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## Regulations

### TITLE 7—AGRICULTURE

#### Chapter IX—Agricultural Marketing Administration

[O-30]

#### PART 930—MILK IN THE TOLEDO, OHIO, MARKETING AREA<sup>1</sup>

The Secretary of Agriculture of the United States of America, pursuant to the powers conferred upon the Secretary by Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, issued on September 16, 1941, effective as of September 21, 1941, the order, as amended, regulating the handling of milk in the Toledo, Ohio, marketing area.

There being reason to believe that amendment of said order, as amended, would tend to effectuate the declared policy of the act, notice was given on the 24th day of March 1942, of a hearing which was held on March 30, 1942, at Toledo, Ohio, at which time and place all interested parties were afforded an opportunity to be heard on proposed amendments to said order, as amended.

The requirements of section 8c (9) of the act have been complied with.

It is found, upon the evidence introduced at said latter hearing on the proposed amendments, said findings being in addition to the findings made upon the evidence introduced at all prior hearings on said order and amendments thereto (which findings are hereby ratified and affirmed, save only as such findings are in conflict with findings hereinafter set forth):

**AUTHORITY:** §§ 930.0 to 930.10, inclusive, issued under 48 Stat. 21, 670, 675, 49 Stat. 750, 50 Stat. 246; 7 U.S.C. 601 et seq.

**§ 930.0 Findings.** (a) That prices calculated to give milk produced for sale in the marketing area a purchasing power

<sup>1</sup> See also Department of Agriculture, Agricultural Marketing Administration, *infra*.

equivalent to the purchasing power of such milk as determined pursuant to §§ 2 and 8e (50 Stat. 246; 7 U.S.C. 1940 ed. 602, 608c), are not reasonable in view of the available supplies of feeds, the prices of feeds, and other economic conditions which affect the supply of and demand for such milk and that the minimum prices set forth in this order, as amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and that the fixing of such prices does not have for its purpose the maintenance of prices to producers above the levels which are declared in the act to be the policy of Congress to establish;

(b) That this order, as amended, regulates the handling of milk in the same manner as and is applicable only to handlers defined in a marketing agreement, as amended, upon which a hearing has been held; and

(c) That the issuance of this order, as amended, and all of the terms and conditions of this order, as so amended, tend to effectuate the declared policy of the act.

It is hereby ordered that such handling of milk in the Toledo, Ohio, marketing area as is in the current of interstate commerce or as directly burdens, obstructs, or affects interstate commerce shall, from the effective date hereof, be in compliance with the following terms and conditions:

**§ 930.1 Definitions—**(a) *Terms.* The following terms shall have the following meanings:

(1) The term "Secretary" means the Secretary of Agriculture of the United States.

(2) The term "Toledo, Ohio, marketing area," hereinafter called the "marketing area," means the territory within the corporate limits of the city of Toledo, and the towns and villages of Ottawa Hills, Maumee, Sylvania, Harbor View, Rossford, and Trilby in Lucas County, also the townships of Monclova, Springfield, Adams, Sylvania, Washington, Jerusalem, and Oregon in Lucas County,

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and the townships of Perrysburg, Ross, and Lake in Wood County, all in the State of Ohio; the village of Lakeside, and the territory within the townships of Whiteford, Bedford, and Erie in Monroe County, in the State of Michigan.

(3) The term "person" means any individual, partnership, corporation, association, or any other business unit.

(4) The term "producer" means any person who produces milk which is received at the plant of a handler from which milk is disposed of in the marketing area and any person reported by a handler pursuant to § 930.3 (a) (6).

(5) The term "handler" means any person who, on his own behalf or on behalf of others, purchases or receives milk from producers, associations of producers, or other handlers, all, or a portion, of which milk is disposed of as milk in the marketing area, and who, on his own behalf or on behalf of others, engages in such handling of milk as is in the current of interstate commerce or which directly burdens, obstructs, or affects interstate commerce in milk and its products.

(6) The term "delivery period" means any calendar month.

(7) The term "market administrator" means the agency which is described in § 930.2 for the administration hereof.



(8) The term "act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

(9) The term "emergency milk" means milk or skimmed milk received by a handler from sources other than producers under a permit to receive such milk issued by the proper health authorities.

§ 930.2 *Market administrator*—(a) *Designation.* The agency for the administration hereof shall be a market administrator who shall be a person selected by the Secretary. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

(b) *Powers.* The market administrator shall:

(1) Administer the terms and provisions hereof; and

(2) Report to the Secretary complaints of violation of the provisions hereof.

(c) *Duties.* The market administrator shall:

(1) Within 45 days following the date upon which he enters upon his duties, execute and deliver to the Secretary a bond conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the Secretary.

(2) Pay, out of the funds provided by § 930.8, the cost of his bond, his own compensation, and all other expenses necessarily incurred in the maintenance and functioning of his office.

(3) Keep such books and records as will clearly reflect the transactions provided for herein, and surrender the same to his successor or to such other person as the Secretary may designate.

(4) Publicly disclose to handlers and producers, unless otherwise directed by the Secretary, the name of any person who, within 10 days after the date upon which he is required to perform such acts, has not (a) made reports pursuant to § 930.3 or (b) made payments pursuant to § 930.7.

(5) Promptly verify the information contained in the reports submitted by handlers.

§ 930.3 *Reports of handlers*—(a) *Submission of reports.* Each handler shall report to the market administrator, in the detail and on forms prescribed by the market administrator, as follows:

(1) On or before the 5th day after the end of each delivery period (i) the receipts of milk from producers, (ii) the receipts of milk from handlers, (iii) the receipts of milk produced by him, if any, and (iv) the utilization of all receipts of milk for the delivery period.

(2) Within 10 days after the market administrator's request with respect to any producer for whom such information is not in the files of the market administrator and with respect to a period or periods of time designated by the market administrator (i) the name and

address, (ii) the total pounds of milk received, (iii) the average butterfat test of milk received, and (iv) the number of days upon which milk was received.

(3) On or before the 20th day after the end of each delivery period, his producer pay roll, which shall show for each producer (i) the total delivery of milk with the average butterfat test thereof, (ii) the net amount of the payment to such producer made pursuant to § 930.7, and (iii) the deductions and charges made by the handler.

(4) On or before the 5th day after the market administrator's request, a schedule which shall show the transportation rates which are charged and paid for the transportation of milk from the farm of each producer to such handler's plant.

(5) On or before the 5th day after any changes are made in the schedule filed in accordance with subparagraph (4) of this paragraph, a copy of the revised schedule with the effective dates of such changes as may appear in the revised schedule.

(6) On or before the 5th day after the end of each delivery period, a list showing the name and address of each person who produces milk and is under contract with such handler, either individually or through a cooperative association, to have his milk received and paid for as part of the handler's supply of milk for the marketing area, but whose milk may be received at a plant of such handler from which no milk is disposed of in the marketing area. Any such person who is not included on such a list, submitted on or before the 5th day after the end of the delivery period, shall not be deemed to be a producer for such delivery period.

(7) On or before the day such handler receives emergency milk his intention to receive such milk.

(8) On or before the 5th day after the end of each delivery period, the receipts of emergency milk, as follows: (i) the amount of such milk, (ii) the date or dates upon which such milk was received during the delivery period, (iii) the plant from which such milk was shipped, and (iv) such other information with respect thereto as the market administrator may request.

(b) *Verification of reports.* Each handler shall make available to the market administrator or his agent (1) those records which are necessary for the verification of the information contained in the reports submitted in accordance with this section and § 930.4 (c), and (2) those facilities necessary for the checkweighing, testing, and sampling of milk and for determining the utilization of milk being made by the handler.

If, in the verification of the reports of any handler made pursuant to paragraph (a) of this section, it is necessary for the market administrator to examine records relating to milk and cream handled in a plant of the handler from which no milk is disposed of in the marketing area, such handler shall make such records available to the market administrator. If, in the verification of the reports of any handler made pursuant to

paragraph (a) of this section, the market administrator finds that subsequent to the delivery period for which the verification is being made, any milk of a producer received during such delivery period was used in a class other than that in which it was first reported, such milk shall be reclassified accordingly and the adjustments necessary to reflect the reclassified value of such milk shall be made in the value of milk computed for such handler for the delivery period following such reclassification of milk.

§ 930.4 *Classification of milk*—(a) *Milk to be classified.* All milk, including milk produced by him, if any, received by each handler at a plant from which milk is disposed of in the marketing area and all milk of producers reported pursuant to § 930.3 (a) (6) shall be classified, subject to the provisions of paragraphs (c), (d), and (e) of this section, by the market administrator in the classes set forth in paragraph (b) of this section.

(b) *Classes of utilization.* The classes of utilization of milk shall be as follows:

(1) Class I milk shall be all milk and skimmed milk disposed of in the form of milk and milk drinks, whether plain or flavored, and all milk not accounted for as Class II milk or Class III milk.

(2) Class II milk shall be all milk used to produce cream which is disposed of in the form of cream, including any cream product disposed of in fluid form which contains less than the minimum butterfat content required for fluid cream, creamed buttermilk, and creamed cottage cheese.

(3) Class III milk shall be all milk used to produce a milk product other than those specified in Class II milk, and all actually accounted for plant shrinkage up to but not exceeding 3 percent of the total receipts of milk from producers.

(c) *Interhandler and nonhandler sales.* Milk or skimmed milk disposed of by a handler to another handler, or disposed of by a handler to a person who is not a handler but who distributes milk or manufactures milk products shall be classified as Class I milk: *Provided,* That if different classification is similarly reported to the market administrator by the selling handler and the person to whom such milk, or skimmed milk, is disposed of, such milk, or skimmed milk, shall be classified according to such reports, subject to verification by the market administrator: *And provided further,* That in no event shall the amount so reported in any class be greater than the total amount so used in any class by the person receiving such milk or skimmed milk.

(d) *Computation of milk in each class.* For each delivery period, each handler shall compute, in the manner and on forms prescribed by the market administrator, the amount of milk in each class, as defined in paragraph (b) of this section, as follows:

(1) Determine the total pounds of milk (i) received from producers, (ii) produced by him, if any, (iii) received from other handlers, if any (iv) received as emergency milk, if any, and (v) add together the resulting amounts.



(2) Determine the total pounds of butterfat received as follows: (i) multiply the weight of the milk received from producers by its average butterfat test, (ii) multiply the weight of the milk produced by him, if any, by its average butterfat test, (iii) multiply the weight of the milk received from other handlers, if any, by its average butterfat test, (iv) multiply the weight of emergency milk, if any, by its average butterfat test, and (v) add together the resulting amounts.

(3) Determine the total pounds of milk in Class I as follows: (i) convert to quarts the quantity of milk and skimmed milk disposed of in the form of milk and milk drinks, whether plain or flavored, and multiply by 2.15; (ii) multiply the result by the average butterfat test of such milk; and (iii) if the quantity of butterfat so computed when added to the pounds of butterfat in Class II milk and Class III milk, computed pursuant to subparagraphs (4) (ii) and (5) (iv) of this paragraph, is less than the total pounds of butterfat received computed in accordance with subparagraph (2) of this paragraph, an amount equal to the difference shall be divided by 3.5 percent and added to the quantity of milk determined pursuant to (i) of this subparagraph.

(4) Determine the total pounds of milk in Class II as follows: (i) multiply the actual weight of each of the several products of Class II milk by its average butterfat test, (ii) add together the resulting amounts, and (iii) divide the result obtained in (ii) of this subparagraph by 3.5 percent.

(5) Determine the total pounds of milk in Class III as follows: (i) multiply the actual weight of each of the several products of Class III milk by its average butterfat test; (ii) add together the resulting amounts; (iii) subtract the total pounds of butterfat in Class I milk and Class II milk, computed pursuant to subparagraphs (3) (ii) and (4) (ii) of this paragraph, and the total pounds of butterfat computed pursuant to (ii) of this subparagraph, from the total pounds of butterfat computed pursuant to subparagraph (2) of this paragraph, which resulting quantity shall be allowed as plant shrinkage for the purposes of this paragraph (but in no event shall such plant shrinkage allowance exceed 3 percent of the total receipts of butterfat from producers by the handler); (iv) add together the results obtained in (ii) and (iii) of this subparagraph; and (v) divide the result obtained in (iv) of this subparagraph by 3.5 percent.

(6) Determine the classification of milk received from producers as follows:

(i) Subtract from the total pounds of milk in each class the total pounds of milk which were received from other handlers and used in such class.

(ii) Subtract pro rata out of the remaining milk in each class the quantity of milk received from the handler's own farm.

(iii) Subtract pro rata out of the remaining milk in each class the quantity of emergency milk received.

(e) Reconciliation of utilization of milk by classes with receipts of milk from

producers. (1) If the total utilization of milk in the various classes for any handler, as computed pursuant to paragraph (d) of this section, is less than the receipts of milk from producers, the market administrator shall increase the total pounds of milk in Class III for such handler by an amount equal to the difference between the receipts of milk from producers and the total utilization of milk by classes for such handler.

(2) If the total utilization of milk in the various classes for any handler, as computed pursuant to paragraph (d) of this section, is greater than the receipts of milk from producers, the market administrator shall decrease the total pounds of milk in Class III for such handler by an amount equal to the difference between the receipts of milk from producers and the total utilization of milk by classes for such handler.

§ 930.5 *Minimum prices*—(a) *Class prices*. Subject to the provisions of paragraphs (b), (c), and (d) of this section, each handler shall pay, at the time and in the manner set forth in § 930.7, not less than the following prices per hundredweight of milk of 3.5 percent butterfat content received at such handler's plant:

(1) *Class I milk price*. To the price determined pursuant to subparagraph (4) of this paragraph, add 90 cents during the delivery period of June 1942; and thereafter add the following amount per hundredweight:

Delivery period:	Amount dollars per hundredweight
July through March.....	0.90
April, May, and June.....	.80

(2) *Class II milk price*. To the price determined pursuant to subparagraph (4) of this paragraph, add 15 cents during the months of April, May, and June, and add 25 cents during the months of July through March.

(3) *Class III milk price*. The Class III price shall be the price determined pursuant to subparagraph (4) of this paragraph, except during the months of April, May, and June, when the Class III price shall be the price determined pursuant to subparagraph (4) of this paragraph, less 10 cents.

(4) *Basic formula price*. The basic formula price per hundredweight to be used in determining the class prices pursuant to this paragraph shall be the price resulting from the following computation by the market administrator: determine the average of the basic, or field, prices per hundredweight ascertained to have been paid for milk of 3.5 percent butterfat content received during the delivery period at the following plants:

Concern:	Location of plant
Van Camp Milk Co.....	Wauseon, Ohio.
Pet Milk Co.....	Delta, Ohio.
Defiance Milk Products Co.	Defiance, Ohio.
Pet Milk Co.....	Hudson, Michigan.

Provided, That if the price so determined is less than the price per hundredweight computed by the market administrator in accordance with the following formula, such formula price shall be used:

multiply by 3.5 the average price per pound of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture for the delivery period during which such milk was received, and add 30 percent thereof.

(b) *Price of Class I milk disposed of outside the marketing area*. (1) Except as provided in subparagraph (2) of this paragraph, 20 cents per hundredweight shall be deducted from the price determined pursuant to subparagraph (1) of paragraph (a) of this section with respect to all Class I milk disposed of prior to January 1, 1943, by such handler outside of the marketing area.

