20a or 214 of the Interstate Commerce Act, the disposition of all the securities and the application of all the proceeds thereof have been reported; and

(b) In case of notes issued under the provisions of paragraph (9) of section 20a of the act, the application of all the proceeds of such notes has been reported;

but if there were no transactions to report during any 6 months' period a statement to that effect may be made under oath and filed in lieu of a formal report.

2. Separate report shall be made for each order of authorization, and if the issue of more than one kind of security is authorized by the same order, separate report shall be made for each kind of security. Separate report shall be made for each note (or series of notes) maturing not more than two years after the date thereof, for which authorization is not required under the provisions of paragraph (9) of section 20a.

3. Schedule 2 of this report shall show under the following general headings the purposes to which proceeds were applied:

(a) The acquisition of property other than equipment.

(b) The acquisition of equipment.

(c) The construction, completion, extension, or improvement of facilities.

(d) The discharge or refunding of existing obligations.

(e) The reimbursement of moneys expended from income or from other moneys in the treasury of the applicant.

(f) Other purposes (specifically stated).

4. The original report shall be signed by an executive officer of the issuing carrier having knowledge of the matters therein set forth and shall be made under oath.

5. Each copy of the report shall bear the dates and signatures that appear in the original and shall be complete in itself; the signatures in the copies may be stamped or typed, and notarial seal be omitted.

6. The report shall be on paper approximately 8½ by 11 inches. A margin of 1½ inches shall be left on the left side for binding.

Carrier reporting..... (Corporate name)	Report to Interstate Commerce Commission of expenditures for additions and betterments to roadway and structures and existing equipment from (a) proceeds from disposition of securities authorized by the Commission under section 20a of the Interstate Commerce Act, and/or proceeds from disposition of short-term notes issued under paragraph (9) of said section.....	Report No.....
Officer reporting expenditures..... (Name)		Date.....
P. O. address.....		Period covered..... to.....
		Record in connection with: Application dated..... Finance Docket No..... Order dated.....

Line No. (a)	Location and description of project (b)	Carrier's authority		Estimated cost (c)	Amount actually expended			Date completed (i)	Explanations and amounts of adjustments due to the participation of interests, other than the applicant carrier, in the expenditures. (j)	For use of I. C. C. only (k)
		A. F. E. No. (c)	Date (d)		Previous reports (f)	This report (g)	To date (h)			

¹ Not applicable to motor carriers.

Instructions

1. If the order authorized issuance of securities to capitalize proposed expenditures the As. F. E. numbers to be entered in column (c) of this report should correspond with those shown in the application and included by the terms of the order.
2. The totals of columns (e), (f), (g), and (h), shall be shown for each page of this report and shall be carried forward to a grand total at the end of the report.
3. The original report shall be signed on behalf of the applicant by its president, vice president, auditor, comptroller, or other executive officer having knowledge of the matters therein set forth, and shall be made under oath.
4. The original report and two copies thereof shall be made and filed with the secretary of the Interstate Commerce Commission, Washington, D. C., within 30 days after each 6 months' period ended June 30 and December 31, and shall accompany report Form D-1.
5. The report shall be on paper approximately 17 inches by 22 inches. A margin of 1½ inches shall be left on the left side for binding.

APPENDIX B

SECTION 20A (1) TO (11), INCLUSIVE, AND SECTION 214 OF THE INTERSTATE COMMERCE ACT

SEC. 20a. [Added February 28, 1920.] (1) That as used in this section the term "carrier" means a common carrier by railroad (except a street, suburban, or interurban electric railway which is not operated as a part of a general steam railroad system of transportation) which is subject to this act, or any corporation organized for the purpose of engaging in transportation by railroad subject to this act.

(2) From and after one hundred and twenty days after this section takes effect it shall be unlawful for any carrier to issue any share of capital stock or any bond or other evidence of interest in or indebtedness of the carrier (hereinafter in this section collectively termed "securities") or to assume any obligation or liability as lessor, lessee, guarantor, indorser, surety, or otherwise, in respect of the securities of any other person, natural or artificial, even though permitted by the authority creating the carrier corporation, unless and until, and then only to the extent that, upon application by the carrier, and after investigation by the commission of the purposes and uses of the proposed issue and the proceeds thereof, or of the proposed assumption of obligation or liability in respect of the securities of any other person, natural or artificial, the commission by order authorizes such issue or assumption. The commission shall make such order only if it finds that such issue or assumption: (a) is for some lawful object within its corporate purposes, and compatible with the public interest, which is necessary or appropriate for or consistent with the proper performance by the carrier of service to the public as a common carrier, and which will not impair its ability to perform that service, and (b) is reasonably necessary and appropriate for such purpose.

(3) The commission shall have power by its order to grant or deny the application as made, or to grant it in part and deny it in part, or to grant it with such modifications and upon such terms and conditions as the commission may deem necessary or appropriate in the premises, and may from time to time, for good cause shown, make such supplemental orders in the premises as it may deem necessary or appropriate, and may by any such supplemental order modify the provisions of any previous order as to the particular purposes, uses, and extent to which, or the conditions under which, any securities so theretofore authorized or the proceeds thereof may be applied, subject always to the requirements of the foregoing paragraph (2).

(4) Every application for authority shall be made in such form and contain such matters as the commission may prescribe. Every such application, as also every certificate of notification hereinafter provided for, shall be made under oath, signed and filed on behalf of the carrier by its president, a vice president, auditor, comptroller, or other executive officer having knowledge of the matters therein set forth and duly designated for that purpose by the carrier.

(5) Whenever any securities set forth and described in any application for authority or certificate of notification as pledged or held unencumbered in the treasury of the carrier shall, subsequent to the filing of such application or certificate, be sold, pledged, repledged, or otherwise disposed of by the carrier, such carrier shall within ten days after such sale, pledge, repledge, or other disposition, file with the commission a certificate of notification to that effect, setting forth therein all such facts as may be required by the commission.

(6) Upon receipt of any such application for authority the commission shall cause notice thereof to be given to and a copy

filed with the governor of each State in which the applicant carrier operates. The railroad commissions, public service or utilities commissions, or other appropriate State authorities of the State shall have the right to make before the commission such representations as they may deem just and proper for preserving and conserving the rights and interests of their people and the States, respectively, involved in such proceeding. The commission may hold hearings, if it sees fit, to enable it to determine its decision upon the application for authority.

(7) The jurisdiction conferred upon the commission by this section shall be exclusive and plenary, and a carrier may issue securities and assume obligations or liabilities in accordance with the provisions of this section without securing approval other than as specified herein.

(8) Nothing herein shall be construed to imply any guaranty or obligation as to such securities on the part of the United States.

(9) The foregoing provisions of this section shall not apply to notes to be issued by the carrier maturing not more than two years after the date thereof and aggregating (together with all other then outstanding notes of a maturity of two years or less) not more than 5 per centum of the par value of the securities of the carrier then outstanding. In the case of securities having no par value, the par value for the purposes of this paragraph shall be the fair market value as of the date of issue. Within ten days after the making of such notes the carrier issuing the same shall file with the commission a certificate of notification, in such form as may from time to time be determined and prescribed by the commission, setting forth as nearly as may be the same matters as those required in respect of applications for authority to issue other securities: *Provided*, That in any subsequent funding of such notes the provisions of this section respecting other securities shall apply.

(10) The commission shall require periodical or special reports from each carrier hereafter issuing any securities, including such notes, which shall show, in such detail as the commission may require, the disposition made of such securities and the application of the proceeds thereof.

(11) Any security issued or any obligation or liability assumed by a carrier, for which under the provisions of this section the authorization of the commission is required, shall be void, if issued or assumed without such authorization therefor having first been obtained, or if issued or assumed contrary to any term or condition of such order of authorization as modified by any order supplemental thereto entered prior to such issuance or assumption; but no security issued or obligation or liability assumed in accordance with all the terms and conditions of such an order of authorization therefor as modified by any order supplemental thereto entered prior to such issuance or assumption, shall be rendered void because of failure to comply with any provision of this section relating to procedure and other matters preceding the entry of such order of authorization. If any security so made void or any security in respect to which the assumption of obligation or liability is so made void, is acquired by any person for value and in good faith and without notice that the issue or assumption is void, such person may in a suit or action in any court of competent jurisdiction hold jointly and severally liable for the full amount of the damage sustained by him in respect thereof, the carrier which issued the security so made void, or assumed the obligation or liability so made void, and its directors, officers, attorneys, and other agents, who participated in any way in the authorizing, issuing, hypothecating, or selling of the security so made void or in the authorizing of the assumption of the obligation or liability so made void. In case any security so

made void was directly acquired from the carrier issuing it the holder may at his option rescind the transaction and upon the surrender of the security recover the consideration given therefor. Any director, officer, attorney, or agent of the carrier who knowingly assents to or concurs in any issue of securities or assumptions of obligation or liability forbidden by this section, or any sale or other disposition of securities contrary to the provisions of the commission's order or orders in the premises, or any application not authorized by the commission of the funds derived by the carrier through such sale or other disposition of such securities, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$1,000 nor more than \$10,000, or by imprisonment for not less than one year nor more than three years, or by both such fine and imprisonment, in the discretion of the court.

SEC. 214. [Added August 9, 1935, as amended June 29, 1938, and September 18, 1940.] Common or contract carriers by motor vehicle, corporations organized for the purpose of engaging in transportation as such carriers, and corporations authorized by order of the Commission to acquire control of any such carrier, or of two or more such carriers, shall be subject to the provisions of paragraphs 2 to 11, inclusive, of section 20a of part I of this Act (including penalties applicable in cases of violations thereof): *Provided, however*, That said provisions shall not apply to such carriers or corporations where the par value of the securities to be issued, together with the par value of the securities then outstanding, does not exceed \$500,000, nor to the issuance of notes of a maturity of two years or less and aggregating not more than \$100,000, which notes aggregating such amount including all outstanding obligations maturing in two years or less may be issued without reference to the percentage which said amounts bear to the total amount of outstanding securities. In the case of securities having no par value, the par value for the purpose of this section shall be the fair market value as of the date of their issue: *Provided further*, That the exemption in section 3 (a) (6) of the "Securities Act, 1933" is hereby amended to read as follows: "(6) Any security issued by a common or contract carrier, the issuance of which is subject to the provisions of section 20a of the Interstate Commerce Act, as amended;"

APPENDIX C

GENERAL RULES OF PRACTICE

RULE 15. *Typographical specifications generally.* Except as otherwise provided respecting applications (rule 38 (a)), exhibits (rule 34 (a)), and informal complaints (rule 24 (a)), all pleadings, documents, and papers to be filed under these rules shall be on opaque, unglazed, durable paper not exceeding 8½ by 11 inches. To permit of binding on covers of uniform size, margins of at least 1½ and 1 inch, respectively, shall be allowed on the left and right margins. Binding shall be on the left margin. Reproduction may be by printing, multilithing, multigraphing, or mimeographing or by any other process, provided the copies are clear and permanently legible. White-line blue-prints which cannot be reproduced by photography are not desirable. If directly typewritten, or if in facsimile reproduction of typewriting, the impression must be on one side of the paper and must be double-spaced, except that long quotations shall be single-spaced and indented. If printed, adequate leading and nothing less than 10-point type shall be used, except that 8-point type may be employed in footnotes and in tabular matter where printing limitations so require. A brief in excess of 50 pages, including cover pages, indexes, and appendices, may not be typewritten.

[F. R. Doc. 46-16478-A; Filed, Sept. 10, 1946; 4:27 p. m.]

Chapter II—Office of Defense
Transportation

PART 500—CONSERVATION OF RAIL
EQUIPMENT

SHIPMENTS ORIGINATING IN SALINAS OR
WATSONVILLE, CALIF.

CROSS REFERENCE: For exceptions to
the provisions of § 500.72 see Part 520,
infra.

[Gen. Permit ODT 18A, Rev. 23]

PART 520—CONSERVATION OF RAIL EQUIP-
MENT; EXCEPTIONS, PERMITS, AND SPE-
CIAL DIRECTIONS

SHIPMENTS ORIGINATING IN SALINAS OR
WATSONVILLE, CALIF.

Pursuant to Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U. S. C. App. 633, 58 Stat. 827, 59 Stat. 658, Public Law 475, 79th Cong.; E. O. 8989, as amended, 6 F. R. 6725, 8 F. R. 14183; E. O. 9729, 11 F. R. 5641; and General Order ODT 18A, Revised, as amended (11 F. R. 8229, 8829), it is hereby authorized, That:

§ 520.523 *Shipments originating in Salinas, California, or Watsonville, California.* Notwithstanding the restrictions contained in § 500.72 of General Order ODT 18A, Revised, as amended (11 F. R. 8229, 8829), any person may offer for transportation and any rail carrier may accept for transportation at point of origin, forward from point of origin, or load and forward from point of origin, any carload freight:

(a) When the car is partially loaded with such freight at a location in Salinas, California, and is switched to another location therein for completion of loading in accordance with General Order ODT 18A, Revised, as amended; and

(b) When the car is partially loaded with such freight at a location in Watsonville, California, and is switched to another location therein for completion of loading in accordance with General Order ODT 18A, Revised, as amended.

This General Permit ODT 18A, Revised-23, shall become effective September 12, 1946, and shall expire at 12:59 p. m., March 31, 1947, unless sooner amended, canceled, or extended.

(Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U. S. C. App. 633, 58 Stat. 827, 59 Stat. 658, Public Law 475, 79th Congress; E. O. 8989, as amended, 6 F. R. 6725, 8 F. R. 14183; E. O. 9729, 11 F. R. 5641; and General Order ODT 18A, Revised, as amended, 11 F. R. 8229, 8829)

Issued at Washington, D. C., this 9th day of September 1946.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 46-16441; Filed, Sept. 10, 1946; 11:54 a. m.]

Notices

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 5169]

COTTON FLOOR COVERINGS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to § 1499.159 (b) of Maximum Price Regulation No. 188, it is ordered:

SECTION 1. *Purpose of this order.* This order authorizes a price increase for manufacturers of certain cotton floor coverings; and it sets forth specific pricing provisions which all sellers are to follow in calculating their maximum prices for sales of these products.

SEC. 2. *Articles covered by this order.* The articles covered by this order are cotton rugs made of woven cotton yarns; cotton rag or braided rugs; and cotton rugs made of woven cotton fabric back and cotton yarn pile surface.

SEC. 3. *Manufacturers' adjusted maximum prices—(a) Determination of maximum prices.* The maximum prices for sales of any of the articles covered by this order by a manufacturer to each class of purchaser shall be the higher of the applicable of the following:

(1) His maximum price properly established under Maximum Price Regulation No. 188 (exclusive of any permitted increase or adjustment) for sales to each class of purchaser increased by no more than 15 percent in the case of cotton rugs made of woven cotton fabric back and cotton yarn pile surface; and by no more than 20 percent in the case of cotton rugs woven of cotton yarns and cotton rag or braided rugs.

(2) His maximum price as adjusted or established by an order under Supplementary Order No. 133; or any other Office of Price Administration regulation or order.

SEC. 4. *Resellers' and adjusted maximum prices.* (a) Wholesalers, and retailers who determine their maximum resale prices for resales of the articles covered by this order under the General Maximum Price Regulation, of an article which the manufacturer has sold at an adjusted ceiling price determined under this order, and for which such reseller has a properly established maximum price prior to June 30, 1946, may increase that maximum price to each class of purchaser by the same percentage as that set forth in section 3 (a) (1) for the appropriate type of article described in that section.