(2) The price to be paid by such handler for Class I milk disposed of outside the marketing area to Government institutions and establishments shall be the price for Class I milk determined pursuant to paragraph (a) (1) of this section.

(c) *Price of Class I milk for relief distribution*. For Class I milk disposed of by such handler under a program approved by the Secretary for the sale or disposition of milk to low-income consumers, including persons on relief, the price per hundredweight shall be the Class I price determined pursuant to paragraph (a) (1) of this section, less 46 cents.

(d) *Butterfat differential to handlers*. If any handler has received milk from producers containing more or less than 3.5 percent of butterfat, such handler shall add or deduct, per hundredweight of milk in each class, for each one-tenth of 1 percent of butterfat above or below 3.5 percent, an amount computed as follows: to the average price per pound of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture for the delivery period during which such milk was received, add 20 percent, and divide the result obtained by 10.

§ 930.6 *Determination and announcement of uniform prices to producers*—

(a) *Computation of the value of milk for each handler*. For each delivery period the market administrator shall compute for each handler the value of milk received from producers by such handler, as follows: (1) multiply the hundredweight of Class I milk by the respective Class I prices, (2) multiply the hundredweight of Class II milk by the Class II price, (3) multiply the hundredweight of Class III milk by the Class III price, and (4) add together the resulting amounts.

(b) *Computation and announcement of the uniform price*. (1) For each delivery period the market administrator shall compute for each handler the uniform price per hundredweight of milk received by such handler as follows:

(i) From the sum computed for such handler pursuant to paragraph (a) of this section, deduct, if the average butterfat content of all milk received from producers is in excess of 3.5 percent, or add if the average butterfat content of all milk received from producers is less than 3.5 percent, the total value of the butterfat differential applicable pursuant to § 930.7 (c);



(ii) If, in the verification of the reports of such handler for previous delivery periods, the market administrator has discovered errors in such reports, there shall be added or subtracted, as the case may be, the amount necessary to correct such errors:

(iii) Divide the result by the hundred-weight of milk received from producers;

(iv) Adjust the resulting figure to the nearest cent. This result shall be known as such handler's uniform price for such delivery period for milk of producers which contains 3.5 percent butterfat; and

(v) On or before the 12th day after the end of each delivery period, the market administrator shall notify each handler of the class prices for milk and of the uniform price computed for him pursuant to this subparagraph, and shall publicly announce such prices.

**§ 930.7 Payment for milk—(a) Time and method of payment.** On or before the last day of each delivery period, each handler shall pay to each of his producers, with respect to all milk received during the first 15 days of such delivery period, a price per hundredweight which equals such handler's uniform price for milk testing 3.5 percent of butterfat as announced by the market administrator for the preceding delivery period: *Provided*, That in the event any producer discontinues shipping to a handler during the delivery period, or delivers during the last 15 days of the delivery period less than 60 percent of his deliveries for the first 15 days, such handler shall pay such producer \$1.50 per hundredweight in lieu thereof for milk received during the first 15 days of the delivery period.

(b) On or before the 15th day after the end of each delivery period, each handler shall make payment, subject to the butterfat differential set forth in paragraph (c) of this section and less the payment made in accordance with paragraph (a) of this section, for each hundredweight of milk received from producers during such delivery period as follows:

(1) To each producer at not less than such handler's uniform price.

(c) *Butterfat differential.* If a handler has received from a producer during any delivery period, milk having an average butterfat content other than 3.5 percent, such handler, in making payments pursuant to paragraph (b) of this section, shall add to the price to be paid each producer, for each one-tenth of 1 percent of average butterfat content in milk above 3.5 percent not less than, or shall deduct from such price, for each one-tenth of 1 percent of average butterfat content in milk below 3.5 percent, not more than, an amount per hundredweight as follows:

If the average butter price used in § 930.5 (a) is	The butterfat differential shall be (cents)
25 cents or less.....	3.0
Over 25 cents, but not over 30 cents.....	3.5
Over 30 cents, but not over 35 cents.....	4.0
Over 35 cents, but not over 40 cents.....	4.5
Over 40 cents, but not over 45 cents.....	5.0
Over 45 cents.....	5.5

(d) *Additional payments.* Any handler may make payments for milk in addition to the payments to be made pursuant to § 930.7 (b): *Provided*, That such additional payments shall be made on a uniform basis to all producers for milk of like grade and quality received by such handler.

(e) *Errors in payments.* Whenever verification by the market administrator of the payment by a handler to any producer discloses a payment to such producer that is less than that required by this section, the handler shall make up such payment to the producer not later than the time of making payment to producers next following such disclosure.

**§ 930.8 Expense of administration—**

(a) *Payment of handlers.* As his prorate share of the expense of administration hereof, each handler, with respect to all milk received from producers, an association of producers, or produced by him during the delivery period, shall pay to the market administrator on or before the 10th day after the end of the delivery period an amount per hundredweight not to exceed 2 cents, the exact amount to be determined by the market administrator, subject to review by the Secretary.

**§ 930.9 Marketing services.—(a) Deduction for marketing services.** Except as set forth in paragraph (b) of this section, each handler shall deduct an amount not exceeding 4 cents per hundredweight (the exact amount to be determined by the market administrator, subject to review by the Secretary) from the payments made direct to producers pursuant to § 930.7, with respect to all milk received by such handler during the delivery period from producers, and shall pay such deductions to the market administrator on or before the 10th day after the end of such delivery period. Such moneys shall be used by the market administrator to verify weights, samples, and tests of milk of said producers and to provide them with market information; such services to be performed in whole or in part by the market administrator, or by an agent engaged by and responsible to him.

(b) *Payment to an association.* In the case of producers for whom a cooperative association, which the Secretary determines to be qualified under the provisions of the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act," and to be actually performing the services set forth in paragraph (a) of this section, each handler shall make, in lieu of the deductions specified in paragraph (a) of this section, such deductions from the payments to be made pursuant to § 930.7 as may be authorized by such producers, and pay over, on or before the 15th day after the end of each delivery period, such deductions to the association rendering such services.

**§ 930.10 Effective time, suspension, or termination of order, as amended—(a) Effective time.** The provisions hereof, or any amendment hereto, shall become effective at such time as the Secretary may declare and shall continue in force

until suspended, or terminated, pursuant to paragraph (b) of this section.

(b) *Suspension or termination of order, as amended.* The Secretary may suspend or terminate this order, as amended, or any provision hereof whenever he finds that this order, as amended, or any provision hereof, obstructs or does not tend to effectuate the declared policy of the act. This order, as amended, shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty of the market administrator.* If, upon the suspension or termination of any or all provisions hereof, there are any obligations arising hereunder, the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided*, That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate.

(1) The market administrator, or such other person as the Secretary may designate, shall (i) continue in such capacity until removed by the Secretary; (ii) from time to time account for all receipts and disbursements, and when so directed by the Secretary deliver all funds on hand, together with the books and records of the market administrator or such person, to such person as the Secretary shall direct; and (iii) if so directed by the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant thereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions hereof the market administrator, or such person as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

Issued at Washington, D. C., this 19th day of June 1942, to be effective on and after the 23rd day of June 1942. Witness my hand and the official seal of the Department of Agriculture.

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

[F. R. Doc. 42-5793; Filed, June 20, 1942; 11:49 a. m.]



## TITLE 8—ALIENS AND NATIONALITY

## Chapter II—Office of Alien Property Custodian

[Vesting Order No. 22]

## PART 502—VESTING ORDERS

## VESTING OF 715 SHARES OF THE NIROSTA CORPORATION

§ 502.22 *Vesting Order No. 22.* Under the authority of section 5 (b) of the Trading with the Enemy Act of October 6, 1917 [50 U.S.C.A. App. § 5 (b)], as amended by section 301 of the First War Powers Act, 1941 [Pub. L. No. 354, 77th Cong., 1st Sess. (Dec. 18, 1941) § 301], and pursuant to Executive Order No. 9095 of March 11, 1942, the undersigned, finding upon investigation that the property hereinafter described is the property of Nationals of a Foreign Country designated in Executive Order No. 8389, as amended,<sup>1</sup> as defined therein, and that the action herein taken is in the public interest, hereby directs that such property including any and all interest therein shall be and the same hereby is vested in the Alien Property Custodian, to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

715 shares of the capital stock of The Nirosta Corporation (a Delaware corporation) consisting of the following:

a. 615 shares registered in the name of Wolframertz, A. G., Glarus, Switzerland, and the interest, if any, therein of Dr. Hanns Truempy.

b. 100 shares registered in the name of Emil Schill.

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

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form No. APC-1 within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C. on June 16, 1942.

LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 42-5809; Filed, June 22, 1942; 10:47 a. m.]

<sup>1</sup> 6 F.R. 2897, 3715, 6348, 6785.

[Vesting Order No. 23]

## PART 502—VESTING ORDERS

## VESTING OF CERTAIN COPYRIGHTS AND COPYRIGHT CLAIMS

§ 502.23 *Vesting Order No. 23.* Under the authority of section 5 (b) of the Trading with the Enemy Act of October 6, 1917 [50 U.S.C.A. App. § 5 (b)], as amended by section 301 of the First War Powers Act, 1941 [Pub. L. No. 354, 77th Cong., 1st Sess. (Dec. 18, 1941) § 301] and pursuant to Executive Order No. 9095 of March 11, 1942, the undersigned, finding upon investigation that the property hereinafter described is the property of Nationals of a Foreign Country designated in Executive Order No. 8389, as amended,<sup>1</sup> as defined therein, and that the action herein taken is in the public interest, hereby directs that such property including any and all interest therein shall be and the same hereby is vested in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

All right, title and interest (including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof) of the owners thereof in and to, and all rights of renewal exercised or subject to exercise by the authors of the publications covered by, the one copyright claim and the four copyrights described in Exhibit A attached hereto and made a part hereof.

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

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form No. APC-1 within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C. on June 16, 1942.

LEO T. CROWLEY,  
*Alien Property Custodian.*

## Exhibit A

1. Copyright claim (and copyright, if any, the number and date of which are not known) on "Handbuch Der Klimatologie" in five volumes, published by Gebruder Borntraeger, Theodor Fritsch-Allee 25, Berlin-Zehlendorf, Deutschland.
2. Copyrights, the numbers, dates and (names, addresses and nationalities of the) owners of which, and the titles and (names, addresses and nationalities of the) authors of the publications covered by which, are, respectively, as follows:

Numbers	Dates	Titles	Names, addresses (if known) and nationalities (if known) of—	
			Owners	Authors
A-Foreign 31567.....	Apr. 15, 1926	Geographie Des Atlantischen Ozeans.	C. Boysen, Heuberg 9, Hamburg, Germany (nationality not known).	Gerhard Schott (address not known) of German nationality.
A-Foreign 29905.....	July 15, 1935	Geographie Des Indischen Und Stillen Ozeans.	C. Boysen, Heuberg 9, Hamburg, Germany (nationality not known).	Gerhard Schott (address not known) of German nationality.
A-Foreign 11798.....	Oct. 1, 1930	Der Mythos Des 20 Jahrhunderts: Eine Wertung Der Seelisch-geistigen Gestalten-kämpfe Unserer Zeit.	Hohenelchen-Verlag, Thierschstr. 11, München, Germany (nationality not known).	Alfred Rosenberg (address not known) of German nationality.
A-Foreign 29565.....	Oct. 15, 1934	Die Ewige Frau, Die Frau In Der Zeit, Die Zeitlose Frau.	Verlag Josef Kosel and Friedrich Pustet, Kaiser Ludwig Pl. 6, München, Germany (nationality not known).	Gertrude von Le Fort (address not known) of German nationality.

[F. R. Doc. 42-5810; Filed, June 22, 1942; 10:47 a. m.]

## PART 502—VESTING ORDERS

[Vesting Order No. 24]

## VESTING OF 1,677 SHARES OF LINGNER CORPORATION

§ 502.24 *Vesting Order No. 24.* Under the authority of section 5 (b) of the Trading with the Enemy Act of October 6, 1917 [50 U.S.C.A. App. § 5 (b)], as amended by section 301 of the First War

Powers Act, 1941 [Pub. L. No. 354, 77th Cong., 1st Sess. (Dec. 18, 1941) § 301], and pursuant to Executive Order No. 9095 of March 11, 1942, the undersigned, finding upon investigation that the property hereinafter described is the property of Nationals of a Foreign Country designated in Executive Order No. 8389, as amended,<sup>1</sup> as defined therein, and that the action herein taken is in the public



interest, hereby directs that such property including any and all interests therein shall be and the same hereby is vested in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

1,677 shares of no par value common capital stock of Lingner Corporation (a Delaware corporation) registered and owned as follows:

a. 1,630 shares registered in the name of and belonging to Lingnerwerke, A. G., Berlin, Germany.

b. 47 shares registered in the name of and belonging to Bank für Industrie und Verwaltung, A. G., Berlin, Germany.

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

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form No. APC-1 within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C., on June 16, 1942.

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 42-5811; Filed, June 22, 1942; 10:47 a. m.]

[Vesting Order No. 27]

PART 502—VESTING ORDERS

VESTING OF CERTAIN PATENTS

§ 502.27 *Vesting Order No. 27.* Under the authority of section 5 (b) of the Trading with the enemy Act of October 6, 1917 [50 U.S.C.A. App. § 5 (b)], as amended by section 301 of the First War Powers Act, 1941 [Pub. L. No. 354, 77th Cong., 1st Sess. (Dec. 18, 1941) § 301], and pursuant to Executive Order No. 9095 of March 11, 1942, the undersigned, finding upon investigation that the property hereinafter described is the property of Nationals of a Foreign Country designated in Executive Order No. 8389, as amended, as defined therein, and that the action herein taken is in the public interest, hereby directs that such property shall be and the same hereby is vested in the Alien Property Custodian to be held, used, administered, liquidated, sold or otherwise dealt with in the in-

terest of and for the benefit of the United States; such property being described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in the patents the numbers of which are listed in Exhibits A, B, C, D, E, F, and G attached hereto and made a part hereof, and the titles to which stand of record in the United States Patent Office in the names of the persons appearing (a) in the case of the aforesaid Exhibits A, B, C, D, E, and F, at the respective tops thereof, and (b) in the case of said Exhibit G, opposite the respective numbers listed therein.

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

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1 within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C. on June 18, 1942.

LEO T. CROWLEY,  
Alien Property Custodian.

Exhibit A

Patents the title to which stand of record in the United States Patent Office in the name of I. G. Farbenindustrie Aktiengesellschaft, and the numbers of which are as follows:

1,901,007	2,144,577	2,161,322
1,986,067	2,144,649	2,161,515
2,123,224	2,145,004	2,161,645
2,125,685	2,145,058	2,161,710
2,130,989	2,145,387	2,161,825
2,131,197	2,146,873	2,161,975
2,131,249	2,148,894	2,161,991
2,131,927	2,148,895	2,162,176
2,135,674	2,150,823	2,162,200
2,136,171	2,153,031	2,162,532
2,137,823	2,153,685	2,163,180
2,138,097	2,154,917	2,163,238
2,138,384	2,156,455	2,165,134
2,140,569	2,156,723	2,165,956
2,140,608	2,157,362	2,166,507
2,140,609	2,157,697	2,166,604
2,140,726	2,157,716	2,167,441
2,140,921	2,158,520	2,168,167
2,141,763	2,158,525	2,168,169
2,141,773	2,159,231	2,168,253
2,143,014	2,160,372	2,169,976
2,143,367	2,161,290	2,171,324
2,143,380	2,161,319	2,171,429

2,172,275	2,210,828	2,242,574
2,172,301	2,210,834	2,245,500
2,174,454	2,210,837	2,245,503
2,177,417	2,210,838	2,245,509
2,179,810	2,213,129	2,245,550
2,180,087	2,213,140	2,245,787
2,180,115	2,213,972	2,246,264
2,180,520	2,215,155	2,246,299
2,182,178	2,216,130	2,246,386
2,182,316	2,216,131	2,246,443
2,182,617	2,218,029	2,247,921
2,183,240	2,219,033	2,248,904
2,184,943	2,219,205	2,250,186
2,185,163	2,219,873	2,251,190
2,185,789	2,221,410	2,251,798
2,186,889	2,222,345	2,251,892
2,186,893	2,222,350	2,253,035
2,187,817	2,223,239	2,259,455
2,187,818	2,223,930	2,259,470
2,187,821	2,224,833	2,259,503
2,188,115	2,224,837	2,261,998
2,189,263	2,225,589	2,262,002
2,190,265	2,227,478	2,264,137
2,190,600	2,227,618	2,264,354
2,191,056	2,227,637	2,264,402
2,193,323	2,228,159	2,265,165
2,195,196	2,228,160	2,265,177
2,195,198	2,228,161	2,265,450
2,195,227	2,228,332	2,265,509
2,196,110	2,228,366	2,265,528
2,196,803	2,228,514	2,266,265
2,197,466	2,229,900	2,266,794
2,198,367	2,230,198	2,267,099
2,198,962	2,230,618	2,267,753
2,199,786	2,230,776	2,267,829
2,200,452	2,230,784	2,268,126
2,200,475	2,230,957	2,268,134
2,200,705	2,231,357	2,268,136
2,201,750	2,231,836	2,270,373
2,201,944	2,232,030	2,270,893
2,202,919	2,234,363	2,270,959
2,204,504	2,234,501	2,272,374
2,204,539	2,235,749	2,272,375
2,208,095	2,237,353	2,273,436
2,208,296	2,238,858	2,274,900
2,208,514	2,239,075	2,274,901
2,209,251	2,239,626	2,278,407
2,209,897	2,242,084	2,279,023
2,210,434	2,242,086	2,279,721
2,210,442	2,242,258	

Exhibit B

Patents the titles to which stand of record in the United States Patent Office in the name of Fabbrica Italiana Magneti Marelli Societa Anonima, and the numbers of which are as follows:

2,131,523	2,192,084	2,241,724
2,135,007	2,195,180	2,247,841
2,135,573	2,196,360	2,247,842
2,148,817	2,222,752	2,247,843
2,154,849	2,229,162	2,248,428
2,154,865	2,231,810	2,280,001
2,168,163	2,236,151	
2,178,909	2,241,374	

Exhibit C

Patents the titles to which stand of record in the United States Patent Office in the name of Patentverwertungsgesellschaft mit beschränkter Haftung Hermes, and the numbers of which are as follows:

2,177,827	2,214,511	2,231,162
2,194,171	2,221,551	2,232,235
2,195,725	2,228,157	2,234,239
2,205,230	2,229,807	2,236,505
2,205,231	2,230,571	2,238,712

<sup>16</sup> F. R. 2897, 3715, 6348, 6785.



2,240,649	2,254,811	2,267,280
2,243,902	2,260,807	2,270,704
2,243,903	2,262,175	2,272,326
2,248,020	2,262,382	2,275,365

**Exhibit D**

Patents the titles to which stand of record in the United States Patent Office in the name of Edeleanu Gesellschaft mit beschränkter Haftung, and the numbers of which are as follows:

2,135,922	2,154,189	2,178,515
2,136,967	2,154,190	2,179,909
2,138,772	2,154,372	2,201,120
2,138,773	2,161,753	2,208,534
2,141,143	2,162,682	2,209,865
2,146,679	2,174,765	

**Exhibit E**

Patents the titles to which stand of record in the United States Patent Office in the name of Fernseh Aktiengesellschaft, and the numbers of which are as follows:

2,143,579	2,247,350	2,264,748
2,187,022	2,250,293	2,265,657
2,216,273	2,250,721	2,265,669
2,218,764	2,250,884	2,265,979
2,230,092	2,255,039	2,268,001
2,239,954	2,262,630	2,278,788
2,242,395	2,264,567	
2,245,895	2,264,624	

**Exhibit F**

Patents the titles to which stand of record in the United States Patent Office in the name of Kalle & Co. Aktiengesellschaft, and the numbers of which are as follows:

2,132,181	2,191,977	2,233,038
2,154,220	2,205,991	2,237,240
2,176,678	2,217,189	2,246,425
2,179,457	2,229,420	2,264,334
2,184,171	2,229,422	

**Exhibit G**

Patents the titles to which stand of record in the United States Patent Office in the names of the persons appearing opposite the numbers thereof, respectively, as follows:

Numbers	Names
18,144	Hugo Heiermann.
22,052	Sddeutsche Apparatefabrik, G. m. b. H.
1,629,161	Consortium Fuer Elektrochemische Industrie.
1,653,834	Udo Bamberger.
1,672,156	Chemische Forschungsgesellschaft m. b. H.
1,672,157	Consortium Fuer Elektrochemische Industrie.
1,678,204	Friedmann, Alex.—Firm.
1,679,461	Metallwarenfabrik Eugen Ising.
1,694,289	Friedmann, Alex.—Firm.
1,725,504	Societa Anonima S. I. M. B. I.
1,727,451	Gebrueder Eickhoff Maschinenfabrik und Eisengiesserei.
1,735,137	Gebrueder Eickhoff Maschinenfabrik und Eisengiesserei.
1,742,800	Gebrueder Eickhoff Maschinenfabrik.
1,747,942	Karl Lanninger.
1,759,764	Gebrueder Eickhoff Maschinenfabrik.
1,761,887	Junkers Flugzeug-und-Motorenwerke.

<sup>1</sup> Reissue.

Numbers	Names
1,766,090	Metallwarenfabrik Eugen Ising.
1,767,425	Gebrueder Eickhoff Maschinenfabrik.
1,769,171	Gebrueder Eickhoff Maschinenfabrik.
1,770,662	Russ-Elektroofen, K. G.
1,775,180	Metallwarenfabrik Eugen Ising.
1,778,169	Otto Siemen & Johannes Hensch.
1,784,008	Chemische Forschungsgesellschaft m. b. H.
1,789,158	Electroacoustic G. m. b. H.
1,793,137	Russ-Elektroofen, K. G.
1,809,168	Junkers Flugzeug-Und-Motorenwerke.
1,811,940	Paul Kappler.
1,814,277	Gebrueder Eickhoff Maschinenfabrik und Eisengiesserei.
1,830,771	Kampf & Spindler.
1,843,044	Russ-Elektroofen, K. G.
1,854,335	Kalle & Co. A. G.
1,870,071	Schering, A. G.
1,887,905	Schokoladenfabrik Mauxion.
1,891,847	Gebrueder Eickhoff Maschinenfabrik.
1,893,963	Russ-Elektroofen, K. G.
1,901,856	Fichtel & Sachs, A. G.
1,906,492	Kampf & Spindler.
1,915,732	Fichtel & Sachs, A. G.
1,920,484	Otto Siemen & Johannes Hensch.
1,921,124	Chemische Forschungsgesellschaft m. b. H.
1,928,084	Fichtel & Sachs, A. G.
1,933,003	Friedrich Boedecker, Gustave Revéry & Hans Voik.
1,940,367	Kayser, J. G.—Firm.
1,944,790	Gebrueder Eickhoff Maschinenfabrik und Eisengiesserei.
1,956,401	Russ-Elektroofen, K. G.
1,962,880	Pfaff, G. M., A. G.
1,962,930	Chemische Forschungsgesellschaft m. b. H.
1,966,319	Gebrueder Eickhoff; Maschinenfabrik und Eisengiesserei.
1,967,344	Fichtel & Sachs, A. G.
1,971,292	Gebrueder Eickhoff.
1,972,410	Otto Siemen & Johannes Hensch.
1,974,494	Rheinische Metallwaren und Maschinenfabrik Sonnerda A. G.
1,974,877	Turba Torfindustrie G.m.b.H.
1,976,224	Chemische Forschungsgesellschaft m. b. H.
1,976,896	Otto Siemen & Johannes Hensch.
1,984,029	Internationale Baumaschinenfabrik.
1,984,678	Chemische Forschungsgesellschaft m. b. H.
1,985,954	Electroacoustic G.m.b.H.
1,991,143	Siemens & Halske, A. G.
1,995,524	Russ Elektroofen, K. G.
1,996,989	Zellstoffabrik Waldhof.
1,997,489	Chemische Forschungsgesellschaft m. b. H.
2,004,699	Kaiser, Fr. & Co.
2,008,558	Goldschmidt, Th. A. G.
2,010,996	Junkers Flugzeug-und-Motorenwerke.
2,014,144	Internationale Baumaschinenfabrik.
2,020,076	Goldschmidt, Th. A. G.
2,021,545	Maria Berglein.
2,022,451	Monts, A. Maschinenfabrik und Eisengiesserei.
2,025,017	Goldschmidt, Th. A. G.
2,029,606	Kurt Bredtschneider.
2,029,805	Gebrueder Eickhoff Maschinenfabrik und Eisengiesserei.
2,032,893	Electroacoustic G. m. b. H.
2,037,407	Gebrueder Eickhoff Maschinenfabrik und Eisengiesserei.
2,037,610	Fichtel & Sachs, A. G.
2,054,521	Schutte, Alfred H.
2,057,598	Gesellschaft fur Linde's Elsmaschinen A. G.
2,058,486	Sumitomo Denki Kogyo Kabusiki Kaisya, known as Sumitomo Electric Industries, Ltd.
2,058,914	Siemens Schuckertwerke A. G.

Numbers	Names
2,061,976	Heimbach, Thomas Josef G. m. b. H.
2,062,205	Riedel, J. D.-E. de Haen A. G.
2,063,282	Mitteldeutsche Spinnhutte G. m. b. H.
2,063,543	Oesterreichische Magnesit A. G.
2,066,961	Gebrueder Eickhoff Maschinenfabrik und Eisengiesserei.
2,067,122	Gebrueder Eickhoff Maschinenfabrik und Eisengiesserei.
2,067,347	Kosmograph Diktiermaschinenfabrik G. m. b. H.
2,076,463	Maria Berglein.
2,077,612	Mannesmann Stahlblechbau A. G.
2,078,618	Berthold Springer.
2,081,566	Fichtel & Sachs, A. G.
2,081,567	Fichtel & Sachs, A. G.
2,081,568	Fichtel & Sachs, A. G.
2,083,200	Triumphator-Werk Heer & Co.
2,091,493	Gesellschaft fur Linde's Elsmaschinen A. G.
2,093,223	Nippon Gakki Seigo Kabushiki Kaisha.
2,094,816	Schutte, Alfred H.
2,094,817	Schutte, Alfred H.
2,100,804	Hilscher, G.
2,102,134	Gesellschaft fur Linde's Elsmaschinen A. G.
2,105,652	Kinzoku Zairyo Kenkyusho.
2,105,653	Kinzoku Zairyo Kenkyusho.
2,105,654	Kinzoku Zairyo Kenkyusho.
2,105,655	Kinzoku Zairyo Kenkyusho.
2,105,656	Kinzoku Zairyo Kenkyusho.
2,105,657	Kinzoku Zairyo Kenkyusho.
2,105,658	Kinzoku Zairyo Kenkyusho.
2,107,212	Staehele G., Kommandit - Gesellschaft.
2,111,771	Gebr. Eickhoff Maschinenfabrik und Eisengiesserei.
2,112,790	Hauptner, H.
2,115,006	Mascjomefabrik Paul Leistriz.
2,119,182	Gesellschaft fur Linde's Elsmaschinen A. G.
2,120,629	Hans Neuerberg Koln, Zweig der H. F. & Ph. F. Reemstma.
2,121,170	Nippon Filmon Kabusiki Kaisya.
2,123,683	Henschel Flugzeug-Werke.
2,124,206	Hoesch A. G.
2,125,374	Chemische Forschungsgesellschaft m. b. H.
2,125,748	Rabald & Co. Apparatebau.
2,126,122	Berthold Mainzer.
2,126,378	Junkers & Co. G. m. b. H.
2,127,381	Chemische Forschungsgesellschaft m. b. H.
2,129,616	Edeleanu G. m. b. H.
2,130,158	Kosmograph Diktiermaschinenfabrik G. m. b. H.
2,130,931	Kosmograph Diktiermaschinenfabrik G. m. b. H.
2,130,979	Firma Emil Wirth Wirkmaschinenfabrik.
2,131,451	Lehmann, J. M. (Firm).
2,135,466	Kinzoku Zairyo Kenkyusho.
2,136,589	Goshi Kaisha Mazuzawa Shoten.
2,138,982	Osnabrucker Kupfer und-Draktwerk.
2,141,356	Hydraulik G. m. b. H.
2,141,869	Fritz Konig.
2,142,621	Takara Jidosha Kogyo Kabushiki Kaisha.
2,142,728	Fa. Maschinenfabrik Buckau R. Wolf A. G.
2,145,056	Rockstroh-Werke A. G.
2,145,559	Lehmann, J. M. (Firm)
2,145,781	Hans Neuerberg Koln, Zweig der H. F. & Ph. F. Reemstma.
2,146,116	"Montecatini" Societa Generale per l'Industria Mineraria e Chimica.
2,146,573	Siemens-Reiniger-Werke A. G.
2,147,370	Humboldt-Deutzmotoren A. G.
2,148,377	Union-Special Maschinenfabrik G. m. b. H.
2,148,465	Hein & Hein.
2,148,700	Schorch Werke A. G.
2,150,060	Henkel & Cie G. m. b. H.