(b) The resellers described in (a) above of an article which a manufacturer sells at an adjusted maximum price permitted under an individual adjustment order or for which the seller does not have a properly established maximum price prior to September 13, 1946 shall determine his maximum price by adding to his invoice cost the same per-

centage markup which he has on the "most comparable article" for which he has determined his adjusted maximum price under (a) above. For this purpose, the "most comparable article" is the one which meets all the following tests:

(1) It belongs to the same group of articles set forth in paragraph (a) above which covers articles being priced.

(2) Both it and the article being priced were purchased from the same class of supplier.

(3) Its net replacement cost is nearest to the net cost of the article being priced.

The determination of a maximum price in this way need not be reported to the Office of Price Administration, however, each seller must keep complete records, showing all the information called for by OPA Form 620-759 with regard to how he determined his maximum price, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(c) If the maximum resale price cannot be determined under the above method, the seller shall apply to the Office of Price Administration for the establishment of a maximum price under § 1499.3 (c) of the General Maximum Price Regulation. Maximum prices established under that section will reflect the supplier's prices as adjusted in accordance with this order.

(d) If a retailer determines his maximum price under Maximum Price Regulation No. 580, he shall compute his maximum price in accordance with the rules set forth in that regulation by using a "net cost" based on his invoice cost.

SEC. 5. *Terms of sale.* Every seller of an article covered by this order must maintain all of his terms, discounts, allowances, and other price differentials in effect during March 1942, or which have been subsequently properly established under Office of Price Administration regulations or orders.

A reseller who did not sell cotton floor coverings covered by this order during March 1942, or whose discounts, allowances and terms and other conditions of sale have not been thereafter established under OPA regulations, shall allow the same cash discounts, delivery terms, allowances, and other price differentials which his closest competitor, who was distributing cotton floor coverings covered by this order during March 1942, is required to allow in accordance with the provisions of this order.

A reseller who cannot ascertain the cash discounts, delivery terms, etc., which his nearest competitor is required to allow, shall apply to the nearest district office of the Office of Price Administration for an order under this section, establishing the conditions to which his ceiling prices are subject. Such application may be by letter and shall state the type of business he is operating (wholesaler, retailer) when he started to sell cotton floor coverings covered by this order, and the class of purchasers to whom he sells. An order will be issued under this section establishing the terms, allowances and other price differentials and conditions of sale in line with the

conditions of sale generally fixed by this order.

If a reseller who did not sell cotton floor coverings covered by this order during March 1942 does not allow the same discounts, delivery terms and other price differentials allowed by his nearest competitor who did sell cotton floor coverings covered by this order during March 1942, or does not file an application in accordance with the provisions of this section, or if he fails to provide any of the information required by this section, the Price Administrator may, on his own motion, issue orders under this section fixing discounts, allowances and other price differentials in line with such conditions of sale fixed by this order. Conditions of sale so established will apply to all sales and deliveries made on and after the effective date of this order.

SEC. 6. Notification. At the time of, or prior to the first invoice to a purchaser for resale on and after the effective date of this order, showing prices adjusted in accordance with this order, the seller shall notify the purchaser in writing of the methods established in Section 4 of this order for determining adjusted maximum prices for resales of the articles. This notice may be given in any convenient form.

SEC. 7. Compliance with this order—
(a) *No buying or selling at over ceiling prices.* Prices established by this order are ceiling prices. Prices lower than ceiling prices may be charged and collected at any time. However, regardless of any contract or other obligation, no person shall sell, offer to sell, or deliver, and in the course of trade or business, no person shall purchase or accept delivery of any cotton floor coverings covered by this order at a price higher than the ceiling price fixed by this order or before the manufacturer has properly determined his ceiling price under this offer.

If, in violation of this provision, a sale, offer to sell, or delivery of any cotton floor coverings covered by this order is made before its ceiling price has been properly established in accordance with this order, the ceiling price applicable to the sale, offer to sell, or delivery shall be the correct ceiling price for such cotton floor coverings covered by this order properly determined in accordance with this order.

(b) *Certain practices forbidden.* It shall be a violation of this order to charge a price above the applicable ceiling price in connection with any sale of cotton floor coverings covered by this order, either alone or in conjunction with any other consideration, even though the price increase appears only indirectly.

The following is illustrative of the things a seller is not permitted to do. A seller is not permitted to require the purchaser, as a condition of the sale or transfer of cotton floor coverings covered by this order to make payment over a period of time; to require him to finance the purchaser through any particular lending agency; to require him to purchase any equipment, accessories, repairs, parts or services so as to increase the total compensation above the arti-

cle's ceiling price; to require him to purchase any other commodity or service; or to require him to make payment in whole or in part by exchanging, transferring, or trading in any other cotton floor covering covered by this order or other commodity. Where there is an exchange, transfer or trade-in in connection with a sale, it is a violation for the seller to give the purchaser an allowance for the commodity exchanged, transferred or traded in, which is less than its reasonable value.

SEC. 8. Credit charges on dealers sales. Charges for the extension of credit may be added to the retail ceiling prices established by this order or by any order issued under this order unless otherwise provided. No such credit charge may exceed that permitted by this section.

(a) Dealers who in March 1942 collected a separately stated additional charge for the extension of credit on sales of cotton floor coverings covered by this order may collect a charge for the extension of credit on sales under this order, not exceeding such charge in March 1942 on a similar sale on similar terms to the same class of purchaser. Dealers who did not then so state and collect an additional charge, may collect a charge for the extension of credit only on installment plan sales; and the charge shall not exceed the separately stated additional charge collected for the extension of credit on a similar sale on similar terms to the same class of purchaser in March 1942 by dealer's closest competitor who made such a separately stated charge.

An installment plan sale as used in the above paragraph means a sale where the unpaid balance is to be paid in installments over a period of either (1) six weeks or more from the date of sale in the case of weekly installments, or (2) eight weeks or more in the case of other than weekly installments.

(b) All charges for the extension of credit shall be quoted and stated separately. Any charge which is not quoted and stated separately or which otherwise does not conform to this section shall for the purpose of this order, be considered to be a part of the price charged for the article sold.

(c) No dealer may require as a condition of sale that the purchaser must buy on credit.

(d) "Dealer" refers to a person making sales at retail as defined in the General Maximum Price Regulation.

SEC. 9. Definition. Unless otherwise defined herein or the context otherwise requires, the definitions contained in the General Maximum Price Regulation and Maximum Price Regulation No. 188, whichever is applicable, shall apply to all terms used herein.

SEC. 10. Relationship between this order and other orders or regulations. The provisions of this order supersede the provisions of the General Maximum Price Regulation, of Maximum Price Regulation No. 188, of Maximum Price Regulation No. 580 and of any other previously issued orders or regulations with respect to sales and deliveries of articles covered by this order to the ex-

tent that they are inconsistent with the provisions of those orders or regulations.

SEC. 11. Delegation of authority. Any Regional Administrator or District Director authorized by the appropriate Regional Administrator, may issue orders under sections 4 and 5 of this order.

SEC. 12. Modification of the provisions of this order. Any provisions of this order, as applicable to articles or persons subject thereto, may be modified by order of general applicability issued under this section.

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

This order shall become effective on the 13th day of September 1946.

Issued this 11th day of September 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-16520; Filed, Sept. 11, 1946;
12:39 p. m.]

[MPR 478, Rev. Order 168]

COATED AND COMBINED FABRICS

AUTHORIZATION OF SALES AT ADJUSTABLE
MAXIMUM PRICES

Order No. 168 under Maximum Price Regulation 478 is redesignated Revised Order No. 168 and is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register and pursuant to section 17 of Maximum Price Regulation 478, *It is ordered:*

Any manufacturer, wholesaler or supply jobber of coated or combined fabrics as defined in Maximum Price Regulation 478 may sell such fabrics to cutters, wholesalers, supply jobbers or industrial users at prices to be adjusted upward in accordance with action that may hereafter be taken by the Office of Price Administration, changing the existing maximum prices for sales of such coated or combined fabrics. However, no seller shall receive payment of more than the presently established maximum price for sales of such coated or combined fabrics unless and until the Office of Price Administration changes existing maximum prices. This order is automatically revoked when the Office of Price Administration changes the existing maximum prices for sales covered by this order, or on September 30, 1946, whichever is earlier.

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

This order shall become effective September 16, 1946.

Issued this 11th day of September 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-16525; Filed, Sept. 11, 1946;
12:39 p. m.]

[MPR 610, Order 17]

CORBITT CO.

AUTHORIZATION OF TEMPORARY MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 17 of Maximum Price Regulation 610, it is ordered:

(a) *Effective period of order.* The provisions of this order shall be effective only for trucks delivered by sellers to purchasers during a period not to exceed

45 days from the effective date of this order. During the 45 day period in which this order is effective, the Corbitt Company, Henderson, North Carolina, hereinafter called the Company, is permitted to charge the full price set forth in paragraph (b) or (c) of this order for each of the trucks described in paragraph (b), and delivered to a purchaser, and each reseller is permitted to charge for each of the new trucks described in paragraph (b) the full price determined in accordance with the provisions of paragraph (d), (e) or (f) of this order when delivered to a purchaser.

(b) *Company sales to distributors.* The Company is authorized to sell, f. o. b.

factory, Henderson, North Carolina, to a distributor each new Corbitt truck described in subparagraph (1) when delivered to the distributor at a temporary price not to exceed the total of the following charges; subject to the terms and conditions set forth in paragraph (a) above:

(1) *Charge for the new truck.* A charge for the new truck not to exceed the applicable temporary list price in the following schedule less 30%, discount for Models 18TG and 18BG, and 35% discount for Models 20TG, 22TG, 22TD, 22BG, 22FG, 25TG, 25TD, 25BG, 27TD, 28TG, and 28TD

Model No.	Description	Temporary list price	Model No.	Description	Temporary list price
18TG	Chassis, truck, with driver's cab; 137½" wheelbase, 18,000 pounds gross vehicle weight; 9.00 x 20 single front, dual rear tires; all other standard specifications and equipment as submitted by The Corbitt Company under date of June 10, 1946.	\$4,707.13	22FG	Chassis, truck, with driver's cab; 159½" wheelbase, 22,000 pounds gross vehicle weight; 9.00 x 20 tires, mud and snow type, single front and single rear; all other standard specifications and equipment as submitted by The Corbitt Company under date of June 10, 1946.	\$5,929.55
18BG	Chassis, truck, with driver's cab; optional wheelbase, 18,000 pounds gross vehicle weight; 9.00 x 20 single front and dual rear tires; all other standard specifications and equipment as submitted by The Corbitt Company under date of June 10, 1946.	4,659.96	25TG	Chassis, truck, with driver's cab; 148½" wheelbase, 24,000 pounds gross vehicle weight; 10.00 x 22 single front, dual rear tires; all other standard specifications and equipment as submitted by The Corbitt Company under date of June 10, 1946.	7,617.37
20TG	Chassis, truck, with driver's cab; 137½" wheelbase, 20,000 pounds gross vehicle weight; 9.00 x 20 single front, 10.00 x 20 dual rear tires; all other standard specifications and equipment as submitted by The Corbitt Company under date of June 10, 1946.	5,453.46	25TD	Chassis, truck, with driver's cab; 148½" wheelbase, 24,000 pounds gross vehicle weight; 10.00 x 22 single front, dual rear tires; all other standard specifications and equipment as submitted by The Corbitt Company under date of June 10, 1946.	8,627.09
22TG	Chassis, truck, with driver's cab; 144½" wheelbase, 22,000 pounds gross vehicle weight; 10.00 x 20 single front, dual rear tires; all other standard specifications and equipment as submitted by The Corbitt Company under date of June 10, 1946.	5,968.06	25BG	Chassis, truck, with driver's cab; 152" wheelbase, 25,000 pounds gross vehicle weight; 11.00 x 22 single front, dual rear tires; all other standard specifications and equipment as submitted by The Corbitt Company under date of June 10, 1946.	6,047.74
22TD	Chassis, truck, with driver's cab; 145½" wheelbase, 22,000 pounds gross vehicle weight; 10.00 x 20 single front, dual rear tires; all other standard specifications and equipment as submitted by The Corbitt Company under date of June 10, 1946.	7,642.00	27TD	Chassis, truck, with driver's cab; 152½" wheelbase, 27,000 pounds gross vehicle weight; 10.00 x 22 front and dual rear tires; all other standard specifications and equipment as submitted by The Corbitt Company under date of June 10, 1946.	9,615.32
22BG	Chassis, truck, with driver's cab; 190" wheelbase, 22,000 pounds gross vehicle weight; 10.00 x 20 single front, dual rear tires; all other standard specifications and equipment as submitted by The Corbitt Company under date of June 10, 1946.	5,575.18	28TG	Chassis, truck, with driver's cab; 148½" wheelbase, 28,000 pounds gross vehicle weight; 10.00 x 22 single front, dual rear tires; all other standard specifications and equipment as submitted by The Corbitt Company under date of June 10, 1946.	8,268.63
			28TD	Chassis, truck, with driver's cab; 155½" wheelbase, 28,000 pounds gross vehicle weight; 10.00 x 22 single front, dual rear tires; all other standard specifications and equipment as submitted by The Corbitt Company under date of June 10, 1946.	11,214.22

(2) *Charges for extra or optional equipment.* A charge for each item of extra or optional equipment not to exceed the temporary list price in the following schedule less 25% discount:

Description	Temporary list price
Hot Water Heater (all models)	\$33.35
Defroster Fan (all models)	13.35
Tachometer, Lock Type (models 18TG, 18BG, 20TG, 22BG, 22FG, 25BG)	33.35
Hand control valve (models 18BG, 25BG)	66.70
Limiting Valve (models 18BG, 25BG)	26.70
Spot Light (All models)	33.35
Auxiliary Driving Light (All Models)	6.70
Fifth Wheel Light (All Models)	4.00
Hubodometer (All Models)	29.35
Turnsignals (Models 18BG, 22BG, 25BG)	20.00
Fog Lights (Models 18BG, 22BG, 25BG)	20.00
Extra Rear View Mirror (All Models)	3.35
Fifth Wheel (Models 18TG, 20TG, 22TG, 22TD, 25TG, 25TD, 25BG, 27TD, 28TG, 28TD)	133.35
Mounting Fifth Wheel (Models 18TG, 20TG, 22TG, 22TD, 25TG, 25TD, 27TD, 28TG, 28TD)	13.35
6-Volt Trailer Circuits (Models 18TG, 20TG, 22TG, 22TD, 25TG, 25TD, 27TD, 28TG, 28TD)	13.35

Description	Temporary list price
Sliding Rear Cab Window (All Models)	\$20.00
Different Axle Ratios (All Models)	n/c
Direct in 5th Transmission (All Models)	n/c
Painting other than Std., per color (All Models)	33.35
Extra Fuel Tank (Models 18TGA, 20TG)	46.70
Extra Fuel Tank (Models 18BG, 22BG)	53.35
Extra Fuel Tank (Model 22FG)	40.00
Snyder Saddle Tank, 125 Gal. (Models 18TG, 20TG)	53.35
Snyder Saddle Tank, 125 Gal. (Models 22TG, 22TD, 25TGA, 27TDE, 28TG, 28TD)	33.35
1—American Safety Tank, 50 Gal. (Models 18TG, 18BG, 20TG, 22BG)	33.35
2—American Safety Tanks, 50 Gal. (Models 18BG, 22BG)	80.00
2—American Safety Tanks, 50 Gal. (Models 18TG, 20TG)	66.65
2—American Safety Tanks, 50 Gal. (Models 22TG, 22TD, 25TG, 25BG, 27TD, 28TG, 28TD)	53.35
Adjustable Chair Frame Seat, Passenger (All Models)	40.00
Full Width Auxiliary Seat (Models 25TG, 25TD, 27TD, 28TG, 28TD)	42.70
Full Width Cab Seat (All Models)	n/c
Hercules Gas Engine (Model 22TG)	1,380.00

OPTIONAL TIRES AND WHEELS

Truck Model No. and tire size	Temporary list price (additional)	
	Front	Dual rear
Model 18TG:		
9.00 x 20	Standard	Standard
10.00 x 20	\$108.00	\$216.00
11.00 x 20	152.00	304.00
Models 22TG and 25BG:		
10.00 x 20	Standard	Standard
10.00 x 22	32.00	77.35
11.00 x 20	44.00	88.00
11.00 x 22	80.00	173.35
Models 25TG and 25TD:		
10.00 x 22	Standard	Standard
11.00 x 22	48.00	96.00
10.00 x 24	30.70	44.00
11.00 x 24	85.35	152.00
11.00 x 20	12.00	33.35
10.00 x 20	12.00	20.00
Model 27TD:		
10.00 x 22	Standard	Standard
10.00 x 20	12.00	20.00
10.00 x 24	22.70	44.00
11.00 x 20	10.70	33.35
11.00 x 22	48.00	96.00
11.00 x 24	77.35	152.00
Models 28TG and 28TD:		
10.00 x 22	Standard	Standard
10.00 x 20	12.00	20.00
10.00 x 24	22.70	44.00
11.00 x 20	10.70	33.35
11.00 x 22	48.00	96.00
11.00 x 24	77.35	152.00

¹ Net deduct.

(3) *Charge for freight.* A charge to cover freight expense computed in ac-

cordance with the method the Company had in effect on March 31, 1942 plus transportation tax at the current legal rate.

(4) *Charge for Federal excise taxes.* A charge to cover Federal excise taxes at the current legal rate computed in accordance with the method the Company had in effect on March 31, 1942;

(5) *Charge for factory handling and delivery.* A charge to cover factory handling and delivery expenses computed by using the same rate and method the Company had in effect on March 31, 1942.

(c) *Company sales to users.* The Company is authorized to sell, f. o. b. factory, Henderson, North Carolina, to users, each new Corbitt truck described in paragraph (b) (1) when delivered to the users at a temporary price not to exceed the total of the following charges; subject to the terms and conditions set forth in paragraph (a) above.

(1) *Charge for the new truck.* A charge for the new truck not to exceed the applicable temporary list price set forth in paragraph (b) (1) less 20% discount for Models 18TG and 18BG, and 25% discount for Models 20TG, 22TG, 22TD, 22BG, 22FG, 25TG, 25 TD, 25BG, 27TD, 28TG, and 28TD;

(2) *Charges for extra or optional equipment.* A charge for extra or optional equipment not to exceed the applicable temporary list price set forth in paragraph (b) (2) less a discount of 25%;

(3) *Charge for state and local taxes.* A charge to cover state and local taxes, if any, directly imposed upon the sale and delivery of the new truck and extra or optional equipment;

(4) *Charge for factory handling and delivery.* A charge to cover factory handling and delivery computed by using the same rate and method the Company had in effect on March 31, 1942, except as provided in the following sentence: The amount that may be included in the handling and delivery charge for preparing and conditioning shall be determined in accordance with section 10 (g) (3) of Maximum Price Regulation 610.

(4) *Other charges.* Charges to cover transportation expense and Federal excise taxes determined in accordance with the applicable provisions of paragraph (b).

NOTE: As required by section 12, of MPR 610, the Company shall notify all resellers of temporary list prices and applicable discounts for the vehicle of base specifications and extra or optional equipment and shall notify resellers that they must use such list prices and discounts in determining maximum prices in accordance with section 10.

(d) *Distributor sales to dealers.* A distributor of Corbitt trucks is authorized to sell to dealers each new Corbitt truck described in paragraph (b) (1) when delivered to the dealers at a temporary price not to exceed the total of the following charges; subject to the terms and conditions set forth in paragraph (a) above:

(1) *Charge for new truck.* A charge for the new truck not to exceed the applicable temporary list price set forth in paragraph (b) (1) less 25% discount for Models 18TG and 18BG, and 30% discount for Models 20TG, 22TG, 22TD,

22BG, 22FG, 25TG, 25TD, 25BG, 27TD, 28TG, and 28TD;

(2) *Charges for extra or optional equipment.* A charge for each item of extra or optional equipment not to exceed the applicable temporary list price set forth in paragraph (b) (2) less a discount of 20%;

(3) *Other charges.* Charges permitted by sections 10 (c), 10 (d), 10 (e) and 10 (f) of Maximum Price Regulation 610.

(e) *Sales by distributors and dealers to users in the Continental United States.* Distributors and dealers are authorized to sell and deliver to users each new Corbitt truck described in paragraph (b) (1) when delivered to users at a temporary price not to exceed the total of the following charges, subject to the terms and conditions set forth in paragraph (a) above:

(1) *Charge for the new truck.* A charge for the new truck not to exceed the applicable temporary list price set forth in paragraph (b) (1);

(2) *Charges for extra or optional equipment.* A charge for each item of extra or optional equipment not to exceed the applicable temporary list price set forth in paragraph (b) (2);

(3) *Other charges.* Charges permitted by Section 10 of Maximum Price Regulation 610 when applicable to the sale.

(f) *Sales by distributors or dealers in Porto Rico and Alaska.* A distributor or dealer in Porto Rico and Alaska may sell each of the new Corbitt trucks described in paragraph (b) (1) when delivered at a price not to exceed the temporary maximum price it may charge under paragraph (d) or (e), whichever is applicable, to which it may add a sum equal to the expense incurred by or charged to it for: Payment of territorial or insular taxes on the purchase, sale or introduction of the new truck or extra or optional equipment in Porto Rico and Alaska, when not charged under paragraph (d) or (e); export premiums; boxing or crating for export purposes; assembly costs, if any; marine and war risk insurance; landing, wharfage and terminal operations; ocean freight; freight to port of embarkation when not charged under paragraph (d) or (e); and inland freight from the port of embarkation by the most direct route to the reseller's place of business.

(g) All requests not granted herein are denied.

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

This order shall become effective September 11, 1946.

Issued this 11th day of September 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-16539; Filed, Sept. 11, 1946; 12:41 p. m.]

[MPR 592, Amdt. 62 to Order 1]

WINDOW AND PICTURE GLASS
ADJUSTMENT OF MAXIMUM PRICES

An opinion accompanying this amendment, issued simultaneously herewith,

has been filed with the Division of the Federal Register.

Order 1 under section 25 of Maximum Price Regulation 592 is amended in the following respects:

1. In section 7.11 (a) (2) the reference to section 7.11 (b) is changed to read 7.11 (c).

2. Section 7.11 (c) is redesignated as section 7.11 (b) and is amended to read as follows:

(b) *Discounts.* The maximum list prices established under (a) above, shall be subject to all discounts, allowances including transportation allowances, services and other terms and other conditions of sale at least as favorable as the manufacturer extended or rendered or would have extended or rendered on comparable sales to purchasers of the same class during March 1942, except that the discounts and charges may be changed as follows:

(1) Any manufacturer of clear flat sheet, window and picture glass may apply not less than the following adjusted discounts to his presently established maximum list prices for these items as set forth in paragraph (a) above:

Unadjusted discounts (percent)	Adjusted discounts (percent)
85-30-5	80-38-5
90-4	80-38-5
88-4-5	80-32-5
88-4-5-5	80-32-5
88-10-5	85-15-5

(2) The Fourco Glass Company, Clarksburg, West Virginia, may apply discounts of 80-38-5 percent to its list prices for heavy sheet glass and strips included in its price bulletin dated January 1, 1942.

(3) Manufacturers' fractional cutting charges applicable to the pricing of single strength and thinner glass shall not be in excess of:

- 1 fraction—30¢ per 50' box net charge.
- 2 fractions—60¢ per 50' box net charge.

(4) Manufacturers' fractional cutting charges applicable to the pricing of double strength and heavier glass shall not be in excess of:

- 1 fraction—40¢ per 50' box net charge.
- 2 fractions—80¢ per 50' box net charge.

(5) Discounts of 80-38-5 percent may be applied to the following manufacturers' list prices for Bulb Edge glass:

Bracket	Single strength	Double strength	3/8" and 7/8"	1/4"
Up to 2'8".....	\$0.80	\$0.90	\$1.00	\$1.40
2'8" to 5'.....	.90	1.00	1.10	1.50
5' to 7'.....	1.00	1.10	1.20	1.60
7' to 10'.....	1.10	1.20	1.30	1.70
10' and over.....	1.40	1.50	1.60	2.00

3. Section 7.11 (b) is redesignated as section 7.11 (c) and is amended by the addition of subparagraph (4) thereto, to read as follows:

(4) Any person purchasing any of the products for which discounts are adjusted in paragraph (b) above for the purpose of resale in the same form may increase his presently established maximum prices under the General Maximum Price Regulation by an amount not exceeding his actual percentage increase in

costs resulting from the increase permitted the manufacturer in (b) above.

This amendment shall become effective September 11, 1946.

Issued this 11th day of September, 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-16531; Filed, Sept. 11, 1946; 12:41 p. m.]

Regional and District Office Orders.

[Newark Adopting Order 5 Under Basic Order 1 Under Gen. Order 68, Amdt. 2]

BUILDING AND CONSTRUCTION MATERIALS IN NEWARK, N. J. DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Regional Administrator of Region II by the Emergency Price Control Act of 1942 as amended, by General Order 68 as amended, and by Revised Procedural Regulation No. 1, which authority has been duly delegated by such Regional Administrator to the District Director, Newark District Office, *It is hereby ordered:*

1. Adopting Order No. 5 under Basic Order No. 1 as amended, under General Order No. 68 as amended, is hereby amended by striking out Schedule A annexed to said order and inserting in place thereof Revised Schedule A hereto annexed,¹ and made a part of this amendment and of said adopting order.

2. Adopting Order No. 5 under Basic Order No. 1 as amended, under General Order No. 68 as amended, is further amended by adding a new section 3 (a) as follows:

SEC. 3a. *Adjustment to reflect increase in suppliers price—(a) Applicability.* This section is applicable only where the amendment or order which grants your supplier an increase in his maximum price provides that all resellers (including those subject to area order issued under General Order 68) may increase their maximum prices for the commodity in question.

(b) *Maximum price.* You may increase the price listed in this order by the amount permitted for resellers by an industry-wide or area-wide amendment or order increasing your suppliers maximum price. You can only do this, however, if the effective date of the action increasing your suppliers maximum price is later than the date stated on the price list contained in this order. Thus, if your suppliers maximum price for a product is increased and at some later date the price listed in this order is increased for this product, the amendment to this order will supersede the increase originally granted you by the amendment or order increasing your suppliers maximum price.

3. Except as hereby amended, Adopting Order No. 5 under Basic Order No. 1 as amended, under General Order 68 as

amended, shall remain the same and all provisions thereof remain in full force and effect.

This amendment shall become effective immediately.

Issued this 30th day of August 1946.

RICHARD J. TARRANT,
District Director.

[F. R. Doc. 46-16233; Filed, Sept. 9, 1946; 9:01 a. m.]

[Newark Adopting Order 6 Under Basic Order 1 Under Gen. Order 68, Amdt. 2]

BUILDING AND CONSTRUCTION MATERIALS IN NEWARK, N. J., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Regional Administrator of Region II by the Emergency Price Control Act of 1942 as amended, by General Order 68 as amended, and by Revised Procedural Regulation No. 1, which authority has been duly delegated by such Regional Administrator to the District Director, Newark District Office, *It is hereby ordered:*

1. Adopting Order No. 6 under Basic Order No. 1 as amended, under General Order No. 68 as amended, is hereby amended by striking out Schedule A annexed to said order and inserting in place thereof Revised Schedule A hereto annexed,¹ and made a part of this amendment and of said adopting order.

2. Adopting Order No. 6 under Basic Order No. 1 as amended, under General Order No. 68 as amended, is further amended by adding a new section 3 (a) as follows:

SEC. 3a. *Adjustment to reflect increase in suppliers price—(a) Applicability.* This section is applicable only where the amendment or order which grants your supplier an increase in his maximum price provides that all resellers (including those subject to area order issued under General Order 68) may increase their maximum prices for the commodity in question.

(b) *Maximum price.* You may increase the price listed in this order by the amount permitted for resellers by an industry-wide or area-wide amendment or order increasing your suppliers maximum price. You can only do this, however, if the effective date of the action increasing your suppliers maximum price is later than the date stated on the price list contained in this order. Thus, if your suppliers maximum price for a product is increased and at some later date the price listed in this order is increased for this product, the amendment to this order will supersede the increase originally granted you by the amendment or order increasing your suppliers maximum price.

3. Except as hereby amended, Adopting Order No. 6 under Basic Order No. 1 as amended, under General Order 68

as amended, shall remain the same and all provisions thereof remain in full force and effect.

This amendment shall become effective immediately.

Issued this 30th day of August 1946.

RICHARD J. TARRANT,
District Director.

[F. R. Doc. 46-16234; Filed, Sept. 9, 1946; 9:01 a. m.]

[Newark Adopting Order 23 Under Basic Order 1 Under Gen. Order 68, Amdt. 2]

BUILDING AND CONSTRUCTION MATERIALS IN NEWARK, N. J., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Regional Administrator of Region II by the Emergency Price Control Act of 1942 as amended, by General Order 68 as amended, and by Revised Procedural Regulation No. 1, which authority has been duly delegated by such Regional Administrator to the District Director, Newark District Office, *It is hereby ordered:*

1. Adopting Order No. 23 under Basic Order No. 1 as amended, under General Order No. 68 as amended, is hereby amended by striking out Schedule A annexed to said order and inserting in place thereof Revised Schedule A hereto annexed,¹ and made a part of this amendment and of said adopting order.

2. Adopting Order No. 23 under Basic Order No. 1 as amended, under General Order No. 68 as amended, is further amended by adding a new section 3 (a) as follows:

SEC. 3a. *Adjustment to reflect increase in suppliers price—(a) Applicability.* This section is applicable only where the amendment or order which grants your supplier an increase in his maximum price provides that all resellers (including those subject to area order issued under General Order 68) may increase their maximum prices for the commodity in question.

(b) *Maximum price.* You may increase the price listed in this order by the amount permitted for resellers by an industry-wide or area-wide amendment or order increasing your suppliers maximum price. You can only do this, however, if the effective date of the action increasing your suppliers maximum price is later than the date stated on the price list contained in this order. Thus, if your suppliers maximum price for a product is increased and at some later date the price listed in this order is increased for this product, the amendment to this order will supersede the increase originally granted you by the amendment or order increasing your suppliers maximum price.

3. Except as hereby amended, Adopting Order No. 23 under Basic Order No. 1 as amended, under General Order 68 as amended, shall remain the same and all provisions thereof remain in full force and effect.

¹ Filed as part of original document.

This amendment shall become effective immediately.

Issued this 30th day of August 1946.