Numbers	Names	Numbers	Names	Numbers	Names
2,150,281	Josef Koch.	2,191,998	Stahlwerke Bruninghaus A. G.	2,215,108	Societa Anonima Manifatta Ceramico Pozzi.
2,150,288	Moritz & Gerstenberger.	2,192,068	Schnellpressenfabrik A. G.	2,215,551	Chemische Forschungsgesellschaft m. b. H.
2,154,564	Staeble G., Kommandit-Gesellschaft.	2,192,178	Edler & Krische O. H. G.	2,215,615	Gesellschaft zur Konstruktion und Verwertung.
2,154,845	Junkers & Co. G. m. b. H.	2,192,495	Heraeus Vacuumsmelze A. G.	2,215,744	Siemens-Reiniger-Werke, A. G.
2,156,298	Gebr. Bohler & Co., A. G.	2,192,496	Heraeus Vacuumsmelze A. G.	2,215,798	Huth, Eric F. G. m. b. H.
2,156,299	Gebr. Bohler & Co., A. G.	2,192,497	Heraeus Vacuumsmelze A. G.	2,216,066	Schubert-Salzer Maschinenfabrik A. G.
2,156,306	Gebr. Bohler & Co., A. G.	2,195,073	"Montecatini" Societa Generale per l'Industria Mineraria e Chimica.	2,216,403	Frankfurter Maschinenbau, A. G. vorm. Pokorney & Wittekind.
2,156,807	Gebr. Bohler & Co., A. G.	2,195,192	Licentia Patent-Verwaltungs-Gesellschaft.	2,216,677	Pallas Apparate G. m. b. H.
2,156,485	Schumag Schumacher Metallwerke A. G.	2,195,350	Schubert-Salzer Maschinenfabrik A. G.	2,217,121	Metallbesatz Willy Klotzer & Co.
2,156,743	Skrebba Buromaschinenfabrik K. G.	2,195,758	Kosmograph Diktiermaschinenfabrik G. m. b. H.	2,217,918	Maftolen-Gesellschaft Zur Verwertung der Rostler-Mehnerschen Verfahren m. b. H.
2,158,787	Junkers & Co. G. m. b. H.	2,196,422	Mitteldeutsche Stahlwerke A. G.	2,217,930	Leitz, Ernst, G. m. b. H.
2,161,739	Luftschiffbau Zeppelin G. m. b. H.	2,197,163	Fiat Societa Anonima.	2,218,053	Goldschmidt, Th. A. G.
2,162,240	Lutz & Weiss G. m. b. H. Silber & Metallwarenfabrik.	2,197,497	Sueddeutsche apparatefabrik G. m. b. H.	2,218,881	Rheinmetall-Borsig A. G.
2,162,657	Persil G. m. b. H.	2,198,447	Knorr-Bremse A. G.	2,218,956	Olympia Buromaschinenwerke A. G.
2,163,466	Societa Italiana Potassa.	2,198,797	Ingenieurburo Fur Huttenbau Wilhelm Schwieler.	2,219,241	Fabbrica Automobile Isotta Fraschini Societa Anonima.
2,163,814	Erdolproduktions G. m. b. H.	2,199,040	Societa Anonima Brevetti Cecchet.	2,219,259	Junkers & Co., G. m. b. H.
2,165,001	Maybach Motorenbau G. m. b. H.	2,200,050	Heraeus, W. C., G. m. b. H.	2,219,283	Polysius, G., A. G.
2,165,994	Gesellschaft fur Linde's Eismaschinen A. G.	2,200,106	Klangfilm G. m. b. H.	2,219,369	Fahlberg-List Aktiengesellschaft Chemische Fabriken.
2,166,032	Firma Emil Wirth Wirkmaschinenfabrik.	2,200,694	Pintsch, Julius, Kommanditgesellschaft.	2,219,530	Osterr Knopf- und Metallwarenfabrik J. Meister & Co.
2,166,495	Sumitomo Kinzoku-Kogyo Kabushiki Kaisha.	2,200,837	Krupp, Fried, Grusonwerk, A. G.	2,219,662	Lanz, Heinrich A. G.
2,166,496	Sumitomo Kinzoku-Kogyo Kabushiki Kaisha.	2,202,232	Rheinmetall-Borsig A. G.	2,219,977	Mannesmann Stahlblechbau A. G.
2,167,060	Hellige & Co.	2,202,469	Huth, Eric F. G. m. b. H.	2,220,644	Rheinmetall-Borsig A. G.
2,168,468	Riedel, J. D.-E. de Haen A. G.	2,202,470	Huth, Eric F. G. m. b. H.	2,221,287	Lanz, Heinrich A. G.
2,168,529	Nippon Filmon Kabusiki Kaisya.	2,202,749	Schneider, Jos. & Co. Optotechnische Gesellschaft.	2,221,856	Ing. C. Olivetti & C. S. A.
2,169,308	Faber, A. W. Castell-Bleistift-Fabrik A. G.	2,202,942	Typograph G. m. b. H.	2,222,429	Loibl, Anton G. m. b. H.
2,170,937	Heraeus, W. C., G. m. b. H.	2,203,328	Sueddeutsche apparatefabrik G. m. b. H.	2,222,664	Nitrokemia Ipartelepek Reszvenytarsasag.
2,171,930	Pintsch, Julius, Kommanditgesellschaft.	2,204,169	Gesellschaft fur Linde's Eismaschinen A. G.	2,222,777	Krupp, Fried, Grusonwerk A. G.
2,172,639	Heraeus Vacuumsmelze A. G.	2,204,480	Kommandit-Gesellschaft in Firma Peter Kolln.	2,222,906	Messerschmitt A. G.
2,172,969	Gewerkschaft Leubsdorf.	2,204,826	Pintsch, Julius Kommanditgesellschaft.	2,223,034	Rommeler, H., A. G.
2,173,218	Emanuele Zoppi.	2,206,229	Fischer & Krecke G. m. b. H.	2,223,569	Hutten-Gesellschaft Lohse-Lindhorst Paxmann G. m. b. H.
2,173,282	Heinrich List.	2,206,489	Huth, Eric F. G. m. b. H.	2,223,848	Steatit-Magnesia A. G.
2,173,621	Minerva S. A.	2,206,914	Klockner-Humboldt Deutz A. G.	2,224,101	Junkers & Co., G. m. b. H.
2,173,793	Osterr Saurer-Werke A. G.	2,206,968	Heinrich Habig A. G.	2,224,661	Nippon Gakki Seigo Kabushiki Kaisha.
2,174,150	Societa Anonima Officine di Villar Perosa.	2,207,234	Sueddeutsche apparatefabrik G. m. b. H.	2,225,064	Ernst Lukacs.
2,177,626	Oesterreichische Chemische Werke, G. m. b. H.	2,207,787	Messer & Co. G. m. b. H.	2,226,342	Maschinenfabrik Einsiedel G. m. b. H.
2,180,172	Sachsische Textil-Maschinenfabrik vorm Rich Hartmann A. G.	2,208,186	Sumitomo Kinzoku-Kogyo Kabushiki Kaisha.	2,226,715	Sueddeutsche apparatefabrik G. m. b. H.
2,180,553	Gesellschaft fur Linde's Eismaschinen A. G.	2,208,263	Sohenck, Carl Elsenglesserer U. Maschinenfabrik Darmstadt G. m. b. H.	2,226,716	Sueddeutsche apparatefabrik G. m. b. H.
2,181,535	Spinnfaser A. G.	2,208,418	Huttenwerke Siegerland A. G.	2,226,790	Fiat Societa Anonima.
2,182,297	Tokyo Shibaura Denki Kabushiki Kaisha.	2,209,037	Kienzle Taxameter- und Apparate A. G.	2,227,327	Gritzner-Kayser, A. G.
2,182,553	"Montecatini" Societa Generale per l'Industria Mineraria e Chimica.	2,209,080	Langbein-Pfanhauser Werke A. G.	2,227,795	Gesellschaft fur Linde's Eismaschinen A. G.
2,183,196	Krupp, Fried, Grusonwerk A. G.	2,209,140	Pracisions Mechanische und Optische Anstalt Ferdinand Suss A. G.	2,227,869	Felten & Gulleaume Carlswerk A. G.
2,184,257	Toyo Tokushu Imono Kabushiki Kaisha.	2,209,556	Typograph G. m. b. H.	2,228,106	Societa Anonima Officine di Villar Perosa.
2,184,741	Kohle- und Eisenforschung G. m. b. H.	2,209,557	Typograph G. m. b. H.	2,228,310	Heraeus Vacuumsmelze A. G.
2,185,446	Internationaler Maretti Maschinenverhauf A. G.	2,209,636	Polysius, G., A. G.	2,228,483	Henkel & Cie, G. m. b. H.
2,185,781	Firma Autogenwerk "Sirius" G. m. b. H.	2,209,660	Kabushiki Kaisha Shimizugumi.	2,228,702	Krupp, Fried Grusonwerke, A. G.
2,185,951	Naftolen-Gesellschaft Zur Verwertung der Rostler-Mehnerschen Verfahren m. b. H.	2,209,705	Torpedo-Werke Aktiengesellschaft Fahrrader und Schreibmaschinen.	2,228,810	Typograph G. m. b. H.
2,185,952	Naftolen-Gesellschaft Zur Verwertung der Rostler-Mehnerschen Verfahren m. b. H.	2,210,191	Schneider, Jos. & Co. Optotechnische Gesellschaft.	2,228,828	Katakura Seishi Boseki Kabushiki (Katakura Reeling & Spinning Co. Ltd.)
2,187,366	Schimmel & Co. A. G.	2,210,208	Mix & Genest A. G.	2,228,937	Nollesche Werke K. G.
2,189,097	Typograph G. m. b. H.	2,210,363	Henschel & Sohn, G. m. b. H.	2,229,383	Hutten-Gesellschaft, Lohse-Lindhorst Paxmann G. m. b. H.
2,189,098	Typograph G. m. b. H.	2,210,369	Gottlob Widmann K. G. Elektro- und Radiofabrik.	2,230,319	Eisen- und Huttenwerke A. G.
2,189,909	Sueddeutsche apparatefabrik G. m. b. H.	2,210,386	Metallwerk Terna.	2,230,323	Rheinmetall-Borsig A. G.
2,190,430	Siemens & Halske A. G.	2,210,770	Licentia Patent-Verwaltungs-Gesellschaft.	2,230,495	Moritz, Joh. (Firm of).
2,190,570	Metallurgica Bresciana Gia Tempini Societa Anonima.	2,211,274	Polysius, G., A. G.	2,230,514	Pemetzrieder, Georg, Metallgesseler, G. m. b. H.
2,191,013	Maschinenwerke zu Frankfurt A. M. vorin Kolk, Rieber & Co. G. m. b. H.	2,212,094	Eberspacher, J.	2,230,518	Frankfurter Maschinenbau A. G. vorm. Pokorney & Wittekind.
2,191,599	Fiat Societa Anonima.	2,212,117	Societa Scientifica Radio Brevetti Ducati.	2,230,539	Roehling'sche Eisen- und Stahlwerke G. m. b. H.
2,191,820	"Montecatini" Societa Generale per l'Industria Mineraria e Chimica.	2,212,950	Heraeus, W. C., G. m. b. H.	2,230,666	Eberspacher, J.
		2,213,048	Siemens & Halske A. G.	2,230,913	Licentia Patent-Verwaltungs-Gesellschaft.
		2,213,279	Sueddeutsche apparatefabrik G. m. b. H.	2,231,357	Maschinenfabrik Paul Leistritz.
		2,214,631	Ing. C. Olivetti & C. S. A.	2,231,498	Oesterreichische Magnesit A. G.
				2,232,982	Focke-Wulf Flugzeugbau, G. m. b. H.