RICHARD J. TARRANT,
District Director.

[F. R. Doc. 46-16229; Filed, Sept. 9, 1946;
8:58 a. m.]

[Newark Adopting Order 37 Under Basic
Order 1 Under Gen. Order 68, Amdt. 2]

**BUILDING AND CONSTRUCTION MATERIALS IN
NEWARK, N. J., DISTRICT**

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Regional Administrator of Region 2 by the Emergency Price Control Act of 1942 as amended, by General Order 68 as amended, and by Revised Procedural Regulation No. 1, which authority has been duly delegated by such Regional Administrator to the District Director, Newark District Office, *It is hereby ordered:*

1. Adopting Order No. 37 under Basic Order No. 1 as amended, under General Order No. 68, as amended, is hereby amended by striking out Schedule A annexed to said order and inserting in place thereof Revised Schedule A annexed¹ and made a part of this amendment and of said adopting order.

2. Adopting Order No. 37 under Basic Order No. 1 as amended, under General Order No. 68 as amended, is further amended by adding a new section 3 (a) as follows:

SEC. 3a. Adjustment to reflect increase in suppliers price—(a) Applicability. This section is applicable only where the amendment or order which grants your supplier an increase in his maximum price provides that all resellers (including those subject to area order issued under General Order 68) may increase their maximum prices for the commodity in question.

(b) **Maximum price.** You may increase the price listed in this order by the amount permitted for resellers by an industry-wide or area-wide amendment or order increasing your suppliers maximum price. You can only do this, however, if the effective date of the action increasing your suppliers maximum price is later than the date stated on the price list contained in this order. Thus, if your suppliers maximum price for a product is increased and at some later date the price listed in this order is increased for this product, the amendment to this order will supersede the increase originally granted you by the amendment or order increasing your suppliers maximum price.

3. Except as hereby amended, Adopting Order No. 37 under Basic Order No. 1 as amended, under General Order 68 as amended, shall remain the same and all provisions thereof remain in full force and effect.

4. This amendment shall become effective immediately.

¹ Filed with original document.

Issued this 30th day of August 1946.

RICHARD J. TARRANT,
District Director.

[F. R. Doc. 46-16230; Filed, Sept. 9, 1946;
8:58 a. m.]

[Newark Adopting Order 40 Under Basic
Order 1 Under Gen. Order 68, Amdt. 2]

**BUILDING AND CONSTRUCTION MATERIALS IN
NEWARK, N. J., DISTRICT**

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Regional Administrator of Region 2 by the Emergency Price Control Act of 1942 as amended, by General Order 68 as amended, and by Revised Procedural Regulation No. 1, which authority has been duly delegated by such Regional Administrator to the District Director, Newark District Office; *It is hereby ordered:*

1. Adopting Order No. 40 under Basic Order No. 1 as amended, under General Order No. 68, as amended, is hereby amended by striking out Schedule A annexed to said order and inserting in place thereof Revised Schedule A annexed¹ and made a part of this amendment and of said adopting order.

2. Adopting Order No. 40 under Basic Order No. 1 as amended, under General Order No. 68 as amended, is further amended by adding a new section 3 (a) as follows:

SEC. 3a. Adjustment to reflect increase in suppliers price—(a) Applicability. This section is applicable only where the amendment or order which grants your supplier an increase in his maximum price provides that all resellers (including those subject to area order issued under General Order 68) may increase their maximum prices for the commodity in question.

(b) **Maximum price.** You may increase the price listed in this order by the amount permitted for resellers by an industry-wide or area-wide amendment or order increasing your suppliers maximum price. You can only do this, however, if the effective date of the action increasing your suppliers maximum price is later than the date stated on the price list contained in this order. Thus, if your suppliers maximum price for a product is increased and at some later date the price listed in this order is increased for this product, the amendment to this order will supersede the increase originally granted you by the amendment or order increasing your suppliers maximum price.

3. Except as hereby amended, Adopting Order No. 40 under Basic Order No. 1 as amended, under General Order 68 as amended, shall remain the same and all provisions thereof remain in full force and effect.

4. This amendment shall become effective immediately.

Issued this 30th day of August 1946.

RICHARD J. TARRANT,
District Director.

[F. R. Doc. 46-16235; Filed, Sept. 9, 1946;
9:02 a. m.]

[Region III Order G-43 Under RMPR 251]

**SPECIFIED RE-ROOFING IN CINCINNATI,
OHIO-COVINGTON, KENTUCKY, AREA**

For the reasons set forth in an accompanying opinion, which has been filed with the Division of the Federal Register, and under the authority vested in the Regional Administrator of the Office of Price Administration by section 9 of Revised Maximum Price Regulation No. 251, and pursuant to the provisions of Regional Basic Order No. 1-B under Revised Maximum Price Regulation No. 251, this order is issued:

SECTION 1. What this order does. This adopting order establishes dollars-and-cents maximum prices for the composition roofing materials specified in section 4, hereof, when sold installed on residential structures in the Cincinnati, Ohio-Covington, Kentucky Area.

SEC. 2. Area covered. For the purposes of this order, the "Cincinnati, Ohio-Covington, Kentucky Area" consists of the County of Hamilton in the State of Ohio and the Counties of Boone, Campbell and Kenton in the State of Kentucky.

SEC. 3. Applicability of Basic Order No. 1-B. All the provisions of Basic Order No. 1-B, consistent with this Adopting Order, No. G-43, are hereby adopted by, and incorporated by reference into, this order and are just as much a part of this order as though fully re-written herein. If Basic Order No. 1-B is amended in any respect, all of the provisions of that order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to, and should read and be familiar with, the provisions of Basic Order No. 1-B.

SEC. 4. Maximum prices. (a) The maximum prices for the specified re-roofing materials on an installed basis shall be as follows:

12 in. (3 in line) asphalt strip shingles, 210 lbs. per sq.: \$13.44 per square.

(b) The above prices include related materials and services as defined in section 11 of Basic Order No. 1-B under Revised Maximum Price Regulation No. 251.

SEC. 5. Effective date. This Order No. G-43 shall become effective August 28, 1946.

Issued August 14, 1946.

J. F. KESSEL,
Regional Administrator.

[F. R. Doc. 46-16223; Filed, Sept. 9, 1946;
8:53 a. m.]

[Region II Rev. Order G-41 Under RMPR 122,
Amdt. 6]

SOLID FUELS IN HOWARD, CARROLL, HARFORD, CECIL, BALTIMORE, AND ANNE ARUNDEL COUNTIES, MD.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regu-

lation No. 122, Revised Order No. G-41 is amended in the following respects:

1. Paragraphs (d) (1), (d) (2) and (d) (3) are amended by revising the schedule on prices for Virginia Anthracite to read as follows:

(d) *Schedule I.*

(1) Sales on a "direct-delivery" basis.

FOR SALES OF COAL OF THE KINDS AND SIZES, AND IN THE QUANTITIES SPECIFIED

Kind and size of coal	Per net ton	Per net ½ ton	Per 100 lbs.
			for sales of 100 lbs. or more but less than ½ ton
Virginia anthracite:			
Egg, stove, nut.....	\$13.45	\$7.00	\$0.82
Pea.....	11.85	6.20	.70
Buckwheat.....	11.00	5.75	.64
Virginia anthracite produced and prepared at the Great Valley Mine of the Great Valley Anthracite Coal Corp. (provided that it is kept separate in storage and delivery and sold and invoiced as "Great Valley Virginia anthracite"):			
Egg, stove, nut.....	14.25	7.40	.86
Pea.....	12.40	6.45	.73
Buckwheat.....	11.75	6.15	.68

Discounts and service charges remain unchanged.

(2) "Yard sales".

FOR SALES OF COAL OF THE KINDS AND SIZES, AND IN THE QUANTITIES SPECIFIED

Kind and size of coal	Per net ton for sales of ½ ton or more	Per 100 lbs.
		for sales of 100 lbs. or more but less than ½ ton
Virginia anthracite:		
Egg, stove, nut.....	\$12.35	\$0.72
Pea.....	10.75	.60
Buckwheat.....	9.90	.54
Virginia anthracite produced and prepared at the Great Valley Mine of the Great Valley Anthracite Coal Corp. (provided that it is kept separate in storage and delivery and sold and invoiced as "Great Valley Virginia Anthracite"):		
Egg, stove, nut.....	13.15	.76
Pea.....	11.30	.63
Buckwheat.....	10.65	.58

Discounts remain unchanged.

(3) Virginia anthracite in 19 lb. paper bags (½ bushel).

Size	Delivered at dealer's yard		Delivered to retail stores	Sales to ultimate consumers
	Dealers	Consumers		
Stove or nut.....	\$0.13	\$0.15	\$0.15	\$0.17
Virginia anthracite produced and prepared at the Great Valley Mine of the Great Valley Anthracite Coal Corp. (provided that it is kept separate in storage and delivery and sold and invoiced as "Great Valley Virginia Anthracite"): Stove or nut.....	.14	.16	.16	.17

This Amendment No. 6 to Revised Order No. G-41 shall become effective August 16, 1946.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 79th Cong.; E. O. 9599, 7 F. R. 7871, and E. O. 9328, 8 F. R. 4681)

Issued this 16th day of August 1946.

JAMES L. MEADER,
Regional Administrator.

[F. R. Doc. 46-16226; Filed, Sept. 9, 1946; 8:57 a. m.]

[Newark Adopting Order 52 Under Basic Order 1 Under Gen. Order 68]

BUILDING AND CONSTRUCTION MATERIALS IN MONMOUTH AND OCEAN COUNTIES, N. J.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Regional Administrator of Region II by the Emergency Price Control Act of 1942 as amended, by General Order No. 68 as amended, and by Revised Procedural Regulation No. 1, which authority has been duly delegated to all District Directors in Region II, is hereby ordered:

SECTION 1. What this order covers. This adopting order under Basic Order No. 1 as amended, under General Order No. 68 as amended, covers sales by all persons to ultimate users or to purchasers for resale on an installed basis, of certain building materials listed in Scheduled A hereto annexed¹ and generally known as "Hard mason materials". All provisions of Basic Order No. 1 as amended, under General Order 68 as amended, are adopted in this order and are just as much a part of this order as if specifically set forth herein. If Basic Order No. 1 as amended, is further amended in any respect, the provisions of said order, as amended, shall likewise without further action, become part of this order. All persons subject to this adoption order are also subject to Basic Order No. 1 as amended under General Order 68 as amended, and should be familiar with the provisions of said order.

SEC. 2. Territory covered by this order. The geographical area covered by this order is the area consisting of the Counties of Monmouth and Ocean, both in the State of New Jersey.

SEC. 3. Maximum prices. The maximum prices for the building materials covered by this order are set forth in Scheduled A hereto annexed¹ and made a part of this order. The prices fixed in Schedule A cover all sales in the territory covered by this order, regardless of the location of the place of business of the seller.

(a) **Adjustment to reflect increase in suppliers price—(1) Applicability.** This section is applicable only where the amendment or order which grants your supplier an increase in his maximum price provides that all resellers (including those subject to area orders issued under General Order 68) may increase their maximum prices for the commodity in question.

(2) **Maximum price.** You may increase the price listed in this order by the amount permitted for resellers by

¹ Filed as part of the original document.

an industry-wide or area-wide amendment or order increasing your suppliers maximum price. You can only do this, however, if the effective date of the action increasing your suppliers maximum price is later than the date stated on the price list contained in this order. Thus, if your suppliers maximum price for a product is increased and at some later date the price listed in this order is increased for this product the amendment to this order will supersede the increase originally granted you by the amendment, or order increasing your suppliers maximum price.

SEC. 4. Discount, allowances, and terms of sale. All customary allowances, discounts and differentials must be preserved. The maximum prices set forth in Schedule A are delivered prices unless otherwise stated in such Schedule A.

SEC. 5. Relationship of this order to Basic Order No. 1 as amended, under General Order 68 as amended, and to General Maximum Price Regulation, and other maximum price regulation. As previously stated, all provisions of Basic Order No. 1 as amended, are adopted by this order. The maximum prices fixed by this order supersede any maximum price or pricing method previously established by the General Maximum Price Regulation, or by any other applicable regulation or order. Except to the extent that they are inconsistent with the provisions of this order, all other provisions of the General Maximum Price Regulations, or of any other applicable regulation or order shall remain applicable to sales covered by this order.

SEC. 6. Posting of maximum prices. Every seller making sales covered by this order shall post a copy of the list of maximum prices fixed by this order in each place of business within the area covered by this order.

SEC. 7. Records and sales slips—(a) Required information. The provisions of section (e) of Basic Order No. 1 as amended, covering sales slips and records are adopted in and applicable to this order, as if specifically set forth herein, and also on any sale of \$25 or more, each seller, regardless of previous custom, must keep records showing at least the following:

- (1) Name and address of buyer.
- (2) Date of Transaction.
- (3) Place of delivery.
- (4) Complete description of each item sold and price charged.

(b) **Maximum prices for insufficiently described items.** Where the seller's records or sales slip upon a sale of any commodity covered by this order in the area covered by this order, do not contain a sufficiently complete description to identify the exact nature, type, size, or quantity of the commodity, and thus determine the maximum price fixed by Schedule A of this order, the maximum price applicable to such sale shall be the lowest maximum price which can be computed under Schedule A of this order in accordance with the incomplete description.

SEC. 8. Revocation or amendment. This order may be revised, amended, re-

voked or modified at any time by the office of Price Administration.

This order shall become effective August 30, 1946.

Issued this 30th day of August 1946.

RICHARD J. TARRANT,
District Director.

[F. R. Doc. 46-16228 Filed, Sept. 9, 1946;
8:58 a. m.]

[Newark Adopting Order 53 Under Basic Order 1 Under Gen. Order 68]

BUILDING AND CONSTRUCTION MATERIALS IN WARREN, HUNTERDON, MORRIS, AND SUSSEX COUNTIES, N. J.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Regional Administrator of Region II by the Emergency Price Control Act of 1942 as amended, and by Revised Procedural Regulation No. 1, which authority has been duly delegated to all District Directors in Region II, it is hereby ordered:

SECTION 1. What this order covers. This adopting order under Basic Order No. 1 as amended, under General Order No. 68 as amended, covers sales by all persons to ultimate users or to purchasers for resale on an installed basis, of certain "hard mason materials". All provisions of Basic Order No. 1 as amended, under General Order No. 68 as amended, are adopted in this order and are just as much a part of this order as if specifically set forth herein. If Basic Order No. 1 as amended, is further amended in any respect, the provisions of said order as amended, shall likewise without further action, become part of this order. All persons subject to this adopting order are also subject to Basic Order No. 1 as amended under General Order 68 as amended, and should be familiar with the provisions of said order.

SEC. 2. Territory covered by this order. The geographical area covered by this order is the area consisting of the Counties of Warren, Hunterdon, Morris, and Sussex, all in the State of New Jersey.

SEC. 3. Maximum prices. The maximum prices for the building materials covered by this order are set forth in Schedule A hereto annexed¹ and made a part of this order. The prices fixed in Schedule A cover all sales in the territory covered by this order, regardless of the location of the place of business of the seller.

(a) *Adjustment to reflect increase in suppliers price—(1) Applicability.* This section is applicable only where the amendment or order which grants your supplier an increase in his maximum price provides that all resellers (including those subject to area orders issued under General Order 68) may increase their maximum prices for the commodity in question.

(2) *Maximum price.* You may increase the price listed in this order by the amount permitted for resellers by an industry-wide or area-wide amendment

or order increasing your suppliers maximum price. You can only do this, however, if the effective date of the action increasing your suppliers maximum price is later than the date stated on the price list contained in this order. Thus, if your suppliers maximum price for a product is increased and at some later date the price listed in this order is increased for this product, the amendment to this order will supersede the increase originally granted you by the amendment or order increasing your suppliers maximum price.

SEC. 4. Discounts, allowances, and terms of sale. All customary allowances, discounts and differentials must be preserved. The maximum prices set forth in Schedule A are delivered prices unless otherwise stated in such Schedule A.

SEC. 5. Relationship of this order to Basic Order No. 1 as amended, under General Order 68 as amended, and to General Maximum Price Regulation and other maximum price regulations. As previously stated, all provisions of Basic Order No. 1 as amended, are adopted by this order. The maximum prices fixed by this order supersede any maximum price or pricing method previously established by the General Maximum Price Regulation, or by any other applicable regulation or order. Except to the extent that they are inconsistent with the provisions of this order, all other provisions of the General Maximum Price Regulations, or of any other applicable regulation or order shall remain applicable to sales covered by this order.

SEC. 6. Posting of maximum prices. Every seller making sales covered by this order shall post a copy of the list of maximum prices fixed by this order in each place of business within the area covered by this order.

SEC. 7. Records and sales slips—(a) Required information. The provisions of section (r) of Basic Order No. 1 as amended, covering sales slips and records are adopted in and applicable to this order, as if specifically set forth herein, and also on any sale of \$25 or more, each seller, regardless of previous custom, must keep records showing at least the following:

- (1) Name and address of buyer.
- (2) Date of transaction.
- (3) Place of delivery.
- (4) Complete description of each item and price charged.

(b) *Maximum prices for insufficiently described items.* Where the seller's records or sales slip upon a sale of any commodity covered by this order in the area covered by this order, do not contain a sufficiently complete description to identify the exact nature, type, size or quantity of the commodity, and thus determine the maximum price fixed by Schedule A of this order, the maximum price applicable to such sale shall be the lowest maximum price which can be computed under Schedule A of this order in accordance with the incomplete description.

SEC. 8. Revocation or amendment. This order may be revised, amended, revoked or modified at any time by the Office of Price Administration.

This order shall become effective August 30, 1946.

Issued this 30th day of August 1946.

RICHARD J. TARRANT,
District Director.

[F. R. Doc. 46-16227; Filed, Sept. 9, 1946;
8:57 a. m.]

[Region III Order 46 Under RMPR 251]

SPECIFIED RE-ROOFING IN DAYTON, OHIO AREA

For the reasons set forth in an accompanying opinion which has been filed with the Division of the Federal Register, and under the authority vested in the Regional Administrator of the Office of Price Administration by section 9 of Revised Maximum Price Regulation No. 251, and pursuant to the provisions of Regional Basic Order No. 1-B under Revised Maximum Price Regulation No. 251, this order is issued:

SECTION 1. What this order does. This adopting order establishes dollars-and-cents maximum prices for the composition roofing materials specified in section 4, hereof, when sold installed on residential structures in the Dayton, Ohio Area.

SEC. 2. Area covered. For the purposes of this order, the "Dayton, Ohio Area" consists of the County of Montgomery in the State of Ohio.

SEC. 3. Applicability of Basic Order No. 1-B. All the provisions of Basic Order No. 1-B, consistent with this adopting order, No. G-46, are hereby adopted by, and incorporated by reference into, this order and are just as much a part of this order as though fully re-written herein. If Basic Order No. 1-B is amended in any respect, all of the provisions of that order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to, and should read and be familiar with, the provisions of Basic Order No. 1-B.

SEC. 4. Maximum prices. (a) The maximum prices for the specified re-roofing materials on an installed basis shall be as follows:

Type of roofing:	Maximum price per square
Asphalt strip shingles (3 in line)	
210 lbs. per sq., 12 in.-----	\$13.35

(b) The above prices include related materials and services as defined in section 11 of Basic Order No. 1-B under Revised Maximum Price Regulation No. 251.

SEC. 5. Effective date. This Order No. G-46 shall become effective August 28, 1946.

Issued August 14, 1946.

J. F. KESSELL,
Regional Administrator.

[F. R. Doc. 46-16222; Filed, Sept. 9, 1946;
8:53 a. m.]

¹ Filed as part of the original document.

[Region III Order G-56 Under RMPR 251]
SPECIFIED REROOFING IN MICHIGAN CITY,
IND., AREA

For the reasons set forth in an accompanying opinion which has been filed with the Division of the Federal Register, and under the authority vested in the Regional Administrator of the Office of Price Administration by section 9 of Revised Maximum Price Regulation No. 251, and pursuant to the provisions of Regional Basic Order No. 1-B under Revised Maximum Price Regulation No. 251, this order is issued:

SECTION 1. What this order does. This adopting order establishes dollars-and-cents maximum prices for the composition roofing materials specified in section 4, hereof, when sold installed on residential structures in the Michigan City, Indiana Area.

SEC. 2. Area covered. For the purposes of this order, the "Michigan City, Indiana Area" consists of the Counties of LaPorte, Porter and Stark in the State of Indiana.

SEC. 3. Applicability of Basic Order No. 1-B. All provisions of Basic Order No. 1-B, consistent with this Adopting Order, No. G-56, are hereby adopted by, and incorporated by reference into, this order and are just as much a part of this order as though fully re-written herein. If Basic Order No. 1-B is amended in any respect, all of the provisions of that order as though fully rewritten herein, out other action, be a part of this order. All persons subject to this adopting order are also subject to, and should read and be familiar with, the provisions of Basic Order No. 1-B.

SEC. 4. Maximum prices. (a) The maximum prices for the specified re-roofing materials on an installed basis shall be as follows:

TABLE I

Type of roofing	Maximum price per square
Asphalt strip shingles, 12 in. (3 in line) 210 lbs. per sq.	\$13.25
Asphalt hexagon strip shingles, 167 lbs. per sq., 11 1/2-12 1/2 in.	11.00
Asphalt roll-roofing mineral surface, 90 lbs. per sq.	6.00

(b) The above prices include related materials and services as defined in section 11 of Basic Order No. 1-B under Revised Maximum Price Regulation No. 251.

(c) When the roofing is performed on premises located outside the limits of the County wherein the seller's place of business is located, a charge not exceeding \$0.50 per square may be added to the applicable maximum price listed in Table I, above.

SEC. 5. Effective date. This Order No. G-56 shall become effective August 22, 1946.

Issued August 8, 1946.

J. F. KESSEL,
Regional Administrator.

[F. R. Doc. 46-16225; Filed, Sept. 9, 1946; 8:56 a. m.]

[Region III Order G-58 Under RMPR 251]
SPECIFIED RE-ROOFING AND RE-SIDING IN
BOWLING GREEN, KY., AREA

For the reasons set forth in an accompanying opinion, which has been filed with the Division of the Federal Register, and under the authority vested in the Regional Administrator of the Office of Price Administration by section 9 of Revised Maximum Price Regulation No. 251, and pursuant to the provisions of Regional Basic Order No. 1-B under Revised Maximum Price Regulation No. 251, this order is issued:

SECTION 1. What this order does. This adopting order establishes dollars-and-cents maximum prices for the composition roofing and siding materials and asbestos-cement siding materials specified in section 4, hereof, when sold installed on residential structures in the Bowling Green, Kentucky Area.

SEC. 2. Area covered. For the purposes of this order, the "Bowling Green, Kentucky Area" consists of the Counties of Allen, Caldwell, Christian, Butler, Barren, Edmonson, Hopkins, Logan, Monroe, Muhlenberg, Simpson, Todd and Warren in the State of Kentucky.

SEC. 3. Applicability of Basic Order No. 1-B. All the provisions of Basic Order No. 1-B, consistent with this Adopting Order, No. G-58, are hereby adopted by, and incorporated by reference into, this order and are just as much a part of this order as though fully re-written herein. If Basic Order No. 1-B is amended in any respect, all of the provisions of that order, as amended, shall likewise, without other action, be a part of this order. All persons subject to this adopting order are also subject to, and should read and be familiar with, the provisions of Basic Order No. 1-B.

SEC. 4. Maximum prices. (a) (i) The maximum prices for the specified re-roofing material on an installed basis shall be as follows:

TABLE I

Type of roofing	Maximum price applied on—	
	1-story structure	2-story structure
12 in. (3 in line) asphalt strip shingles, 210 pounds per square	Per sq. \$10.75	Per sq. \$11.75
11 1/2 in. hexagon asphalt strip shingles, 167 pounds per square	9.50	10.50
Roll roofing, mineral surface, 90 pounds per square	6.00	6.50

(ii) The above maximum prices include related materials and services as defined in section 11 of Basic Order No. 1-B.

(iii) When any of the above roofing materials are installed on residential structures beyond the limits of the county wherein the seller's place of business is located, said seller may charge not more than one dollar (\$1.00) per square in addition to the applicable price set forth in Table I, above.

(iv) When any of the above roofing materials are installed over a tin roof,

an extra charge not exceeding two dollars (\$2.00) per square may be added.

(b) (i) The maximum prices for the specified re-siding materials on an installed basis, shall be as follows:

TABLE II

Type of siding	Maximum price per square
Asbestos-cement siding, standard surface hardness, standard colors, 12 in. x 24 in. or 12 in. x 27 in.	\$20.35
Insulated brick siding, 14 1/2 in. x 4 3/8 in., 13 1/2 in. x 4 3/8 in., or 14 in. x 4 3/8 in.	24.00
Roll brick siding	15.00

(ii) The above prices include all related materials and services as defined in section 11 of Basic Order No. 1-B under Revised Maximum Price Regulation No. 251.

(iii) When any of the above siding materials are installed on residential structures beyond the limits of the county wherein the seller's place of business is located, said seller may charge not more than one dollar and a half (\$1.50) per square in addition to the maximum price set forth in Table II, above.

SEC. 5. Effective date. This Order No. G-58 shall become effective August 29, 1946.

Issued August 15, 1946.

J. F. KESSEL,
Regional Administrator.

[F. R. Doc. 46-16224; Filed, Sept. 9, 1946; 8:53 a. m.]

[Region IV Order G-15 Under RMPR 251, Amdt. 1]

MINERAL WOOL INSULATION IN VIRGINIA

For the reasons set forth in the accompanying opinion, and under the authority conferred upon the Regional Administrator for Region IV of the Office of Price Administration by Section 9 of Revised Maximum Price Regulation 251, it is ordered:

That paragraph (2) of Order G-15 under section 9 of Revised Maximum Price Regulation 251, as issued by the Regional Administrator for Region IV of the Office of Price Administration on June 4, 1946, be stricken and the following inserted in lieu thereof: "This order covers ceiling prices for mineral wool insulation on an installed basis in the State of Virginia, except the towns of Alexandria and Arlington."

Except as otherwise provided herein, all the provisions of Order G-15 under section 9 of Maximum Price Regulation 251 issued under date of June 4, 1946, shall remain in full force and effect.

This order may be revised, amended, revoked or modified at any time by the Office of Price Administration.

This order shall become effective August 16, 1946.

Issued: August 8, 1946.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 46-16232; Filed, Sept. 9, 1946; 9:01 a. m.]

[Region IV Order G-24 Under 251]

RE-SIDING AND RE-ROOFING MATERIALS IN VIRGINIA

For the reasons set forth in the accompanying opinion and under the authority conferred upon the Regional Administrator for Region IV of the Office of Price Administration by section 9 of Revised Maximum Price Regulation 251; It is ordered:

1. This adopting order establishes dollars-and-cents ceiling prices for installed re-siding and re-roofing materials and incidental construction work, which ceiling prices are set forth in the Appendix following section 3.

2. This order covers ceiling prices for installed re-siding and re-roofing materials and incidental construction work in the State of Virginia, except Alexandria and Arlington, Virginia.

3. All the provisions of Order No. G-17 (Basic Order No. 3) for Region IV, under section 9 of Revised Maximum Price Regulation 251, are adopted in this order and are just as much a part of this order as if included herein. If Regional Order No. G-17 (Basic Order No. 3) under section 9 of Revised Maximum Price Regulation 251 is amended in any respect, all the provisions as amended shall likewise, without further action, be a part of this order.

APPENDIX

Maximum prices per square for sales of re-roofing on an installed basis shall be as follows:

	Per sq.
12 in. (3 in line) strip shingles, 210 pounds	\$14.50
11½ in hexagon strip shingles, 167 pounds	13.25
Reroofing type strip shingles, 160-162 pounds	13.25
Reroofing type strip shingles, 138-140 pounds	12.50
Roll roofing, mineral surface, 90 pounds	6.50

The above prices include related materials such as nails, mastic and other necessary materials, flashing around chimneys and vents, labor costs, other job costs directly related to and necessary for such roofing installation.

Maximum prices per sq. for sales of siding on an installed basis shall be as follows:

	Per sq.
Asbestos-cement siding, standard surface hardness, standard colors, 12 in. x 24 in. or 12 in. x 27 in.	\$24.50
Composition siding, insulated brick, 14¾ in. x 43¾ in., 13¾ in. x 43½ in. or 14 in. x 43 in.	27.00
Composition siding, roll brick	16.00

The above prices include related materials such as leveling material, backer board, felt or felt strips, corner beads, calking, molding, nails, and other necessary materials, labor costs, and other job costs directly related to and necessary for such siding installation.

This order may be revised, amended, revoked or modified at any time by the Office of Price Administration.

This order shall become effective August 16, 1946.

Issued July 31, 1946.

JOHN R. DEKLE, Jr.,
Acting Regional Administrator.

[F. R. Doc. 46-16231; Filed, Sept. 9, 1946; 9:01 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register August 30, 1946:

Region I

Hartford Order 5-F, Amendment 68, covering fresh fruits and vegetables in Waterbury and Watertown. Filed 10:04 a. m.

Hartford Order 6-F, Amendment 68, covering fresh fruits and vegetables in the Hartford area. Filed 10:04 a. m.

Hartford Order 7-F, Amendment 68, covering fresh fruits and vegetables in the New Haven area. Filed 10:05 a. m.

Hartford Order 8-F, Amendment 68, covering fresh fruits and vegetables in the Bridgeport area. Filed 10:05 a. m.

Providence Order 3-F, Amendment 66, covering fresh fruits and vegetables in the Providence, Rhode Island, Metropolitan area. Filed 10:05 a. m.

Region II

Albany Order 16-F, Amendment 3, covering fresh fruits and vegetables in the cities of Albany, Cohoes, Rensselaer, Schenectady, Troy and Watervliet and the town of Green Island, New York. Filed 9:23 a. m.

Baltimore Order 13-F, Amendment 3, covering fresh fruits and vegetables in the Baltimore, Maryland area. Filed 9:32 a. m.

Baltimore Order 14-F, Amendment 3, covering fresh fruits and vegetables in the Baltimore, Maryland area. Filed 9:32 a. m.

District of Columbia Order 7-F, Amendment 3, covering fresh fruits and vegetables in the Washington, D. C. area. Filed 9:27 a. m.

District of Columbia Order 39, covering dry groceries in the Washington, D. C. area. Filed 9:04 a. m.

Newark Order 10-F, Amendment 3, covering fresh fruits and vegetables in certain counties in New Jersey except the Borough of North Plainfield, New Jersey. Filed 9:31 a. m.