Numbers	Names	Numbers	Names	Numbers	Names
2,233,747	Henschel Flugzeugwerke A. G.	2,248,435	Teves, Alfred Maschinen- und Armaturen Fabrik G. m. b. H.	2,265,269	United Incandescent Lamp & Electric Co.
2,233,869	Ernst Lukacs.	2,248,634	Gesellschaft fur Linde's Eismaschinen A. G.	2,265,290	Fernseh G. m. b. H.
2,234,034	Klangfilm G. m. b. H.	2,249,413	Messer & Co. G. m. b. H.	2,265,291	Fernseh G. m. b. H.
2,234,339	Siemens-Reiniger-Werke, A. G.	2,250,169	Fernseh G. m. b. H.	2,265,311	United Incandescent Lamp & Electric Co.
2,234,365	Henschel & Sohn, G.m.b.H.	2,250,877	Klockner-Humboldt Deutz A. G.	2,265,341	Henschel Flugzeugwerke A. G.
2,234,397	Melitta-Werke Bentz & Sohn.	2,251,197	Lehmann, J. M. (Firm).	2,265,746	Fernseh G. m. b. H.
2,234,417	Meiller, F. X. Maschinenfabrik und Wagenbauanstalt.	2,251,536	Mijoshi Kagakukogyo Kabushiki Kaisha.	2,266,287	Fernseh G. m. b. H.
2,234,883	Focke-Wolf Flugzeugbau G. m. b. H.	2,252,066	United Incandescent Lamp & Electrical Co.	2,267,250	Ernst Krause & Co.
2,234,885	Schubert-Salzer Maschinenfabrik A. G.	2,252,118	Pintsch, Julius, Kommanditgesellschaft.	2,267,665	Firma Osnabrucker Kupfer- und Drahtwerk.
2,235,078	Gothaer Waggonfabrik A. G.	2,252,366	Silesia Verein Chemischer Fabriken.	2,268,135	Magdeburger Werkzeugmaschinenfabrik G. m. b. H.
2,235,079	Magdeburger Werkzeugmaschinenfabrik.	2,252,367	Wilhelm E. Germer.	2,268,214	Gebruder Bohringer G. m. b. H.
2,235,099	Gebr. Eickhoff Maschinenfabrik und Eisengiesserei.	2,252,368	Wilhelm E. Germer.	2,268,318	Officina Meccanica Della Stanga, S. A.
2,235,106	Hemmi Selsakusho Co.	2,252,369	Wilhelm E. Germer.	2,268,704	Societa Italiana Pirelli.
2,235,107	Gesellschaft Zur Konstruktion und Verwertung.	2,252,513	Ihagee Kamerawerk Steenbergen & Company.	2,268,832	Koepf, Rudolph & Co. Chemische Fabrik, A. G.
2,236,554	Lehmann, J. M. (Firm).	2,252,545	Klockner-Humboldt Deutz A. G.	2,268,998	Magyar Wolframlampa Gyar Kramenezky.
2,237,485	Rohling'sche Eisen- und Stahlwerke G. m. b. H.	2,252,854	Hafita Handelgesellschaft Fur Technische Neubetten m. b. H.	2,269,011	Magyar Wolframlampa Gyar Kramenezky.
2,237,505	Meiller, F. X. Maschinenfabrik und Wagenbauanstalt.	2,253,218	Telefonbau und Normalzeit G. m. b. H.	2,269,177	Henschel Flugzeugwerke A. G.
2,237,728	Henschel & Sohn, G. m. b. H.	2,253,435	Rentrop, R. A. A. G.	2,269,209	Henschel Flugzeugwerke A. G.
2,237,904	Klangfilm G. m. b. H.	2,253,659	Sworavsky D. Glasfabrik und Tyrolschleifmetall-Werke.	2,269,369	"Elin" Aktiengesellschaft fur elektrische Industrie.
2,238,159	Soc. An. Microtecnica.	2,253,721	Kienzle Taxameter- und Apparate A. G.	2,269,549	Henschel Flugzeugwerke.
2,238,235	Siemens & Halske, A. G.	2,254,131	Rompler, Joseph A. G.	2,269,643	Messer & Co. G. m. b. H.
2,238,518	Olympia Buromaschinenwerke, A. G.	2,254,159	Societa Anonima Officine Galileo.	2,270,691	Pintsch, Julius, Kommanditgesellschaft.
2,238,815	Hutten-Gesellschaft Lohse-Lindhorst Paxmann G.m.b.H.	2,254,244	Schubert-Salzer Maschinenfabrik A. G.	2,271,583	Magdeburger Werkzeugmaschinenfabrik G. m. b. H.
2,238,844	Focke-Wolf Flugzeugbau G. m. b. H.	2,254,426	Klockner-Humboldt Deutz A. G.	2,271,598	P. I. V. Antrieb Werner Reimers K. G.
2,239,339	Henschel Flugzeugwerke A. G.	2,254,441	Klockner-Humboldt Deutz A. G.	2,272,119	Sendlinger Optische Glaswerke G. m. b. H.
2,239,781	Siemens & Halske A. G.	2,254,625	Societa Antonio Ryba a garanzia limitata.	2,272,265	Silesia Verein Chemischer Fabriken.
2,239,810	Schubert-Salzer Maschinenfabrik A. G.	2,255,520	Fernseh G. m. b. H.	2,272,384	Schlafhorst, W. & Co.
2,239,863	Spinnfaser, A. G.	2,256,101	Stabilivolt G. m. b. H.	2,273,248	Schubert-Salzer Maschinenfabrik A. G.
2,240,086	Mannesmann Stahlblechbau, A. G.	2,256,245	Leitz, Ernst G. m. b. H.	2,273,301	Schubert-Salzer Maschinenfabrik A. G.
2,240,172	Krupp, Fried. Grusonwerk, A. G.	2,256,325	Rheiner Maschinenfabrik Windhof A. G.	2,274,017	Junkers & Co. G. m. b. H.
2,240,478	Siemens-Reiniger-Werke, A. G.	2,257,409	Mercedes Buromaschinen - Werke A. G.	2,274,691	Fernseh G. m. b. H.
2,241,726	Gesellschaft fur Linde's Eismaschinen A. G.	2,257,535	Heraeus Vacuumschmelze A. G.	2,274,692	Fernseh G. m. b. H.
2,241,780	Siemens & Halske A. G.	2,257,607	Silesia Verein Chemischer Fabriken.	2,275,308	Siemens-Reiniger-Werke, A. G.
2,241,840	Porzellanfabrik Weiden Gebr. Bauscher Zweigniederlassung der Lorenz Hutschenreuther, A. G.	2,257,689	Fr. Hesser Maschinenfabrik A. G.	2,275,530	Mix & Genest A. G.
2,241,861	Maybach Motorenbau G. m. b. H.	2,257,851	Katakura Seishi Boseki Kabushiki Kaisha (Katakura Reeling & Spinning Co. Ltd.)	2,276,002	Magyar Ruggyaarugyar Reszvenytarsasag.
2,241,908	Sueddeutsche apparatefabrik G. m. b. H.	2,257,927	Junkers & Co. G. m. b. H.	2,276,034	Ehrich & Graetz A. G.
2,241,917	Mix & Genest A. G.	2,258,374	Luigi Amitti.	2,276,618	Troponwerke Dinklage & Co.
2,242,699	Olympia Buromaschinenwerke A. G.	2,258,412	Ruetgerswerke A. G.	2,276,619	Troponwerke Dinklage & Co.
2,243,391	Mechanische Weberei G. m. b. H.	2,258,590	Junkers & Co. G. m. b. H.	2,278,147	Societe D'Exploitation Des Brevets Moinean S. A. R. L.
2,243,482	Maybach Motorenbau G. m. b. H.	2,258,649	Gotthard Sachsenberg Zentralgesellschaft m. b. H.	2,278,368	Silesia Verein Chemischer, Fabriken.
2,244,137	Siemens-Reiniger-Werke, A. G.	2,258,850	Sachtieben A. G.	2,278,512	Langbein-Pfanhauser-Werke A. G.
2,244,195	Polysius, G. A. G.	2,258,930	Firma Paul Lechler.	2,278,783	Chemische Forschungsgesellschaft m. b. H.
2,244,244	Ruetgerswerke A. G.	2,259,379	Stahlwerk Mark Wengern A. G.	2,279,322	Electroacoustic G. m. b. H.
2,244,392	Societa Italiana Pirelli.	2,260,252	Forschungsanstalt Prof. Junkers G. m. b. H.	2,279,581	Siemens-Reiniger-Werke, A. G.
2,244,847	Henschel Flugzeugwerke A. G.	2,260,280	Maybach Motorenbau G. m. b. H.	2,282,523	Sueddeutsche apparatefabrik G. m. b. H.
2,245,131	Chemische Forschungsgesellschaft m. b. H.	2,260,576	Maybach Motorenbau G. m. b. H.	2,282,948	Ruetgerswerke A. G.
2,245,492	Felten & Guilleaume Carlswerk A. G.	2,261,113	Goldschmidt, Th. A. G.	2,283,883	Sacora Soc An Commercio Olii Rappresentanze Autotrasporti.
2,245,723	Henschel Flugzeugwerke A. G.	2,261,754	"Snia-Viscosa" Societa Nazionale Industria Applicazioni Viscosa.		
2,246,021	Schuler, L. A. G.	2,262,710	Maybach Motorenbau G. m. b. H.		
2,246,098	Sendlinger Optische Glaswerke G. m. b. H.	2,263,264	Kienzle-Apparate A. G.		
2,246,236	Naturin-Werk Becker & Co.	2,263,365	Henschel Flugzeugwerke A. G.		
2,246,632	I. S. S. A. Industria Specializzata Strumenti Aeronavigazione S. A.	2,263,514	Gesellschaft fur Linde's Eismaschinen A. G.		
2,246,647	Reissnagel und Metallkurzwarenfabrik Heinrich Sachs.	2,263,553	Societa Anonima Pignone Officine Meccaniche e Fonderia.		
2,246,922	Soc. An. S. I. M. B. I.	2,263,702	Gesellschaft zur Konstruktion und Verwertung.		
2,246,996	Gesellschaft zur Konstruktion und Verwertung.	2,264,051	Siemens-Reiniger-Werke, A. G.		
2,247,008	Hellige & Co.	2,264,367	Tobis Tonbild Syndikat A. G.		
2,247,162	Ing. C. Olivetti & C. S. A.	2,264,437	Societa Anonima Elettrovetro Nazionale.		
2,247,292	Rikur K. Kurt Richter G. m. b. H.	2,264,649	Fabbrica Automobili Isotta Fraschini.		
2,247,716	Trikotfabriken J. Schlessler, A. G.	2,264,915	Krupp Fried Grusonwerk A. G.		
2,247,979	Leipziger Leichtmetall Werk Rackwitz Bernhard Berghaus U. Co.				
2,248,186	Henschel Flugzeugwerke A. G.				
2,248,268	Firma Sachsische Armaturen Fabrik W. Michalk & Sohn.				

[F. R. Doc. 42-5812; Filed, June 22, 1942; 10:48 a. m.]

[Vesting Order No. 28]

PART 502—VESTING ORDERS

VESTING 700 SHARES OF THE COMMON STOCK OF ADLANCO X-RAY CORPORATION

§ 502.28 Vesting Order No. 28. Under the authority of section 5 (b) of the Trading with the Enemy Act of October 6, 1917 [50 U.S.C.A. App. § 5 (b)], as amended by section 301 of the First War Powers Act, 1941 [Pub. L. No. 354, 77th



Cong. 1st Sess. (Dec. 18, 1941) § 3011, and pursuant to Executive Order No. 9095 of March 11, 1942, the undersigned, finding upon investigation that the property hereinafter described is the property of Nationals of a Foreign Country designated in Executive Order No. 8389, as amended,<sup>1</sup> as defined therein, and that the action herein taken is in the public interest, hereby directs that such property including any and all interest therein shall be and the same hereby is vested in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

700 shares of the common stock of the Adianco X-Ray Corporation (a New York Corporation), 505 shares of which are held by Siemens-Reiniger-Werke of Berlin, Germany and 195 shares of which are held by General Radiological, Ltd., of London, England.

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

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APA-1 within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C. on June 18, 1942.

LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 42-5813; Filed, June 22, 1942;  
10:48 a. m.]

[Vesting Order No. 29]

PART 502—VESTING ORDERS

VESTING RIGHT, TITLE AND INTEREST IN COMMON STOCK OF J. M. LEHMANN COMPANY, INC.

§ 502.29 *Vesting Order No. 29.* Under the authority of section 5 (b) of the Trading with the Enemy Act of October 6, 1917 [50 U.S.C.A. App. § 5 (b)], as amended by section 301 of the First War Powers Act, 1941 [Pub. L. No. 354, 77th Cong., 1st Sess. (Dec. 18, 1941) § 301], and pursuant to Executive Order No. 9095 of March 11, 1942, the undersigned, finding upon investigation that

the property hereinafter described is the property of Nationals of a Foreign Country designated in Executive Order No. 8389, as amended,<sup>1</sup> as defined therein, and that the action herein taken is in the public interest, hereby directs that such property shall be and the same hereby is vested in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

All of the right, title and interest of Franz B. Lehmann, Philipp Ellmeyer, and the Deutsche Bank Filiale Dresden of Dresden, Germany or the interest of any or all of them in the 1,225 shares of the common stock of J. M. Lehmann Company, Inc. (a New York corporation), registered in the name of Franz B. Lehmann, and represented by certificates numbered 31, 33, 35, 37, 38, 39, 40, 41, 42 and 43 for 100 shares each; 34 and 36 for 50 shares each; 44 for 65 shares; and 32 for 60 shares; all of which are in the custody of Supreme Court of the State of New York for the County of New York, Part 1.

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

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1 within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C., on June 18, 1942.

LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 42-5814; Filed, June 22, 1942;  
10:49 a. m.]

[Vesting Order No. 30]

PART 502—VESTING ORDERS

VESTING ONE (1) SHARE OF COMMON CAPITAL STOCK OF THE AVONZEL CORPORATION

§ 502.30 *Vesting Order No. 30.* Under the authority of section 5 (b) of the Trading with the Enemy Act of October 6, 1917 [50 U.S.C.A. App. § 5 (b)], as amended by section 301 of the First War Powers Act, 1941 [Pub. L. No. 354, 77th Cong., 1st Sess. (Dec. 18, 1941) § 301], and pursuant to Executive Order No. 9095 of March 11, 1942, the undersigned, finding upon investigation that the property hereinafter described is the property

of Nationals of a Foreign Country designated in Executive Order No. 8389, as amended,<sup>1</sup> as defined therein, and that the action herein taken is in the public interest, hereby directs that such property including any and all interest therein shall be and the same hereby is vested in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

One (1) share the Avonzel Corporation, \$100.00 p. v. Common Capital Stock and any Voting Trust Certificate issued in the name of Georg von Zedlitz und Leipe.

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

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form No. APC-1 within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C. on June 18, 1942.

LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 42-5815; Filed, June 22, 1942;  
10:49 a. m.]

[Vesting Order No. 31]

PART 502—VESTING ORDERS

VESTING OF STOCK OF ERGEN CORPORATION OWNED BY CARL STANGEN

§ 502.31 *Vesting Order No. 31.* Under the authority of section 5 (b) of the Trading with the Enemy Act of October 6, 1917 [50 U.S.C.A. App. § 5 (b)], as amended by section 301 of the First War Powers Act, 1941 [Pub. L. No. 354, 77th Cong., 1st Sess. (Dec. 18, 1941) § 301], and pursuant to Executive Order No. 9095 of March 11, 1942, the undersigned, finding upon investigation that the following described property is the property of a National of a Foreign Country designated in Executive Order No. 8389, as amended,<sup>1</sup> as defined therein, and that the action herein taken is in the public interest, hereby directs that such property including any and all interest therein shall be and the same hereby is vested in the Alien Property Custodian, to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the

<sup>1</sup> 6 F.R. 2897, 3715, 6348, 6785.



United States; such property being described as follows:

8,253 shares of common capital stock of Ergen Corporation (a New York corporation), owned by Carl Stangen.

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

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form No. APC-1 within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C., on June 18, 1942.

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 42-5816; Filed, June 22, 1942;  
10:49 a. m.]

[Vesting Order No. 32]

PART 502—VESTING ORDERS

VESTING OF CERTAIN PROPERTY OF:

1. Georg von Zedlitz und Leipe
2. Children of Georg von Zedlitz und Leipe
3. Paula von Zedlitz, wife of Georg von Zedlitz und Leipe
4. Surviving children of Georg von Zedlitz und Leipe
5. Leopold Georg von Zedlitz (Infant)
6. Monica von Zedlitz (Infant)
7. Adolf von Zedlitz (Infant)

§ 502.32 *Vesting Order No. 32.* Under the authority of section 5 (b) of the Trading With the Enemy Act of October 6, 1917 [50 U.S.C.A. App. § 5 (b)], as amended by section 301 of the First War Powers Act, 1941 [Pub. L. No. 354, 77th Cong. 1st Sess. (Dec. 18, 1941) § 301], and pursuant to Executive Order No. 9095 of March 11, 1942, the undersigned, finding upon investigation that the property hereinafter described is the property of Nationals of a Foreign Country designated in Executive Order No. 8389, as amended, as defined therein, and that the action herein taken is in the public interest, hereby directs that such property shall be and the same hereby is vested in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States; such property being described as follows:

<sup>1</sup> 6 F.R. 2897, 3715, 6348, 6785.

All right, title and interest of

1. Georg von Zedlitz und Leipe, in and to the Estate of Anna M. von Zedlitz, deceased, the same being a life interest in all the rest, residue and remainder of her estate as given, bequeathed and devised by her, in trust to Thomas F. Morris.

2. All right, title and interest of the children of Georg von Zedlitz, in and to one-half of the Estate of Anna M. von Zedlitz remaining at the death of the life tenant thereto, the aforementioned Georg von Zedlitz, the same to be paid to them and/or to the living issue of such of them who predecease the life tenant—in equal parts per stirpes and not per capita.

3. All contingent remainder right, title and interest of Paula von Zedlitz, wife of Georg von Zedlitz und Leipe, in and to a life tenancy in one-half of the Estate of Anna M. von Zedlitz, subject however, to the prior life interest therein of her husband, Georg von Zedlitz und Leipe.

4. All right, title and interest of the surviving issue of Georg von Zedlitz und Leipe, the life tenant, to a one-half interest in the rest, remainder and residue of the Estate of Anna M. von Zedlitz remaining at his death, the same being payable to each and all of them in equal shares per stirpes and not per capita,—subject, however, to the prior life interest therein of Paula von Zedlitz.

5. All right, title and interest of Leopold Georg von Zedlitz, an infant, in and to that part of the Estate of Anna M. von Zedlitz, in the custody of Thomas F. Morris, Trustee, and designated as a "Guardianship Trust" and represented as to the corpus thereof, by (a) Savings Account No. 1608, held in the Central Savings Bank of New York City, in the name of Anna M. von Zedlitz, in trust for Leopold Georg von Zedlitz; (b) \$2,000.00 4¼% Corporate Stock of the City of New York, maturing in 1971, and held in Safe Deposit Box No. 12124 of the Manhattan Safe Deposit Co., of New York City.

6. All right, title and interest of Monica von Zedlitz, an infant, in and to that certain property in the custody of Thomas F. Morris, Trustee and by him designated as a "Guardianship Estate".

7. All right, title and interest of Adolf Georg von Zedlitz, an infant, in and to that certain property in the custody of Thomas F. Morris, Trustee, and by him designated as a "Guardianship Estate."