Newark Order 11-F, Amendment 3, covering fresh fruits and vegetables in certain counties in New Jersey and the Borough of North Plainfield in Somerset County, New Jersey. Filed 9:31 a. m.

New York Order 17-F, Amendment 2, covering fresh fruits and vegetables in five Five Boroughs of New York City. Filed 9:15 a. m.

New York Order 18-F, Amendment 2, covering fresh fruits and vegetables in Nassau and Westchester counties, New York. Filed 9:15 a. m.

New York Order 19-F, Amendment 2, covering fresh fruits and vegetables in the counties of Dutchess, Orange, Putnam, Rockland, Suffolk and Ulster, New York. Filed 9:16 a. m.

New York Orders 37 and 38, Amendment 1, covering dry groceries in certain counties in New York. Filed 9:24 and 9:23 a. m.

Philadelphia Order 17-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 9:30 a. m.

Philadelphia Order 18-F, Amendment 3, covering fresh fruits and vegetables in the city and county of Philadelphia. Filed 9:30 a. m.

Philadelphia Order 19-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 9:30 a. m.

Philadelphia Order 20-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 9:30 a. m.

Pittsburgh Order 14-F, Amendment 2, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 9:28 a. m.

Pittsburgh Order 15-F, Amendment 2, covering fresh fruits and vegetables in Allegheny county, Pennsylvania. Filed 9:29 a. m.

Pittsburgh Order 16-F, Amendment 2, covering fresh fruits and vegetables in Erie and Warren counties, Pennsylvania. Filed 9:29 a. m.

Pittsburgh Order 17-F, Amendment 2, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 9:28 a. m.

Scranton Order 7-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 9:27 a. m.

Scranton Order 8-F, Amendment 4, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 10:03 a. m.

Scranton Order 8-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 9:26 a. m.

Wilmington Order 6-F, Amendment 3, covering fresh fruits and vegetables in the State of Delaware. Filed 9:26 a. m.

Wilmington Order 6-F, Amendment 4, covering fresh fruits and vegetables in the State of Delaware. Filed 10:04 a. m.

Wilmington Orders 27 and 28, Amendment 1, covering dry groceries in the State of Delaware lying North of the Chesapeake & Delaware Canal. Filed 9:25 a. m.

Region III

Charleston Order 9-F, Amendment 73, covering fresh fruits and vegetables in Cabell county and the city of Huntington, in Wayne county, West Virginia. Filed 11:10 a. m.

Cincinnati Order 18-F, Amendments 10 and 11, covering fresh fruits and vegetables in Hamilton county, Ohio and certain counties in Kentucky. Filed 9:38 a. m.

Cincinnati Order 19-F, Amendments 9 and 10, covering fresh fruits and vegetables in certain counties in Ohio. Filed 9:39 a. m.

Cincinnati Orders 26 and 27, Amendments 7-A and 6-A, covering dry groceries in certain areas in Ohio. Filed 9:37 and 9:35 a. m.

Cincinnati Orders 28 and 29, Amendment 6-A, covering dry groceries in certain counties in Ohio. Filed 9:36 a. m.

Cleveland Order 8-F, Amendment 9, covering fresh fruits and vegetables in certain areas in Ohio. Filed 9:37 a. m.

Region V

St. Louis Order 4-F, Amendment 54, covering fresh fruits and vegetables in the city of St. Louis and county of St. Louis, Missouri. Filed 9:40 a. m.

St. Louis Order 7-F, Amendment 7, covering fresh fruits and vegetables in certain counties in Missouri. Filed 9:40 a. m.

Region VI

Green Bay Order 7-F, Amendment 42, covering fresh fruits and vegetables in certain areas in Wisconsin. Filed 9:42 a. m.

Green Bay Order 8-F, Amendment 42, covering fresh fruits and vegetables in certain counties in Wisconsin. Filed 9:41 a. m.

Green Bay Order 9-F, Amendment 42, covering fresh fruits and vegetables in the counties of Florence, Forest and Marinette, Wisconsin. Filed 9:41 a. m.

Green Bay Order 12-F, Amendment 28, covering fresh fruits and vegetables in certain areas in Wisconsin. Filed 9:41 a. m.

Green Bay Order 13-F, Amendment 13, covering fresh fruits and vegetables in certain counties in Wisconsin. Filed 9:43 a. m.

Peoria Order 16-F, Amendment 27, covering fresh fruits and vegetables in certain counties in Illinois. Filed 9:45 a. m.

Milwaukee Order 7, Amendments 8 and 9, covering dry groceries in Milwaukee and Racine and Kenosha, Wisconsin. Filed 9:16 and 9:43 a. m.

Milwaukee Order 14, Amendment 7, covering dry groceries in certain areas in Wisconsin. Filed 9:44 a. m.

Milwaukee Orders 5 and 6, Amendment 33, covering dry groceries in certain counties in Wisconsin. Filed 9:17 and 9:44 a. m.

Omaha Order 45, Amendment 1, covering dry groceries in Douglas and Lancaster counties, Nebraska. Filed 9:19 a. m.

Omaha Order 46, Amendment 1, covering dry groceries in certain cities in Nebraska. Filed 9:19 a. m.

Omaha Order 47, Amendment 1, covering dry groceries in certain areas in Nebraska. Filed 9:20 a. m.

Omaha Order 48, Amendment 1, covering dry groceries in the cities of North Platte and McCook, Nebraska. Filed 9:20 a. m.

Omaha Order 49, Amendment 1, covering dry groceries in the city of Crawford, and the county of Scotts Bluff, Nebraska. Filed 9:18 a. m.

Omaha Order 50, Amendment 1, covering dry groceries in certain areas in Nebraska. Filed 9:18 a. m.

Omaha Order 51, Amendment 1, covering dry groceries in Boyd, Brown, Cherry, Holt, Keya Paha and Rock counties, Nebraska. Filed 9:21 a. m.

Omaha Order 52, Amendment 1, covering dry groceries in the State of Nebraska. Filed 9:22 a. m.

Peoria Order 16-F, Amendment 28, covering fresh fruits and vegetables in

certain counties in Illinois. Filed 9:41 a. m.

Peoria Order 17-F, Amendment 27, covering fresh fruits and vegetables in certain counties in Illinois. Filed 9:42 a. m.

Peoria Order 18-F, Amendment 27, covering fresh fruits and vegetables in certain counties in Illinois. Filed 9:42 a. m.

Peoria Order 19-F, Amendment 27, covering fresh fruits and vegetables in certain counties in Illinois. Filed 9:43 a. m.

Twin Cities Order 14, Amendment 5, covering dry groceries in certain counties in Minnesota. Filed 9:45 a. m.

Twin Cities Order 15, Amendment 5, covering dry groceries in certain areas within the Twin Cities area. Filed 9:46 a. m.

Twin Cities Order 18, Amendment 4, covering dry groceries in certain areas within the Twin Cities area. Filed 9:46 a. m.

Twin Cities Order 19, Amendment 4, covering dry groceries in certain areas within the Twin Cities area. Filed 9:47 a. m.

Twin Cities Order 20, Amendment 2, covering dry groceries in certain areas within the Twin Cities area. Filed 9:47 a. m.

Region VII

Denver Order 82, Amendment 17, covering dry groceries in the Denver area. Filed 9:48 a. m.

Denver Order 83, Amendment 17, covering dry groceries in the Colorado Springs-Pueblo-Trinidad area. Filed 9:54 a. m.

Denver Order 84, Amendment 17, covering dry groceries in the Grand Junction area. Filed 9:54 a. m.

Denver Order 85, Amendment 18, covering dry groceries in the Canon City, Lamar, Rocky Ford, Salida area. Filed 9:54 a. m.

Denver Order 86, Amendment 17, covering dry groceries in the Craig-Leadville area. Filed 9:55 a. m.

Denver Order 87, Amendment 15 covering dry groceries in the Durango area. Filed 9:55 a. m.

Denver Order 88, Amendment 17, covering dry groceries in the Boulder-Fort Collins-Fort Morgan-Greeley area. Filed 9:55 a. m.

Denver Order 89, Amendment 17, covering dry groceries in the Burlington-Julesburg-Limon-Sterling area. Filed 9:56 a. m.

Denver Order 90, Amendment 17, covering dry groceries in the Gunnison-Meeker-Silverton area. Filed 9:56 a. m.

Denver Order 91, Amendment 17, covering dry groceries in the Delta-Montrose-Glenwood Springs area. Filed 9:56 a. m.

Denver Order 93, Amendment 16, covering dry groceries in the Group 4 stores in Group 4 area No. 1. Filed 9:57 a. m.

Denver Order 94, Amendment 17, covering dry groceries in the Group 4 stores in the Group 4 area No. 2. Filed 9:58 a. m.

Region VIII

Los Angeles Order 10-F, Amendment 39, covering fresh fruits and vegetables in Imperial county. Filed 10:49 a. m.

Seattle Order 16-F, Amendment 55, covering fresh fruits and vegetables in Seattle, Tacoma, and Bremerton, Washington. Filed 9:58 a. m.

Seattle Order 17-F, Amendment 48, covering fresh fruits and vegetables in Bellingham and Everett, Washington. Filed 9:59 a. m.

Seattle Order 18-F, Amendment 49, covering fresh fruits and vegetables in Olympia, Aberdeen, Hoquiam, Centralia and Chehalis, Washington. Filed 9:59 a. m.

Seattle Order 19-F, Amendment 46, covering fresh fruits and vegetables in Yakima, Wenatchee, East Wenatchee, Washington. Filed 10:00 a. m.

Spokane Order 20-F, Amendment 27, covering fresh fruits and vegetables in certain areas of Spokane county, Washington and Kootenai county, Idaho. Filed 10:01 a. m.

Spokane Order 21-F, Amendment 27, covering fresh fruits and vegetables in certain areas of Shoshone and Kootenai counties, Idaho. Filed 10:01 a. m.

Spokane Order 22-F, Amendment 27, covering fresh fruits and vegetables in certain areas of Latah county, Idaho and Whitman county, Washington. Filed 10:02 a. m.

Spokane Order 23-F, Amendment 27, covering fresh fruits and vegetables in certain areas of Asotin county, Washington and Nez Perce county, Idaho. Filed 10:02 a. m.

Spokane Order 24-F, Amendment 27, covering fresh fruits and vegetables in certain areas of Columbia, Walla Walla, Benton and Franklin counties, Washington. Filed 10:03 a. m.

Copies of any of these orders may be obtained from the OPA office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 46-16201; Filed, Sept. 6, 1946; 4:49 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register September 5, 1946.

Region III

Charleston Order 17-F, Amendment 70, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 3:17 p. m.

Charleston Order 10, Amendment 13, covering dry groceries in all counties in West Virginia. Filed 3:14 p. m.

Charleston Order 14, Amendment 13, covering dry groceries in all counties in West Virginia. Filed 3:15 p. m.

Charleston Order 13, Amendment 17, covering dry groceries in all counties in West Virginia. Filed 3:14 p. m.

Cleveland Order 3-F, Amendment 58, covering fresh fruits and vegetables in certain counties in Ohio. Filed 3:18 p. m.

Cleveland Order 6-F, Amendment 37, covering fresh fruits and vegetables in Cuyahoga county, Ohio. Filed 3:18 p. m.

Cleveland Order 7-F, Amendment 37, covering fresh fruits and vegetables in certain counties in Ohio. Filed 3:19 p. m.

Cleveland Order 8-F, Amendment 10, covering fresh fruits and vegetables in certain areas in Ohio. Filed 3:19 p. m.

Cleveland Order G-1, covering dry groceries. Filed 3:06 p. m.

Detroit Order 32, Amendment 7, covering dry groceries in certain counties in Michigan. Filed 3:00 p. m.

Louisville Order 12-F, Amendment 80, covering fresh fruits and vegetables in Jefferson county, Kentucky and Clark and Floyd counties, Indiana. Filed 3:20 p. m.

Louisville Order 17-F, Amendment 46, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 3:19 p. m.

Louisville Order 18-F, Amendment 40, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 3:21 p. m.

Louisville Order 19-F, Amendment 40, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 3:21 p. m.

Louisville Order 28-F, Amendment 20, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 3:22 p. m.

Louisville Order 31-F, Amendment 10, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 3:22 p. m.

Louisville Order 32-F, Amendment 10, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 3:22 p. m.

Louisville Order 33-F, Amendment 10, covering fresh fruits and vegetables in certain counties in Kentucky. Filed 3:21 p. m.

Region IV

Columbia Order 8-F, Amendment 40, covering fresh fruits and vegetables in the State of South Carolina. Filed 3:17 p. m.

Nashville Order 3-C, Amendment 5, covering poultry in certain counties in Tennessee. Filed 3:08 p. m.

Nashville Order 4-C, Amendments 4 and 5, covering poultry in certain counties in Tennessee. Filed 3:08 and 3:07 p. m.

Nashville Order 5-C, Amendments 4 and 5, covering poultry in certain areas in Nashville. Filed 3:07 p. m.

Richmond Order 23, Amendments 7 and 9, covering dry groceries in the Richmond area. Filed 3:10 p. m.

Richmond Order 24, Amendments 7 and 9, covering dry groceries in the Richmond area. Filed 3:09 and 3:12 p. m.

Richmond Order 25, Amendments 5 and 8, covering dry groceries in the Richmond area. Filed 3:11 and 3:13 p. m.

Richmond Order 26, Amendments 5 and 7, covering dry groceries in the Richmond area. Filed 3:12 and 3:16 p. m.

Richmond Orders 7-W and 8-W, Amendment 7, covering dry groceries in the Richmond area. Filed 3:16 and 3:15 p. m.

Region VIII

San Francisco Order 56, Amendment 1, covering dry groceries sold by Groups 3 and 4 stores in certain counties in California. Filed 3:23 p. m.

San Francisco Order 57, Amendment 1, covering dry groceries sold by Groups 1 and 2 stores in the city of Fresno. Filed 3:23 and 3:27 p. m.

San Francisco Order 58, covering dry groceries sold by Groups 3 and 4 stores

in certain counties in California. Filed 3:26 p. m.

San Francisco Order 59, Amendment 1, covering dry groceries. Filed 3:25 p. m.

San Francisco Order 59, covering dry groceries sold by Groups 1 and 2 stores in certain areas in California. Filed 3:26 p. m.

San Francisco Order 60, Amendment 1, covering dry groceries sold by Groups 1 and 2 stores in certain areas in California. Filed 3:24 and 3:25 p. m.

San Francisco Orders 61 and 62, covering dry groceries sold by Groups 1 and 2 and 3A and 4A stores in certain areas in California. Filed 4:24 and 3:28 p. m.

San Francisco Order 63, Amendment 1, covering dry groceries sold by Groups 3A and 4A stores in certain areas in California. Filed 3:29 and 3:27 p. m.

San Francisco Order 64, Amendment 1, covering dry groceries sold by Groups 3A and 4A stores in certain counties in California. Filed 3:29 p. m.

San Francisco Order 65, Amendment 1, covering dry groceries sold by Groups 1 and 2 stores in certain areas in California. Filed 3:30 p. m.

San Francisco Order 66, Amendment 1, covering dry groceries sold by Groups 1 and 2 stores in certain areas in California. Filed 3:32 and 3:31 p. m.

San Francisco Order 67, covering dry groceries sold by Groups 1 and 2 stores in certain areas in California. Filed 3:31 p. m.