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

Any person not a national of a foreign country designated in Executive Order No. 8389, as amended, claiming any interest in any or all of such property

and/or any person asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form No. APC-1 within one year from the date of this order, or within such further time as may be allowed by the Alien Property Custodian.

Executed at Washington, D. C. on June 18, 1942.

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 42-5817; Filed, June 22, 1942;  
10:49 a. m.]

[General Order No. 2]

PART 503—GENERAL ORDERS

TYPES OF PATENTS FOR WHICH INFORMATION  
REQUIRED

JUNE 15, 1942

By virtue of the authority vested in me by section 5 (b) of the Trading with the Enemy Act and by Executive Order No. 9095,<sup>1</sup> it is hereby ordered that:

§ 503.2 *General Order No. 2.* On or before August 15, 1942, the information and exhibits required by Form APC No. 2 shall be filed under oath by any person claiming any right, title or interest, including any claims of ownership in whole or in part, any license or any agreement, whether written or unwritten, whether enforceable or not, and whether or not recorded in the United States Patent Office in or to any patents or patent applications in any of the following categories:

(a) Unexpired United States letters patent for inventions and designs:

- (1) If granted to a designated foreign national; or
- (2) If a designated foreign national has or, at any time since January 1, 1939, has had, any interest in such patent; or
- (3) If the inventor or any of them is a designated foreign national, and the patent issued after January 1, 1939.

(b) Any application for United States letters patent for inventions and designs now pending in United States Patent Office, or which has been pending at any time since January 1, 1939:

- (1) If the inventor, or any of them, is a designated foreign national; or,
- (2) If a designated foreign national has or had at any time an interest in such application.

*Provided,* That no person shall be required to file a report under this order who claims such right, title or interest in any such patent or patent application merely as a licensee (and without the right to grant sub-licenses) of a resident of the United States and its possessions who has title to or the right to grant licenses under the patent, provided that such licensee has ascertained that a report has been filed by such resident.

<sup>1</sup> 7 F.R. 1971.



For the purpose of this order the term "designated foreign national" shall include:

(i) Any resident of any country other than the American Republics, the British Commonwealth of Nations, and the Union of Soviet Socialist Republics.

(ii) Any business organization, organized under the laws of, or having its principal place of business in, any foreign country other than those enumerated above.

(iii) Any person included in The Proclaimed List of Certain Blocked Nationals<sup>1</sup> on June 1, 1942. (Sec. 5 (b) 40 Stat. 415, 966, sec. 2, 48 Stat. 1, 54 Stat. 179, Pub. Law 354, 77th Cong.; E.O. 9095, 7 F.R. 1971)

LEO T. CROWLEY,  
Alien Property Custodian.

File No. \_\_\_\_\_  
(For APC use only)

FORM APC 2

INTERESTS IN PATENTS

This form is to be used by all persons reporting under Alien Property Custodian General Order Number 2:

Patent No. \_\_\_\_\_

I

1. Inventor \_\_\_\_\_  
Date of Patent \_\_\_\_\_
2. (a) Assigned to \_\_\_\_\_  
Address \_\_\_\_\_  
(b) On \_\_\_\_\_  
(c) By \_\_\_\_\_  
(d) Consideration \_\_\_\_\_  
(e) Assignment recorded \_\_\_\_\_ in liber \_\_\_\_\_ page \_\_\_\_\_
3. Licensed to reporter, including any permission to use the patent, on \_\_\_\_\_ consideration \_\_\_\_\_  
Nature of license (exclusive or non-exclusive) \_\_\_\_\_

II

1. Name and address of the reporter \_\_\_\_\_
2. State briefly the nature of the invention covered by the patent. \_\_\_\_\_
3. Does any interest in the patent or patent application, legal or equitable, remain in any designated foreign national? If so, state briefly the nature of such interest \_\_\_\_\_

III

Furnish a copy of each agreement to which any resident of any foreign country (not merely designated foreign countries) is a party, entered into by the reporter with respect to the patent reported. This includes, but without limitation thereto, any contract of purchase or sale, any contract granting a right to obtain an assignment, any agreement to use or not to use, any license held or granted, any cross license agreement, any royalty agreement, any agreement as to quantity, price, territorial restriction or field of use. Copies of agreements other than assignments, or paid-up licenses which, by their terms, had expired before January 1, 1939, may be omitted provided such agreements are listed by date and title.

<sup>1</sup> 7 F.R. 3587, 3867, 4222, and *infra*.

IV

Furnish a list of all persons residing in the United States and its territories who have any right derived from the reporter to operate under the patent or patent application reported, giving the date of each agreement and the consideration therefor, and stating the nature thereof (exclusive or nonexclusive license, license for a particular field of use, territory, or quantity, etc.). If it is impossible to determine what patents or patent applications are involved in any agreement granting such right, the reporter may state the general scope of the agreement.

I, \_\_\_\_\_, do solemnly swear (or affirm) that the statements made in answer to the foregoing questions are true and complete to the best of my knowledge and belief.

(Title) \_\_\_\_\_  
Subscribed and duly sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ at the city of \_\_\_\_\_, County of \_\_\_\_\_ and state of \_\_\_\_\_.

INSTRUCTIONS

All reports must be filed in duplicate, except that, if two copies of agreements required by Part III are not readily available, only one copy will be required.

All reports should be addressed to the Alien Property Custodian, Washington, D. C.

If several patents are involved regarding which the answers to questions 2 (a), 2 (c), and 3 of Part I and question 1 of Part II are the same, one form may be used and the patent number and the answers to questions 1, 2 (b), 2 (d), and 2 (e) of Part I and to questions 2 and 3 of Part II, and the list required by Part IV, may be furnished on an attached sheet. Question 2 (c) may be answered by the word "inventor" or "inventors" when applicable.

In answering question 2 of Part II enough information should be given to indicate the field to which the invention applies, or in which it is especially useful.

In answering questions 2 (b) and 2 (e) of Part I, the information required need be furnished only if known to the reporter from his own records. If the patent is not assigned to the reporter, questions 2 (b), 2 (c), 2 (d) and 2 (e) need be answered only if known to the reporter from his own records.

As to patents covered by paragraph 1 (b) of the order and as to patent applications covered by paragraph 2 (b) of the order, reports need only be filed if the reporter knows or has reason to believe that any interest exists in a designated foreign national.

If a licensee covered by the "Provided" clause of the order ascertains that the licensor intends to file a report and, after the date on which such report is due, finds that no report has been filed, a reasonable extension of time will be granted to such licensee to permit the filing of the report.

The Custodian may at his discretion require the submission of further information regarding the patents or patent applications reported herein.

[F. R. Doc. 42-5819; Filed, June 22, 1942; 10:50 a. m.]

PART 503—GENERAL ORDERS

[General Order No. 3]

PATENT INFORMATION REQUIRED OF CERTAIN INDIVIDUALS

JUNE 15, 1942.

By virtue of the authority vested in me by section 5 (b) of the Trading with the

Enemy Act and Executive Order No. 9095,<sup>1</sup> it is hereby ordered that:

§ 503.3 General Order No. 3. Any individual person to whom an unexpired United States Letters Patent has been granted upon an application filed when such person was a citizen or resident of a foreign country and any individual person claiming any interest in such patent, and who has since the date of filing such application either:

(a) Moved out of any foreign country other than an American Republic, a country of the British Commonwealth of Nations or the Union of Soviet Socialist Republics; or

(b) Changed his citizenship;

Shall on or before August 15, 1942, file with the Alien Property Custodian a statement under oath containing the number of the patent involved, the present residence and citizenship of the person reporting and the manner in which any new citizenship was acquired. This statement may be filed by an attorney and confirmed within a reasonable time by the person concerned. (Sec. 5 (b). 40 Stat. 415 (966, sec. 2, 48 Stat. 1, 54 Stat. 179, Pub. Law 354, 77th Cong.; E.O. 9095, 7 F.R. 1971)

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 42-5818; Filed, June 22, 1942; 10:50 a. m.]

TITLE 10—ARMY; WAR DEPARTMENT

Chapter III—Claims and Accounts

PART 35—PAYMENT OF BILLS AND ACCOUNTS<sup>2</sup>

PAYMENT OF TRANSPORTATION ACCOUNTS

Sections 35.22 to 35.27, inclusive, are hereby amended to read as follows:

AUTHORITY: §§ 35.22 to 35.27, inclusive, issued under R.S. 161; 5 U.S.C. 22.

§ 35.22 *By whom paid*—(a) *Within continental limits of United States.* All transportation accounts pertaining to War Department bills of lading and transportation requests issued for service to and from and within the continental limits of the United States and Alaska (except those payable from appropriations for river and harbor work) will be paid by the Finance Officer, U. S. Army, Washington, D. C.

(b) *Outside of continental limits of United States.* Transportation accounts pertaining to War Department bills of lading and transportation requests issued for service within the Panama Canal, Hawaiian, Philippine, or Puerto Rican Departments, and in foreign countries will be paid by a disbursing officer in the department or area concerned.

<sup>1</sup> 7 F.R. 1971.

<sup>2</sup> The regulations contained in §§ 35.22 to 35.27, inclusive are also contained in AR 85-6120, the particular paragraphs being shown in brackets at the end of sections.



(c) For river and harbor work. Accounts covering transportation payable from appropriations for river and harbor work will be paid by district officers of the Engineer Department specially designated to settle the accounts for the specific project. [Par. 1]

§ 35.23 *To whom paid; responsibility and action in case of loss, destruction, or damage.* (a) Payment for transportation for freight or express will be made to the last carrier, unless otherwise provided in the bill of lading, and only for the quantity of property delivered at destination, except that in case of loss of weight by natural shrinkage en route the weight shipped as shown in the bill of lading will be paid for, provided the packages are delivered intact.

(b) The carrier will be held responsible for loss, destruction, or damage to property while in transit in accordance with discrepancy notations on bills of lading made as provided in AR 30-950,<sup>2</sup> unless the cancellation of any such notation is authorized by the consignee who made it. Reports of survey submitted and approved pursuant to AR 35-6640<sup>3</sup> are the final authority under which common carriers are held responsible or relieved from responsibility.

(c) Loss, destruction, or damage for which the carrier is held responsible will be deducted in making settlement for services, except in case of loss or destruction of an entire shipment, in which event claim will be filed against contracting carrier. [Par. 2]

§ 35.24 *Land-grant deductions.* Payments by the United States for the transportation of United States troops and of military property of the United States moving for military and not for civil use, rendered over land-grant lines and lines equalizing therewith, will be made subject to the proper land-grant deductions. [Par. 3]

§ 35.25 *Action when transportation appears to have been furnished improperly.* If it appears to the paying officer that transportation has been improperly furnished by the issuing officer, he will make payment to the carrier for the service actually rendered, and will call upon the issuing officer for the authority upon which such transportation was furnished. [Par. 6]

§ 35.26 *Payment when personal transportation lost—(a) Lost request.* Payment of transportation charges, where the original transportation request has been lost, will be made on affidavit in lieu of lost transportation request.

(b) *Lost ticket.* Where the passenger has lost the ticket issued on a transportation request no refund can be secured from the carrier, nor can new transportation request be issued for the same journey, unless the cost thereof is charged to the traveler. The loss must

<sup>2</sup> Administrative regulations of the War Department relative to bills of lading.

<sup>3</sup> Administrative regulations of the War Department relative to lost, destroyed, damaged, or unserviceable property.

fall upon the person to whom the ticket was furnished. (See 21 Comp. Dec. 783) [Par. 7]

§ 35.27 *Payment on bills of lading—(a) On original only.* Payment of transportation charges will ordinarily be made on the original accomplished Government bill of lading and never on memorandum copies or shipping orders.

(b) *When original lost.* Payment of transportation charges where the original bill of lading has been lost will be made on Standard Form No. 1061 (Certificate in Lieu of Lost Bill of Lading). [Par. 9 a and b]

[SEAL]

J. A. ULIO,  
Major General,  
The Adjutant General.

[F. D. Doc. 42-5806; Filed June 22, 1942; 10:05 a. m.]

## Chapter VI—Organized Reserves

### PART 64—ENLISTED RESERVE CORPS

#### SUSPENSION OF ENLISTMENTS AND REENLISTMENTS IN THE ENLISTED RESERVE CORPS WITH CERTAIN EXCEPTIONS

Paragraph (f) (2) of notice of suspension of enlistments under § 64.5<sup>1</sup> is hereby rescinded and paragraph (h) is added as follows:

§ 64.5 *Enlistments.* Enlistment and reenlistments in the Enlisted Reserve Corps are suspended with the following exceptions:

- (f) \* \* \* \*
- (2) Rescinded.
- \* \* \* \*

(h) Enlistments in the Air Corps Enlisted Reserve are authorized for men who have been selected by the Civil Aeronautics Administration to pursue civilian pilot training under the conditions enumerated below and who are otherwise qualified for enlistment in the Enlisted Reserve Corps.

(1) Men between their 27th and 37th birthdays who present to the recruiting officer—

(i) A certificate signed by a regional superintendent of the civilian pilot training to the effect that the individual is acceptable for civilian pilot training.

(ii) Evidence of birth and citizenship.

(iii) A report (in triplicate) of physical examination on the appropriate page of W. D., A. G. O. Form No. 165, signed by a physician authorized by the corps area commander. Corps area commanders may authorize civilian physicians employed by the Civil Aeronautics Administration to make these examinations.

(2) Men between their 18th and 27th birthdays who present to the recruiting officer the papers required by subparagraph (1) above and an additional cer-

<sup>1</sup> 6 F.R. 5165; 7 F.R. 213, 738, 1532, 1747, 2183, 2755.

tificate from an Army Aviation Cadet Board that they have been examined for air crew training and found disqualified as an aviation cadet but have passed the aviation cadet mental examination with a score of over 65. In the case of minors, the consent of parents is required.

(3) No individual qualified for enlistment as an aviation cadet may be enlisted under this authority.

(4) Men enlisted in the Air Corps Enlisted Reserve under the provisions of this paragraph will not be called to active duty until request is submitted to The Adjutant General by the Commanding General, Army Air Forces. (39 Stat. 195; 41 Stat. 780; 44 Stat. 705; 10 U.S.C. 421, 423-427) [Cir. 204, W. D., Sept. 30, 1941, as amended by Cir. 75, W. D., March 13, 1942, and Cir. 180, W. D., June 9, 1942]

[SEAL]

J. A. ULIO,  
Major General,  
The Adjutant General.

[F. R. Doc. 42-5790; Filed, June 20, 1942; 11:44 a. m.]

## Chapter VII—Personnel

### PART 71—ENLISTMENT IN THE REGULAR ARMY

#### SUSPENSION OF CERTAIN REGULATIONS PERTAINING TO EXAMINATION AND ENLISTMENT, WITH EXCEPTIONS

Section 71.22<sup>1</sup> is hereby amended to read as follows:

§ 71.22 *Physical examination of applicants for enlistment.* (a) (1) Except for men enlisted for appointment as aviation cadets and men enlisted in the Enlisted Reserve Corps, all men enlisted in the Army of the United States will, prior to their enlistment, appear before a board of officers and undergo the same physical examination, including a chest X-ray, a serological test for syphilis, and a careful neuropsychiatric study, as is required in the case of Selective Service registrants prior to their induction.

(2) Individuals may be accepted as applicants for enlistment at recruiting stations which lack complete examination facilities, but actually enlisted only at recruiting and induction stations which do have complete examination facilities. Recording of the date and fact of chest X-ray examination on the service record of men enlisted in the Army of the United States is not required, except for men enlisted for appointment as aviation cadets and men enlisted in the Enlisted Reserve Corps.

(3) So much of §§ 71.9 to 71.14, inclusive, as conflicts with the above is suspended.

(b) (1) The physical examination of applicants for appointment as aviation cadets will be as prescribed in War Department instructions and those for the Enlisted Reserve Corps will be as prescribed in §§ 64.1 to 64.12, inclusive, and AR 150-5,<sup>2</sup> except that where Govern-

<sup>1</sup> 7 F.R. 2184, 2987, 3148.

<sup>2</sup> Administrative regulations of the War Department relating to the Enlisted Reserve Corps.



ment or qualified civilian facilities are available a complete examination, including X-ray of the chest, a serological test for syphilis, and a careful neuropsychiatric study, will be made. Such a complete examination will be deferred only when such facilities are not available.

(2) When it is not practicable to have chest X-rays made on individuals applying for enlistment for appointment as aviation cadets or in the Enlisted Reserve Corps prior to acceptance, if otherwise qualified, they may be enlisted and a chest X-ray made at the first Army station to which assigned. Those enlisted whose X-ray of the chest is made subsequent to their acceptance and who are found to have disqualifying defects as a result thereof will be immediately discharged on Certificate of Disability. (41 Stat. 765; 10 U.S.C. 42) [Cir. 180, W. D., June 9, 1942]

[SEAL]

J. A. ULIO,  
Major General,  
The Adjutant General.

[F. R. Doc. 42-5791; Filed, June 20, 1942; 11:44 a. m.]

**PART 79—PRESCRIBED SERVICE UNIFORM OFFICERS' AND WARRANT OFFICERS' COATS**

Subdivision (ii) (a) of § 79.9<sup>1</sup> (c) (1) is hereby amended to read as follows:

§ 79.9 Coat. \* \* \*

(c) *Overcoat*—(1) *Long, for officers and warrant officers.* \* \* \*

(ii) *General description*—(a) *In general.* A double-breasted ulster with convertible style roll collar and notch lapel, lining of same color as ulster; buttoned down the front with a double row of large regulation overcoat buttons, three on each side below the roll of the lapel with top buttons approximately 6½ to 7 inches apart; a 36-ligne button placed inside behind the top left large regulation front button for use in holding right front fly in place; a button placed under the right collar and a buttonhole at the top of each lapel, one for use when collar is converted and the other for appearance; the lining slit and fastened to pocket openings to allow the hand to go through to pocket of breeches or trousers; slit closed with a small button and buttonhole. Back to be plaited and to have back straps let into the side seams at the waistline, fastened together with two large regulation buttons and button holes. Skirt not longer than 10 inches or shorter than 3 inches below the knee; slit in the back extending from bottom of back strap to bottom of skirt and closing with small concealed buttons and buttonholes. The front corners to be provided with buttons and buttonholes so that the corners may be turned back to facilitate marching. (R. S. 1296; 10 U.S.C. 1391). [Par. 9b, AR 600-35, Nov.

<sup>1</sup> 7 F.R. 12, 2897, 4246.

10, 1941, as amended by Cir. 181, W. D., June 10, 1942]

[SEAL]

J. A. ULIO,  
Major General,  
The Adjutant General.

[F. R. Doc. 42-5776; Filed, June 20, 1942; 9:16 a. m.]

**TITLE 14—CIVIL AVIATION**

**Chapter I—Civil Aeronautics Board**

[Amendment 20-50, Civil Air Regulations]

**PART 20—PILOT CERTIFICATES**

**REEXAMINATION FOR SPECIAL RATING**

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 15th day of June 1942.

Acting pursuant to sections 205 (a), 601 and 602 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective June 20, 1942, Part 20 of the Civil Air Regulations is amended as follows:

By striking § 20.46 and inserting in lieu thereof the following:

§ 20.46 *Reexamination.* The following rules shall govern application for reexamination for special ratings:

(a) An applicant who has failed any prescribed theoretical examination may apply for reexamination at any time after the expiration of thirty days from the date of such failure, or, after he has received not less than five hours instruction on each subject of the examination failed from whichever one of the following persons is appropriate:

- (1) A certificated flight instructor;
- (2) A certified ground instructor, rated for the subject;
- (3) A person qualified to instruct in the theory of instrument flight. Applicant shall verify such instruction by presenting a statement from the instructor showing the amount of instruction given and stating that he deems the applicant qualified to pass the required examination in such subject.

(b) An applicant who has failed the flight test for a special rating may apply for reexamination thereon only after he has logged at least six additional hours of flight instruction and his instructor shall have certified in the applicant's logbook that he deems such applicant qualified to pass the required flight test; such instruction shall be given if for a flight instructor rating by a certificated flight instructor and if for an instrument rating by a pilot holding the appropriate aircraft rating and an instrument rating.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,  
Secretary.

[F. R. Doc. 42-5786; Filed, June 20, 1942; 10:43 a. m.]

**DESIGNATIONS OF AMENDMENTS TO CIVIL AIR REGULATIONS**

The amendments to Part 60—Air Traffic Rules, appearing on page 4510 of the issue for Wednesday, June 17, 1942, should be designated "60-3," "60-4," and "60-5" instead of "60-4," "60-5," and "60-6," respectively.

**TITLE 16—COMMERCIAL PRACTICES**

**Chapter I—Federal Trade Commission**

[Docket No. 3898]

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

**NATIONAL PRESS PHOTO BUREAU, INC., ET AL.**

§ 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Individual or private corporation as press or news affiliate:* § 3.72 (n 10) *Offering deceptive inducements to purchase—Terms and conditions:* § 3.96 (b) *Using misleading name—Vendor—Individual or private business as press or news service organization.* In connection with the solicitation of permission to make photographs, or the offer, etc., in commerce, of photographs, (1) using the words "National Press", or any other word or words of similar import or meaning, in the corporate name of respondent National Press Photo Bureau, Inc., or as a part of any other trade or corporate name, to designate or describe a business which is principally for the purpose of making and selling photographs to the individuals photographed; and (2) representing or implying in any manner to a prospective customer, that respondents, or either of them, are news or press photographers, or that they conduct a news or press photographic agency; or that any photograph taken by them is for press or publicity purposes, unless such photograph is actually for immediate press or publicity use; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Sup. IV, sec. 45b) [Cease and desist order, National Press Photo Bureau, Inc., et al., Docket 3898, June 16, 1942]

*In the Matter of National Press Photo Bureau, Inc., a Corporation; Kay Hart Studios, Inc., a Corporation; Bolivar Studios, Inc., a Corporation; and Samuel F. Reese and Clara L. Reese, Individually and as Officers of National Press Photo Bureau, Inc., a Corporation, and Kay Hart Studios, Inc., a Corporation*

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of June, A. D. 1942.

*Order to Cease and Desist*

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondents, the testimony and other



evidence in support of and in opposition to the allegations of the complaint taken before duly appointed trial examiners of the Commission designated by it to serve in this proceeding, the report of the trial examiners thereon and exceptions thereto, briefs in support of and in opposition to the allegations of the complaint, and oral argument of counsel; And the Commission having made its findings as to the facts and its conclusion that respondents have violated the provisions of the Federal Trade Commission Act:

*It is ordered*, that respondents National Press Photo Bureau, Inc., a corporation; Kay Hart Studios, Inc., a corporation, and Bolivar Studios, Inc., a corporation, their officers, directors, representatives, agents and employees; and respondents Samuel F. Reese and Clara L. Reese, individually and as officers of corporate respondents National Press Photo Bureau, Inc., and Kay Hart Studios, Inc., jointly or severally, directly or through any corporate or other device, in connection with the solicitation of permission to make photographs, or the offering for sale, sale and distribution of photographs, in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Using the words "National Press", or any other word or words of similar import or meaning, in the corporate name of respondent National Press Photo Bureau, Inc., or as a part of any other trade or corporate name, to designate or describe a business which is principally for the purpose of making and selling photographs to the individuals photographed;

(2) Representing or implying in any manner to a prospective customer, that respondent, or either of them, are news or press photographers, or that they conduct a news or press photographic agency; or that any photograph taken by them is for press or publicity purposes, unless such photograph is actually for immediate press or publicity use.

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

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 42-5795; Filed, June 20, 1942;  
12:04 p. m.]

[Docket No. 4039]

PART 3—DIGEST OF CEASE AND DESIST  
ORDERS

NOVELTY SALES COMPANY

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* In connection with offer, etc., in commerce, of clocks, knives, flashlights, trays, jewelry, or any other merchandise, (1) selling, etc., any

merchandise so packed or assembled that sales of same to the public are to be made or may be made by means of a game of chance, gift enterprise or lottery scheme; (2) supplying, etc., others with punch boards, push or pull cards, or other lottery device, either with assortments of merchandise or separately, which said punch boards, push or pull cards, or other lottery device, are to be used or may be used in selling or distributing said merchandise to the public; and (3) selling, etc., any merchandise by means of a game of chance, gift enterprise or lottery scheme; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Sup. IV, sec. 45b) [Cease and desist order, Novelty Sales Company, Docket 4039, June 16, 1942]

*In the Matter of Simon Aron, Morris Aron, and Louis Broudo, Individually and as Copartners Trading Under the Name of Novelty Sales Company.*

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of June, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondents, testimony and other evidence in support of the allegations of the complaint taken before duly appointed trial examiners of the Commission designated by it to serve in this proceeding, report of the trial examiner, briefs in support of the complaint and in opposition thereto, and oral argument: And the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

*It is ordered*, That respondents Morris Aron and Louis Broudo, individually and as copartners trading under the name of Novelty Sales Company, or trading under any other name, jointly or severally, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of clocks, knives, flashlights, trays, jewelry or any other merchandise, in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Selling or distributing any merchandise so packed or assembled that sales of same to the public are to be made or may be made by means of a game of chance, gift enterprise or lottery scheme;

(2) Supplying to or placing in the hands of others punch boards, push or pull cards, or other lottery device, either with assortments of merchandise or separately, which said punch boards, push or pull cards, or other lottery device, are to be used or may be used in selling or distributing said merchandise to the public;

(3) Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise or lottery scheme.

*It is further ordered*, That the complaint, insofar as it relates to respondent Simon Aron, be and the same hereby is dismissed.

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

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 42-5796; Filed, June 20, 1942;  
12:04 p. m.]

[Docket No. 4523]

PART 3—DIGEST OF CEASE AND DESIST  
ORDERS

BLANK AND STOLLER CORPORATION, ET AL.

§ 3.6 (j 10) *Advertising falsely or misleadingly—History of product or offering.* In connection with offer, etc., in commerce, of respondents' miniatures, and among other things, as in order set forth, representing that respondents' miniatures (1) have been displayed at public exhibitions; and (2) have ever sold for \$75.00 or \$50.00, or for any amount in excess of that for which such miniatures have actually been sold by respondents; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Sup. IV, sec. 45b) [Cease and desist order, Blank and Stoller Corporation, et al., Docket 4523, June 16, 1942]

§ 3.6 (r) *Advertising falsely or misleadingly—Prices—Exaggerated as regular and customary:* § 3.6 (r) *Advertising falsely or misleadingly—Prices—Usual as reduced, special, etc.:* § 3.72 (n) *Offering deceptive inducements to purchase—Special offers, savings and discounts.* In connection with offer, etc., in commerce, of respondents' miniatures, and among other things, as in order set forth, (1) representing as the customary or regular price of respondents' miniatures, any price which is in excess of the price at which such miniatures have been customarily or regularly sold by respondents in the usual course of business; and (2) representing that the price at which respondents' miniatures are offered for sale constitutes a special or reduced price, when in fact such price is the usual or customary price at which such miniatures are offered for sale by respondents in the usual course of business; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Sup. IV, sec. 45b) [Cease and desist order, Blank and Stoller Corporation, et al., Docket 4523, June 16, 1942]

§ 3.6 (j 10) *Advertising falsely or misleadingly—History of product or offering:* § 3.6 (m 10) *Advertising falsely or misleadingly—Manufacture or preparation.* In connection with offer, etc., in commerce, of respondents' miniatures, and among other things, as in order set forth, representing that respondents' miniatures are prepared by a new or unusual method; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Sup. IV, sec. 45b) [Cease and desist order, Blank and Stoller Cor-



poration, et al., Docket 4523, June 16, 1942]

*In the Matter of Blank and Stoller Corporation, a Corporation, and Harry H. Long (Referred to in the Complaint as Harry J. Long), George Stoller, Maurice Schultz, and Randolph Fajen, Individually and Doing Business as Blank & Stoller Studios*

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of June, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answers of certain of the respondents, testimony and other evidence taken before John W. Addison, a trial examiner of the Commission theretofore duly designated by it, in support of the allegations of the complaint and in opposition thereto, report of the trial examiner upon the evidence and the exceptions to such report, and briefs in support of and in opposition to the complaint (oral argument not having been requested) and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondents, Blank and Stoller Corporation, a corporation, its officers, and Harry H. Long, George Stoller, Maurice Schultz, and Randolph Fajen, individually and doing business as Blank & Stoller Studios, or doing business under any other name, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of respondents' miniatures in commerce, as commerce is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Representing that respondents' miniatures have been displayed at public exhibitions.

(2) Representing that respondents' miniatures have ever sold for \$75.00 or \$50.00, or for any amount in excess of that for which such miniatures have actually been sold by respondents.

(3) Representing as the customary or regular price of respondents' miniatures, any price which is in excess of the price at which such miniatures have been customarily or regularly sold by respondents in the usual course of business.

(4) Representing that the price at which respondents' miniatures are offered for sale constitutes a special or reduced price, when in fact such price is the usual or customary price at which such miniatures are offered for sale by respondents in the usual course of business.

(5) Representing that respondents' miniatures are prepared by a new or unusual method.

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

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 42-5797; Filed, June 20, 1942;  
12:05 p. m.]

## TITLE 17—COMMODITY AND SECURITIES EXCHANGES

### Chapter II—Securities and Exchange Commission

#### PART 270—RULES AND REGULATIONS, INVESTMENT COMPANY ACT OF 1940

##### REGISTRATION FORM FOR UNINCORPORATED INVESTMENT COMPANIES CURRENTLY ISSUING PERIODIC PAYMENT PLAN CERTIFICATES

The Securities and Exchange Commission, acting pursuant to the authority conferred upon it by the Investment Company Act of 1940, particularly sections 8 (b), 8 (c) and 38 (a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors, and necessary for the execution of the functions vested in it by the said Act, hereby takes the following action:

#### 1. Amendment of § 270.8b-2 [Rule N-8B-2]

Section 270.8b-2 [Rule N-8B-2] is amended by adding at the end thereof the following paragraph:

§ 270.8b-2 *Forms for registration of registered investment companies. \* \* \**

(3) *Form N-8B-3<sup>1</sup> for unincorporated management investment companies currently issuing periodic payment plan certificates.* This form shall be used by unincorporated management investment companies currently issuing periodic payment plan certificates.