San Francisco Order 68, covering dry groceries sold by Groups 1 and 2 stores in certain areas in California. Filed 3:32 p. m.

San Francisco Order 70, covering dry groceries sold by Groups 3A and 4A stores in certain counties in California. Filed 3:33 p. m.

San Francisco Order 72, covering dry groceries sold by Groups 3A and 4A stores in the city of Fresno. Filed 3:28 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 46-16202; Filed, Sept. 6, 1946; 4:49 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-1361]

UNITED CORP.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 6th day of September 1946.

The Commission on August 14, 1943 having issued its Order pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935 directing The United Corporation ("United"), a registered holding company, to change its capitalization to one class of stock, namely, common stock, and to take such action, in a manner consistent with the

provisions of the act, as will cause it to cease to be a holding company; and

The Commission on November 30, 1944 having issued its Order pursuant to section 11 (b) (1) of the act directing Columbia Gas & Electric Corporation ("Columbia"), a registered holding company and a subsidiary of United, inter alia, to dispose of its interests in its subsidiary, The Cincinnati Gas & Electric Company ("Cincinnati"); and

The Commission having on August 22, 1946 approved Columbia's proposal for the disposition of all of the common stock of Cincinnati by means of an underwritten offer to stockholders through warrants, expiring on September 9, 1946, issued to all holders of the common stock of Columbia of record as of August 22, 1946 evidencing the right of such holders to purchase at \$26 per share one share of common stock of Cincinnati for each six shares of Columbia common stock held; and

United, the owner of 1,919,856 shares (15.7%) of the common stock of Columbia, having filed on August 28, 1946 an application for authority to exercise its rights pursuant to such warrants to purchase from Columbia, on or before September 9, 1946, its pro rata portion (319,976 shares) of the Cincinnati stock at a total price of \$8,319,376; and

Notice of such filing having been duly given in the manner and form prescribed under Rule U-23 and the Commission not having received a request for hearing with respect to said application within the period specified in such notice or otherwise, and not having ordered a hearing thereon; and

The Commission having heretofore found that the disposition by Columbia to its stockholders of its interest in Cincinnati is in compliance with the Commission's outstanding divestment order of November 30, 1944; and it appearing to the Commission that the ownership by United of the shares of Cincinnati stock proposed to be acquired through the exercise of warrants is subject to the Commission's outstanding order directing United, inter alia, to cease to be a holding company; and

It further appearing to the Commission that the circumstances of this case are such as do not necessitate adverse findings under the provisions of section 10 (b) of the act with respect to the proposed acquisition by United; and the Commission finding that such acquisition has the tendency required by section 10 (c) (2) of the act, and that it is appropriate in the public interest and the interests of investors and consumers that said application be granted;

It is ordered, Pursuant to Rule U-23 of the applicable provisions of said act and subject to the terms and conditions promulgated under Rule U-24, that the aforesaid application be, and the same hereby is, granted forthwith on the condition, however, that nothing herein contained shall be construed as altering, supplementing, modifying or limiting in any respect the Commission's outstanding order of August 14, 1943 directing United to change its present capitalization to one class of stock, namely, common stock, and to take such action, in a manner consistent with the provisions of

the act, as will cause it to cease to be a holding company.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-16449; Filed, Sept. 10, 1946;
2:09 p. m.]

[File No. 70-958]

HOPE ENGINEERING CO. AND TEXAS EASTERN
OIL CO.

ORDER PERMITTING WITHDRAWAL OF
APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 5th day of September A. D. 1946.

Hope Engineering Company ("Hope"), formerly a registered holding company, and Texas Eastern Oil Company ("Texas"), its subsidiary, having filed a joint application-declaration pursuant to the Public Utility Holding Company Act of 1935, proposing the issue by Texas to Hope and the acquisition by Hope of shares of the common stock of Texas, an extension of the maturity date of certain registered notes of Texas held by others than Hope, and other related transactions; and

The Commission, by order dated May 20, 1946, having ordered and declared, among other things, that Hope has ceased to be a holding company, and pursuant to said order Hope's registration as a holding company having ceased to be in effect; and

Hope and Texas having now requested permission to withdraw said application-declaration, and the Commission having considered the request and it appearing that the withdrawal of said application-declaration is consistent with the public interest;

It is ordered, That the request of Hope Engineering Company and Texas Eastern Oil Company for withdrawal of the application-declaration herein be and it hereby is granted, and that said application-declaration is hereby deemed withdrawn.

By the Commission.

[Seal] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-16450; Filed, Sept. 10, 1946;
2:09 p. m.]

[File No. 70-1358]

PROVINCETOWN LIGHT AND POWER CO. AND
NEW ENGLAND GAS AND ELECTRIC
ASSN.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of September 1946.

Notice is hereby given that a joint application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by New England Gas and Electric Association ("New England"), a registered holding company, and its subsidiary Provincetown Light and Power Company ("Provincetown"); and

Notice is further given that any person may, not later than September 23, 1946, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, 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 application-declaration, as filed or as amended, may be granted or permitted to become effective 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 Rule U-20 (a) and Rule U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, 3, Pennsylvania.

All interested persons are referred to said application-declaration, which is on file in the offices of said Commission, for a statement of the transactions therein proposed which are summarized below:

New England presently owns all of the outstanding common stock of Provincetown. Provincetown proposes to issue and sell to New England an additional 125 shares of common stock, of the par value of \$100.00 per share, at a price of \$100.00 per share, or an aggregate of \$12,500. The proceeds from the proposed sale are to be used for the partial payment of indebtedness amounting to \$18,375, incurred by Provincetown for extensions, additions and improvements to its plant and property. Such indebtedness is represented by a six month note, dated June 26, 1946, for \$18,375 payable to The First National Bank of Boston with interest at 3% per annum.

The application by Provincetown is filed pursuant to section 6 (b) of the act for exemption from the provisions of section 6 (a) of the act as to the issue and sale of the 125 shares of common stock, such issue and sale having been expressly authorized by the Department of Public Utilities of Massachusetts by order dated July 22, 1946. New England has joined in the filing under sections 9 (a), 10 and 12 (f) of the Act in respect to its acquisition of the additional shares of common stock of Provincetown.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-16448; Filed, Sept. 10, 1946;
2:09 p. m.]

OFFICE OF ALIEN PROPERTY CUS-
TODIAN.

[Vesting Order 6866]

JACOB SONNEN

In re: Real property, property insurance policies and claims owned by Jacob Sonnen.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Jacob Sonnen, whose last known address is Dusseldorf, Germany,

is a resident of Germany and a national of a designated country (Germany);

2. That the property described as follows:

a. Real property situated in the City of St. Louis, State of Missouri, particularly described in Exhibits A, B and C, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title and interest of Jacob Sonnen, in and to the following property insurance policies, which are in the possession of Harry M. Boeckmann, 3521 Franklin Avenue, St. Louis, Missouri:

Policy No. 6142 of the Great American Insurance Company, New York, New York, issued in the names of Jacob J. Sonnen and Harry M. Boeckmann, Executor for John Sonnen, deceased, as their respective interests appear, covering premises 3435 Lucas Avenue, St. Louis, Missouri, for fire and extended coverage in the sum of \$3,500 for the three year period ending January 25, 1947.

Policy No. 0C7627 of the Great American Insurance Company, New York, New York, issued in the name of Harry M. Boeckmann, agent for Jacob Sonnen, covering premises 3437 Lucas Avenue, St. Louis, Missouri, for fire and extended coverage in the sum of \$2,000 for the three year period ending July 7, 1948.

Policy No. 25679 of the National Liberty Insurance Company of America, New York, New York, issued in the name of Harry M. Boeckmann, agent for Jacob Sonnen, for fire and extended coverage on premises 3437 Lucas Avenue, St. Louis, Missouri, in the sum of \$2,000 for the three year period ending July 7, 1948.

Policy No. 89707 of the Phoenix Insurance Company, of Hartford, Connecticut, issued in the name of Harry M. Boeckmann, Executor of the Estate of John Sonnen, deceased, covering premises 3439 Lucas Avenue, St. Louis, Missouri, for fire and extended coverage in the sum of \$3,500 for the three-year period ending January 11, 1947.

c. All right, title, interest and claim of any name or nature whatsoever of Jacob Sonnen, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to him by Harry M. Boeckmann, 3521 Franklin Avenue, St. Louis, Missouri, including particularly but not limited to those sums arising by reason of rents collected from the real property described in subparagraph 2-a hereof, and any and all security rights in and to any and all collateral for any and all such obligations and the right to enforce and collect the same, and

d. All right, title, interest and claim of any name or nature whatsoever of Jacob Sonnen, in and to any and all obligations, contingent or otherwise, and whether or not matured, owing to him by George Bitter, and which is deposited at Trade Bank and Trust Company, 7th Avenue and 36th Street, New York, New York, in an account in the name of "George Bitter, attorney in fact for Jacob Sonnen", including but not limited to those sums arising by reason of rents

collected from the real property described in subparagraph 2-a hereof, and any and all security rights in and to any and all collateral for any or all such obligations and the right to enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 2-b to 2-d hereof, inclusive,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 1, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

The West one-half of Lot 7 in Block 15 of "Subdivision of Section 16"; and in Block #1054 of the City of St. Louis, Missouri, having a front of twenty-five feet (25') on the North line of Lucas Avenue by a depth Northwardly of one hundred thirty-four feet and eight inches (134' 8") to an alley, together with all improvements thereon, known as and numbered 3435 Lucas Avenue.

EXHIBIT B

The East twenty-seven feet and four and one-fourth inches of Lot 8 in Block 15 of "Subdivision of Section 16"; and in Block #1054 of the City of St. Louis, Missouri, having a front of twenty-seven feet and four and one-fourth inches (27' 4 1/4") on the line of Lucas Avenue by a depth Northwardly of one hundred thirty-four feet and eight inches (134' 8") to an alley, together with all improvements thereon, known as and numbered 3437 Lucas Avenue.

EXHIBIT C

The west twenty-two feet and seven and three-quarters inches (22' 7 3/4") of Lot 8 in Block 15 of "Subdivision of Section 16"; and in Block #1054 of the City of St. Louis, having a front of twenty-two feet and seven and three-quarters inches (22' 7 3/4") on the north line of Lucas Avenue by a depth northwardly of one hundred thirty-four feet and eight inches (134' 8") to an alley, together with all improvements thereon, known as and numbered 3439 Lucas Avenue.

[F. R. Doc. 46-16244; Filed, Sept. 9, 1946; 9:27 a. m.]

[Vesting Order 7193]

AUGUST CZURDA

In re: Trust under the Will of August Czurda, deceased. File D-28-9474; E. T. sec. 12754.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Josephine Hoffelner and her issue, names unknown, Franz Hoffelner, Christine Hoffelner and Max Hoffelner, and each of them, in and to the Trust created under the Will of August Czurda, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Josephine Hoffelner and her issue, names unknown, Germany.

Franz Hoffelner, Germany.

Christine Hoffelner, Germany.

Max Hoffelner, Germany.

That such property is in the process of administration by Josephine Mehlhorn, as Trustee, acting under the judicial supervision of the Surrogate's Court, Queens County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, in-

cluding appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 23, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-16246; Filed, Sept. 9, 1946; 9:27 a. m.]

[Vesting Order 7246]

MIWA NODA

In re: Real property and insurance policy owned by Miwa Noda.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Miwa Noda, whose last known address is 1107 Bode Nishitotori Mura, Sennan Gun, Osaka, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. Real property situated in the City of Berkeley, County of Alameda, State of California, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title and interest of Miwa Noda, in and to Property Insurance Policy No. L-98315, issued by The Liverpool and London and Globe Insurance Company, Ltd., which policy expires April 13, 1948, and insures the property described in subparagraph 2-a hereof,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires

that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraph 2-b hereof.

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 29, 1946.

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

EXHIBIT A

All that lot of land situated in the City of Berkeley, County of Alameda, State of California, and described as follows, to-wit:

Beginning at the point of intersection of the southerly line of Russell Street, as said Russell Street is shown upon that certain map entitled, "Map of Blocks M, N, O & P of the Harmon Tract," etc., hereinafter referred to, with the easterly line of Sacramento Street, as said Sacramento Street now exists since the widening thereof by that certain deed from F. M. Smith and Evelyn E. Smith, his wife, and F. C. Havens and Lilla R. Havens, his wife, to the City of Berkeley, a municipal corporation, dated September 28, 1909, and recorded November 15, 1909, in Book 1640 of Deeds, at Page 431, in the office of the County Recorder of said Alameda County; and running thence along said southerly line of said Russell Street north 78°42'20" east 37.67 feet; thence south 9°44' east 106.66 feet to the southerly boundary line of Lot 17 in Block "O," as said lot and block are shown upon that certain map entitled, "Map of Blocks M, N, O & P of the Harmon Tract," etc., hereinafter referred to; thence along said southerly boundary line of said Lot No. 17 and along the southerly boundary line of Lot 16 in said Block "O," as said Lot 16 is shown upon that certain map entitled, "Map of Blocks M, N, O & P of the Harmon Tract," etc., hereinafter referred to, south 79°29'30" west 35.27 feet to said easterly line of said Sacramento Street; and thence along said easterly line of said Sacra-

mento Street, north 11°01'20" west, 106.14 feet to the point of beginning.

Being portions of Lots 16 and 17 in Block "O", as said lots and block are shown upon that certain map entitled, "Map of Blocks M, N, O & P of the Harmon Tract," etc., filed March 4, 1889, in the office of the County Recorder of Alameda County.

[F. R. Doc. 46-16245; Filed, Sept. 9, 1946; 9:27 a. m.]

[Vesting Order 7324]

RICHARD FINGERHUT

In re: Trust under the last will and testament of Richard Fingerhut, deceased. File No. D-28-10213; E. T. sec. 14556.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Heinrich Fingerhut, Rudolph Fingerhut, Emil Fingerhut, Erna Fingerhut, Julius Fingerhut, Eugenie Fingerhut, the issue, names unknown of Julius Fingerhut, deceased, Johanna Fingerhut, Gustav Fingerhut, Heinrich Fingerhut, the issue, names unknown, of Edward Fingerhut, and each of them, in and to the trust created under the last will and testament of Richard Fingerhut, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Heinrich Fingerhut, Germany.
Rudolph Fingerhut, Germany.
Emil Fingerhut, Germany.
Erna Fingerhut, Germany.
Julius Fingerhut, Germany.
Eugenie Fingerhut, Germany.
The issue, names unknown, of Julius Fingerhut, deceased, Germany.
Johanna Fingerhut, Germany.
Gustav Fingerhut, Germany.
Heinrich Fingerhut, Germany.
The issue, names unknown, of Edward Fingerhut, deceased, Germany.

That such property is in the process of administration by Bank of New York as Trustee of the Trust created under the Last Will and Testament of Richard Fingerhut, deceased, acting under the judicial supervision of the Surrogate's Court, County of New York, State of New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an ap-

propriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 31, 1946.

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

[F. R. Doc. 46-16247; Filed, Sept. 9, 1946; 9:27 a. m.]

[Vesting Order 7457]

ELSE BORNHOLDT

In re: Estate of Else Bornholdt, deceased. File No. D-28-1420; E. T. sec. 22.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Kurt Kroeger in and to the Estate of Else Bornholdt, deceased,

is property payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National and Last Known Address

Kurt Kroeger, Germany.

That such property is in the process of administration by the Treasurer of the City of New York, as Depositary, acting under the judicial supervision of the Surrogate's Court, Kings County, State of New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the inter-

est and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 16, 1946.

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

[F. R. Doc. 46-16248; Filed, Sept. 9, 1946;
9:28 a. m.]

[Vesting Order 7196]

CATHERINE GUETHLEIN

In re: Trust under the will of Catherine Guethlein, deceased. File No. D-28-8889; E. T. sec. 11070.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Sophie Guethlein, the children of Sophie Guethlein (names unknown), Kate Guethlein, the children of Kate Guethlein (names unknown), Carl Guethlein, and the children of Carl Guethlein (names unknown), and each of them, in and to the Trust under the Will of Catherine Guethlein, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Sophie Guethlein, Reckendorf, Germany.
The Children of Sophie Guethlein (names unknown), Germany.
Kate Guethlein, Reckendorf, Germany.
The Children of Kate Guethlein (names unknown), Germany.
Carl Guethlein, Reckendorf, Germany.
The Children of Carl Guethlein (names unknown), Germany.

That such property is in the process of administration by The First National Bank and Trust Company of New Haven, Connecticut, as Trustee of the trust created under the Will of Catherine Guethlein, deceased, acting under the judicial supervision of the Court of Probate for the District of New Haven, Connecticut;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, in-

cluding appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 23, 1946.

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

[F. R. Doc. 46-16372; Filed, Sept. 10, 1946;
9:33 a. m.]

[Vesting Order 7201]

MORRIS MENDEL

In re: Estate of Morris Mendel, deceased. File No. D-28-10323; E. T. sec. 14697.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Thekla Greenwald and Fritz Sommer, and his issue, names unknown; and each of them, in and to the estate of and the trust created under the Will of Morris Mendel, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Thekla Greenwald, Germany.
Fritz Sommer, and his issue, names unknown, Germany.

That such property is in the process of administration by Charles Steiner and Moritz Gotschal as Executors and Trustees, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 23, 1946.

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

[F. R. Doc. 46-16373; Filed, Sept. 10, 1946;
9:33 a. m.]

[Vesting Order 7393]

MRS. INGEBORG BECK

In re: Bank account owned by Mrs. Ingeborg Beck. F-28-25148-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Mrs. Ingeborg Beck, whose last known address is Auerbach, Hessen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Mrs. Ingeborg Beck, by Bank of America National Trust and Savings Association, 300 Montgomery Street, San Francisco, California, arising out of a savings account, Account Number 12128, entitled Mrs. Ingeborg Beck, maintained at the branch office of

the aforesaid bank located at 8 South First Street, San Jose, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 14, 1946.

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

[F. R. Doc. 46-16374; Filed, Sept. 10, 1946;
9:33 a. m.]

[Vesting Order 7394]

TINA BOCK

In re: Bank account owned by Tina Bock. F-28-23769-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Tina Bock, whose last known address is Wesermuende, Wulsdorfland, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Tina Bock, by Bank of America National Trust and Savings Association, 300 Montgomery Street, San Francisco, California, arising out of a savings account, Account Number 20773,

entitled Tina Bock, and any and all rights to demand, enforce and collect the same, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 14, 1946.

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

[F. R. Doc. 46-16375; Filed, Sept. 10, 1946;
9:33 a. m.]

[Vesting Order 7395]

GUSTAV DEHN ET AL.

In re: Bank accounts owned by Gustav Dehn and others. F-28-7676-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Gustav Dehn, Hermann Dehn, Kaethe Grisee, Hedwig Werneyer, Hans Dehn and Helene Wuerfel, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation owing to Gustav Dehn, Hermann Dehn, Kaethe Grisee, Hedwig Werneyer, Hans Dehn and Helene Wuerfel, by The Bellingham National Bank, 101 East

Holly Street, Bellingham, Washington, arising out of a checking account, entitled Heirs of Albert Grisee "Blocked", and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation owing to Gustav Dehn, Hermann Dehn, Kaethe Grisee, Hedwig Werneyer, Hans Dehn and Helene Wuerfel, by The Bellingham National Bank, 101 East Holly Street, Bellingham, Washington, arising out of a checking account entitled Heirs of Albert Grisee, "Special Account #2, Blocked", and any and all rights to demand, enforce and collect the same, and

c. That certain debt or other obligation owing to Gustav Dehn, Hermann Dehn, Kaethe Grisee, Hedwig Werneyer, Hans Dehn and Helene Wuerfel, by The Bellingham National Bank, 101 East Holly Street, Bellingham, Washington, arising out of a checking account entitled R. B. Walkinshaw & H. Otto Giese, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 14, 1946.

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

[F. R. Doc. 46-16376; Filed, Sept. 10, 1946;
9:33 a. m.]

[Vesting Order 7396]

ELISABETH THERESE KAROLINE FRANZISKA
HEITMANN

In re: Bank account owned by Elisabeth Therese Karoline Franziska Heitmann. F-28-10059-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Elisabeth Therese Karoline Franziska Heitmann, whose last known address is Stromeyerstrasse 1, Hannover, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Elisabeth Therese Karoline Franziska Heitmann, by The Ninth Bank and Trust Company, Front and Norris Streets, Philadelphia 25, Pennsylvania, in the amount of \$1,229.88, as of December 31, 1945, evidenced by Certificate of Deposit No. 243, issued by said bank, and any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 14, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-16377; Filed, Sept. 10, 1946; 9:33 a. m.]

[Vesting Order 7397]

CHRISTINE KLEIN

In re: Bank account owned by Christine Klein. F-28-23799-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Christine Klein, whose last known address is Waldesch, Bayen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Christine Klein, by Security First National Bank of Los Angeles, 110 South Spring Street, Los Angeles, California, arising out of a term savings account, Account Number 394202, entitled Christine Klein, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 14, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-16378; Filed, Sept. 10, 1946; 9:34 a. m.]

[Vesting Order 7398]

WILHELM KOPP

In re: Bank account owned by Wilhelm Kopp. F-28-11717-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Wilhelm Kopp, whose last known address is 34 Preussenstrasse, Wanne-Eickel, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Wilhelm Kopp, by Security First National Bank of Los Angeles, Los Angeles, California, arising out of a checking account, entitled, Wilhelm Kopp, maintained at the Sixth and Spring branch office of the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 14, 1946.

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

[F. R. Doc. 46-16379; Filed, Sept. 10, 1946;
9:34 a. m.]

[Vesting Order 7495]

ALWINE IDA TRAPP

In re: Estate of Alwine Ida Trapp, also called Ida Trapp, deceased. File D-28-10770; E. T. sec. 15178.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Karl Herman Knoll and his heirs, legatees, next of kin and personal representatives, names unknown, and Gunther Knoll and his heirs, legatees, next of kin and personal representatives, names unknown, and each of them, in and to the Estate of Alwine Ida Trapp, also called Ida Trapp, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Karl Herman Knoll and his heirs, legatees, next of kin and personal representatives, names unknown, Germany.

Gunther Knoll and his heirs, legatees, next of kin and personal representatives, names unknown, Germany.

That such property is in the process of administration by Carl F. Schmid, as Administrator, C. T. A., acting under the judicial supervision of the District Court of Bernalillo County, State of New Mexico;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such person be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 30, 1946.

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

[F. R. Doc. 46-16088; Filed, Sept. 6, 1946;
9:56 a. m.]

[Vesting Order 7399]

HEINRICH KRINGS

In re: Bank account owned by Heinrich Krings. F-28-6960-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Heinrich Krings, whose last known address is 36 Neuer Wall, Cologne, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Heinrich Krings, by The Northern Trust Company, 50 South La-Salle Street, Chicago, Illinois, arising out of a checking account, entitled Heinrich Krings, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 14, 1946.

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

[F. R. Doc. 46-16380; Filed, Sept. 10, 1946;
9:34 a. m.]

[Vesting Order 7401]

BOTHILDA LUTZEN

In re: Bank account owned by Bothilda Lutzen. F-28-23267-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Bothilda Lutzen, whose last known address is Achtrup, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Bothilda Lutzen, by Almira State Bank, Almira, Washington, arising out of a checking account, entitled Bothilda Lutzen, Blocked Account, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions; nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 14, 1946.

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

[F. R. Doc. 46-16381; Filed, Sept. 10, 1946; 9:34 a. m.]

[Vesting Order 7402]

WILLIAM PRYM

In re: Debt owing to William Prym, G. m. b. H.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That William Prym, G. m. b. H., whose last known address is Stolberg, Germany, is a corporation, organized under the laws of Germany, and which has or, since the effective date of Executive Order No. 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to William Prym, G. m. b. H., by William Prym, Inc., Dayville, Connecticut, in the amount of \$358,780.48, as of December 31, 1942, represented on the books and records of said William Prym, Inc., as an account payable to Pieter Sorgdrager, in the amount of \$326,235.82, and accrued interest thereon in the amount of \$32,544.66, as of December 31, 1942, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, William Prym, G. m. b. H., the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds

thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 14, 1946.

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

[F. R. Doc. 46-16382; Filed, Sept. 10, 1946; 9:34 a. m.]

[Vesting Order 7403]

WALTHER STALLFORTH

In re: Bank account owned by Walther Stallforth. F-28-23185-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Walther Stallforth, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of Excelsior Savings Bank, 221 West 57th Street, New York, New York, arising out of a savings account, Account Number 157,052, entitled Carl Klingelhoff in trust for Walther Stallforth, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Walther Stallforth, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it

be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 14, 1946.

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

[F. R. Doc. 46-16383; Filed, Sept. 10, 1946; 9:34 a. m.]

[Vesting Order 7410]

ICHIRO YOKOYAMA

In re: Bank account owned by Ichiro Yokoyama. D-39-17021-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Ichiro Yokoyama, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Ichiro Yokoyama, by The Riggs National Bank of Washington, D. C., 1503 Pennsylvania Avenue, NW., Washington, District of Columbia, arising out of a checking account, entitled Ichiro Yokoyama, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof,

if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 14, 1946.

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

[F. R. Doc. 46-16384; Filed, Sept. 10, 1946; 9:34 a. m.]

[Vesting Order 7428]

MRS. ANNA BLOTEVOGEL

In re: Bank account owned by Mrs. Anna Blotevogel. F-28-13442-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Mrs. Anna Blotevogel, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of First National Bank, Odessa, New York, arising out of a checking account, entitled "Hanns P Kniepkamp as attorney in fact Mrs. Anna Blotevogel", and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Mrs. Anna Blotevogel, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated,

sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 15, 1946.

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

[F. R. Doc. 46-16385; Filed, Sept. 10, 1946; 9:35 a. m.]

[Vesting Order 7429]

WILLI BOCK ET AL.

In re: Bank accounts owned by Willi Bock, Rosina Ehrhardt, Ernst Grimme, Hans Grimme, Karl Grimme, Louis Adolf Grimme, Marie Grimme, Wilhelm Grobowski, Olga Kelm, Marie Kolb, Anna Kolb, and Eva Konrad.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the persons listed in Exhibit A, attached hereto and by reference made a part hereof, whose last known addresses are as set forth opposite each name in Exhibit A, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to each individual whose name is set forth in Exhibit A, attached hereto and by reference made a part hereof, by

The First National Bank of Chicago, Dearborn, Monroe and Clark Streets, Chicago, Illinois, arising out of savings accounts, the account numbers of which are set forth in the aforesaid Exhibit A, entitled in the manner set forth in the aforementioned Exhibit A, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 15, 1946.

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

EXHIBIT A

Name of owner	Last known address	Title of account	Account No.	File No.
Willi Bock	Schaft, Audorf, Germany	Willi Bock	1, 373, 957	F-28-23770-E-1
Rosina Ehrhardt	Abtswind, Germany	Rosina Ehrhardt	1, 350, 981	F-28-23749-E-1
Ernst Grimme	29 Grunewaldst, Berlin Schoneberg, Germany	Ernst Grimme	1, 357, 374	F-28-23829-E-1
Hans Grimme	Germany	Hans Grimme	1, 357, 376	F-28-23831-E-1
Karl Grimme	12c Hitlerst, Flatow, Germany	Karl Grimme	1, 357, 372	F-28-23830-E-1
Louis Adolf Grimme	4 Roonst, Waren-Mueritz, Germany	Louis Adolf Grimme	1, 357, 373	F-28-23832-E-1
Marie Grimme	15 Wilhelmshoeherallee, Kassel, Germany	Miss Marie Grimme	1, 357, 371	F-28-23833-E-1
Wilhelm Grobowski	Duisburg, Germany	Wilhelm Grobowski	1, 350, 170	F-28-23828-E-1
Olga Kelm	11 Torfmoorweg, Stargard, Pommern, Germany	Olga Kelm	1, 362, 205	F-28-23792-E-1
Marie Kolb	Selb-Aberfranken, Franz Heinrichst, Germany	Marie Kolb	1, 367, 124	F-28-23801-E-1
Anna Kolb	Aschaffenburg, Germany	Anna Kolb	1, 368, 934	F-28-23802-E-1
Eva Konrad	Alzey, Germany	Eva Konrad	1, 350, 072	F-28-23808-E-1

[F. R. Doc. 46-16386; Filed, Sept. 10, 1946; 9:35 a. m.]

[Vesting Order 7430]

AGNES BOETTKEER ET AL.

In re: Bank accounts owned by Agnes Boettkeer, Franz Bonder, Anna Bornemann, Peter Borst, Gregor Boyer, Johan Boyer, Frieda Emilie Hanrietta Blenck, Heinrich Christian Blenck and Karl Friedrich Brudi.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the persons listed in Exhibit A, attached hereto and by reference made a part hereof, whose last known addresses are as set forth opposite each name in Exhibit A, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to each individual whose name is set forth in Exhibit A, attached hereto and by reference made a part hereof, by Commonwealth Bank, Dime Building, Detroit, Michigan, arising out of com-

mercial accounts, the account numbers of which are set forth in the aforesaid Exhibit A, entitled in the manner set forth in the aforementioned Exhibit A, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated,

sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 15, 1946.

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

EXHIBIT A

Name of owner	Last known address	Title of account	Account No.	File No.
Agnes Boettkeer.....	Havelberg, Germany.....	Mrs. Agnes Boettkeer.....	C13-915...	F-28-25103-E-1
Franz Bonder.....	Ahlen Westphalia, Germany.....	Franz Bonder.....	C12-181...	F-28-25101-E-1
Anna Bornemann.....	Schoenholthausen, Sauerland, Germany.....	Anna Bornemann.....	C10-948...	F-28-25007-E-1
Peter Borst.....	Berlin, Germany.....	Peter Borst.....	C14-164...	F-28-9341-E-1
Gregor Boyer.....	Herrnzimmerin, Wuert, Germany.....	Gregor Boyer.....	C11-424...	F-28-25096-E-1
Johan Boyer.....	Herrnzimmerin, Wuert, Germany.....	Johan Boyer.....	C11-425...	F-28-25095-E-1
Frieda Emilie Hanrietta Blenck.....	Germany.....	Frieda Emilie Hanrietta Blenck.....	C11-878...	F-28-24908-E-1
Heinrich Christian Blenck.....	Bayerbach, Germany.....	Heinrich Christian Blenck.....	C13-120...	F-28-24907-E-1
Karl Friedrich Brudi.....	Tischardt, Germany.....	Karl Friedrich Brudi.....	C12-636...	F-28-25081-E-1

[F. R. Doc. 46-16387; Filed, Sept. 10, 1946; 9:35 a. m.]