Effective June 19, 1942.

#### II. Adoption of § 270.8c-3 [Rule N-8C-3]

Section 270.8c-3 [Rule N-8C-3] is adopted to read as follows:

§ 270.8c-3 *Use of currently effective registration statements under the Securities Act of 1933 in lieu of Form N-8B-3.* A registered management investment company currently issuing periodic payment plan certificates which has securities registered under the Securities Act of 1933 (48 Stat. 74, et seq., 15 U.S.C. 77a-77aa), in lieu of filing a registration statement on Form N-8B-3, may file four copies of a registration statement consisting of the following:

<sup>1</sup> Filed as part of the original document.

(a) A facing page clearly indicating that such registration statement is filed pursuant to this rule;

(b) Copies of its most recent currently effective registration statement under the Securities Act of 1933;

(c) Copies of any reports filed pursuant to section 15 (d) of the Securities Exchange Act of 1934 (Sec. 15, 48 Stat. 895; Sec. 3, 49 Stat. 1377; 15 U.S.C. 78o) and the rules and regulations thereunder, which have been filed subsequent to the registration statement referred to in paragraph (b);

(d) If annual reports pursuant to section 15 (d) of the Securities Exchange Act of 1934 have not been filed by the company for every year following the filing of the registration statement referred to in paragraph (b), a separate report on the form appropriate for reports under section 15 (d) covering the entire period, describing any material changes in the information contained in the registration statement referred to in paragraph (b);

(e) The answers to the following items of Form N-8B-3; 12 to 15, inclusive; 16 (a); 16 (b); 17; 24 to 35, inclusive; 37 (c); 38 (b); 39 to 42, inclusive; 51 to 63, inclusive; and 65 to 67, inclusive;

(f) Any financial statements or exhibits required by Form N-8B-3 which are not included in the documents filed pursuant to paragraphs (b), (c), and (d) hereof.

(g) The most recent prospectus filed pursuant to § 230.800 [Rule 800 under the Securities Act of 1933]; and

(h) The signature page required by Form N-8B-3 duly executed in accordance with the instructions to such form. [Rule N-8C-3, effective June 19, 1942.] (Sec. 8 (b), 8 (c), 54 Stat. 804; 15 U.S.C. 80a-8; Sec. 38 (a) 54 Stat. 841; 15 U.S.C. 80a-38)

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 42-5785; Filed, June 20, 1942;  
10:09 a. m.]

## TITLE 22—FOREIGN RELATIONS

### Chapter III—Proclaimed List of Certain Blocked Nationals

#### SUPPLEMENT 3 TO REVISION II

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Board of Economic Warfare, and the Coordinator of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555), the following Supplement 3 containing certain additions to, amendments to, and deletions from The Proclaimed List of Certain Blocked Nationals, Revision II

<sup>1</sup> 7 F.R. 3587, 3867, 4222.



of May 12, 1942 (7 F.R. 3587), is hereby promulgated.

By direction of the President:

CORDELL HULL,  
Secretary of State.  
H. MORGENTHAU, Jr.,  
Secretary of the Treasury.  
FRANCIS BIDDLE,  
Attorney General.  
WAYNE C. TAYLOR,  
Acting Secretary of Commerce.  
MILO PERKINS,  
Executive Director,  
Board of Economic Warfare.  
J. C. ROVENSKY,  
Acting Coordinator of  
Inter-American Affairs.

JUNE 19, 1942.

GENERAL NOTES: (1) The Proclaimed List is divided into two parts: part I relates to listings in the American republics; part II relates to listings outside the American republics.

(2) In part I titles are listed in their letter-address form, word for word as written in that form, with the following exceptions:

If the title includes a full personal name, that is, a given name or initial and surname, the title is listed under the *surname*.

Personal-name prefixes such as *de, la, von,* etc., are considered as part of the surname and are the basis for listing.

The listing is made under the next word of the title when the initial word or phrase, or abbreviation thereof, is one of the following Spanish forms or similar equivalent forms in any other language:

Compañía; Cia.; Comp.

Compañía Anónima; C. A.; Comp. Anón.

Sociedad; Soc.

Sociedad Anónima; S. A.; Soc. Anón.

(3) The indication of an address for a name on the list is not intended to exclude other addresses of the same firm or individual. A listed name refers to all branches of the business in the country.

#### PART I—LISTINGS IN AMERICAN REPUBLICS

##### ADDITIONS

##### Argentina

Aversa y Cía., Carlos.—Beazley 3651, Buenos Aires.

Casa Artus.—Bolívar 853, Buenos Aires.

Fábrica Argentina de Pólvora y Explosivos Dieterle S. de R. L.—Avenida del Carril 4435, Buenos Aires; and Sierras Bayas, F. C. S.

Gainza W., Luis.—La Quiaca.

General de Financiaciones S. A., Cía.—San Martín 66, Buenos Aires.

Gual, Manuel Angel.—Piedras de Gales 2565, Remedios de Escalada, F. C. S.

Horn, Francisco L.—Progreso 1436, San Martín, F. C. C. A.

Itakura, Iwao.—Independencia 3693, Buenos Aires.

Kemper, Hubert.—Arenales 843, Buenos Aires.

Kuribayashi, Yohiji.—Avenida Roque Sáenz Peña 832, Buenos Aires.

"La Internacional" Compañía de Seguros.—Corrientes 330, piso 6°, Buenos Aires.

Manuello y Cía.—Callao 1553, Rosario, Morikawa, Jojuro.—Chile 332, Buenos Aires.

Pando, Gonzalo.—Moreno 970, Buenos Aires.

Schinkel, John.—Alsina 1367, Buenos Aires.

Schwippert, Casa Arturo.—Bolívar 853, Buenos Aires.

Seculi, Gahn y Cía.—General Mitre 1563, Rosario.

Sommer, Rodolfo Carlos.—San Martín 66, Buenos Aires.

Sommer, E. R. & R. C.—San Martín 66, Buenos Aires.

Talleres Fotografiado "El Lucero" S. de R. L.—Piedras 346, Buenos Aires.

Von Buch, Max.—O'Higgins 1347, Buenos Aires.

Wendler, Ernst.—Avenida de Mayo 580, Buenos Aires.

##### Bolivia

Barber, Harold.—Tarija.

Donoso, Humberto.—Yacuiba.

Endo, Mario.—Calles J. Sanjinés y Potosí, La Paz.

Fábrica de Fideos "La María".—Tarija.

Foto Jensen.—Colón 64, La Paz.

Gainza W., Luis.—Villazón.

Imprenta Antoniana.—Tarija.

Jensen, Otto.—Colón, 64, La Paz.

Nachtmann, Anna K.—La Paz.

Piccardo, Carlos.—Tarija.

Seidel, Carlos.—Tarija.

Shintani, Nicolás.—Loayza 186, La Paz.

Stege, Karl Reinhard.—La Paz.

Stege, Fábrica de Conservas de

Jorge.—La Paz.

Tienda "El Sol".—Tarija.

Vargas Martínez, Hugo.—Villazón.

##### Brazil

Marconi, Umberto.—Alameda Barão de Limeira 331, São Paulo.

##### Chile

Ackermann Lochmann, Luis.—San Felipe 181 (Casilla 227), Puerto Montt.

Agricultura e Industria San Pedro, Ltda., Soc. de.—Agustinas 975, Santiago.

Andreani Destefani, Silvio.—Atacama 302, Copiapó.

Bar Alemán.—La Serena.

Bardina C., Juan.—Argentina 373, Valparaíso.

Baum Hoffmann, Erich.—Catedral 1280 (Casilla 447), Santiago.

Benheim & Schwartz, Ltda.—Bandera 575, Santiago.

Binder, Alfredo.—Casilla 44, Puerto Varas.

Binder, Fernando.—Casilla 44, Puerto Varas.

Binder, Hermanos.—Casilla 44, Puerto Varas.

Boletín Relámpago.—Valdivia.

Braummüller S., Gerardo.—Santa Beatriz 273, Santiago.

Brien G., Otto.—Pucón.

Busch, E. W. de (Suc. de C. Wiedmaier).—Blanco 957, Valparaíso.

Caramello, Gerónimo.—Antofagasta.

Celedón, Pedro.—Casilla 251, Valparaíso.

Daikubara, Akira.—Huérfanos 587, Santiago.

Diario L'Italia.—O'Higgins 1266, Valparaíso.

Edición de la Tarde del Diario L'Italia.—O'Higgins 1266, Valparaíso.

Editora Italiana, Soc.—O'Higgins 1266, Valparaíso.

Fábrica de Conservas "Oso".—Casilla 1-A, Los Andes.

Franz Thill, Rudolf.—San Francisco s/n (Casilla 145), Puertos Varas.

Gleisner, Lorenz.—Barros Arana 402, Concepción; and Avenida Bernardo O'Higgins 1395, Santiago.

Gleisner, Wolrad Moritz.—Barros Arana 402, Concepción; and Avenida Bernardo O'Higgins 1395, Santiago.

Grisar, Max.—Casilla 42-V, Valparaíso.

Gutiérrez, B.—Casilla 1698, Valparaíso.

Haenel, Ricardo Pablo.—Bandera 575 (Casilla 185), Santiago.

Heitmann L., Augusto.—Prat 647 (Casilla 1416), Valparaíso.

Hortal, José.—Plaza de Armas 416, Santiago.

Hotel Schild.—Camilo Henríquez 522, Valdivia.

Imprenta Central.—Yungay 235, Valdivia.

Koller, Walter.—Casilla 309, Valdivia.

Krause, Heriberto.—Salvador Donoso 1739, Valparaíso.

Krueger G., Walter.—Avenida Bernardo O'Higgins 1162 (Casilla 3003), Santiago.

Kubo Takaray, Guillermo.—21 de Mayo 435, Arica.

Kyonen T., Carlos.—Camino a Serena, Coquimbo.

"La Gran Via".—Anibal Pinto 540, Concepción.

La Semana Internacional.—Argentina 373, Valparaíso.

Laboratorio Boston.—General Korner 1282, Santiago.

Lampert, Enrique.—Yungay 235, Valdivia.

Lauezzari, Ricardo.—Punta Arenas.

Ludorf, Enrique.—Amunátegui esquina Agustinas, Santiago.

Martínez Hnos. y Cía.—Anibal Pinto 540, Concepción.

Mathiesen y Cía.—Amunátegui 163, Santiago.

Mercería Scholtbach.—Varas 949, Puerto Montt.

Moller y Fenner, Ltda.—San Antonio 429, Santiago.

Nachtmann, Anna K.—"Kanka Husi", Panguipulli.

Neff Vollmer, Bruno.—Amunátegui 163, Santiago.

Norddeutscher Lloyd.—Prat 828, Valparaíso; and Bandera 191, Santiago.

Oelbrich, Antonio.—Varas 880 (Casilla 6), Puerto Montt.

Oficina Grob Ltda.—Varas 880 (Casilla 6), Puerto Montt.

Olivares Pérez, Miguel.—Barros Arana 402, Concepción; and Avenida Bernardo O'Higgins 1395, Santiago.

Poblete Pérez, Florentín.—McIver 144 (Casilla 2367), Santiago.

Riccomini C., Renato.—Copiapó 474, Santiago.

Sawabe Sawabe, Goro.—Monjitas esquina Andrés Bello, Santiago.

Schoveling Niessing, Olaf.—Agustinas 972, oficina 401, Santiago.

Schwartz, Guillermo.—Bandera 575, Santiago.



Serio, Vicenzo (Vicencio).—Errázuriz 401, Valparaíso.  
 Siebel Jenssen, Walter.—Agustinas 972, oficina 401, Santiago.  
 Springsmüller, Hans.—Yungay 649, Valdivia.  
 Steffens K., Kurt.—Santo Domingo 819, Santiago.  
 Tintorería New York.—Pedro de Valdivia 47, Santiago.  
 Verdugo Blanco, Enrique.—Teatinos 273, Santiago; and Avenida Brasil 1472, Valparaíso.  
 Vierling, Gustavo.—Avenida Holanda 390, Santiago.  
 von Mühlenbrock L., Julio.—Yungay 760, Valdivia.  
 Wagner, Ernesto.—Estanque 1875, Santiago.  
 Werkmeister, Enrique 2°.—C. Henríquez 705 y General Lagos 965, Valdivia.  
 Zapatería "La Europa".—Valdivia.  
 Zeisler, Hans.—Los Choros, La Higuera, Coquimbo.  
 Zeisler, Roberto.—Los Choros, La Higuera, Coquimbo.  
 Zieleniewicz, Félix.—Casilla 1-A, Los Andes.

## Colombia

Almacén Gina.—Carrera 6-A No. 14-33, Bogotá.  
 Calle, Ricardo.—Andes, Antioquia.  
 Cavazzoni, Silvio.—Carrera 6-A No. 14-33, Bogotá.  
 Chavarriaga, Carlos.—Medellín.  
 Eickworth, Gustav Walter.—Barranquilla.  
 Elaboradora de Artículos de Seda S.A., Soc.—Calle 33 No. 6-37, Bogotá.  
 Gazzera, Giuseppe.—Calle 33 No. 6-37, Bogotá.  
 Industria Metalúrgica Colombiana, Ltda., Nucci Hermanos.—Boyacá, Vesubio, Barranquilla.  
 "La Bodega".—Barranquilla.  
 Manzuoli, Italo Gino.—Carrera 4 No. 15-42, Bogotá.  
 "Miami".—Barranquilla.  
 Nucci, Quinto.—Boyacá, Vesubio, Barranquilla.  
 Nucci, Tulio.—Boyacá, Vesubio, Barranquilla.  
 Perico García, Pascual.—Barranquilla.  
 Romero, Manuel Guillermo (Dr.).—Apartado 4004, Bogotá.  
 Salazar, Gonzalo.—Manizales.  
 Sánchez, Alberto.—Medellín.  
 "SEDAS" Sociedad Elaboradora de Artículos de Seda S.A.—Calle 33 No. 6-37, Bogotá.  
 Silva Ortiz, Carlos.—Carrera 8 No. 15-35, Bogotá.

## Costa Rica

Finca San Miguel.—Barranca.  
 Knöhr, Erwin.—Apartado 48, San José.  
 Naranjo Frida, Sebastián.—San José.  
 Prince Segismund of Prussia.—Barranca.

## Cuba

Clasing, Lionel.—Prado 303, Habana.

## Guatemala

Brueckner, George.—Guatemala, Guatemala.

## Mexico

Atzumi, Kanski (Dr.).—Avenida Madero 34, México, D. F.  
 "Botica Japonesa".—Madero 111, Orizaba.  
 Centro Comercial, S. de R. L.—Huixtla, Chiapas.  
 Empacadora Rico, S. de R. L. y C. V.—Mayorazgo 1219 (Apartado 8807), México, D. F.  
 Enkerlin, Ernesto.—San Juan de León 81, México, D. F.  
 Fábrica de Lactosa Shill.—Colonia Dublán, Chihuahua.  
 Feixas, Francisco.—Avenida 5 de Mayo 43, México, D. F.  
 Hausmann, Walter.—Avenida Uruguay 74, México, D. F.  
 Iwahashi, Shozabulo.—Huixtla, Chiapas.  
 Kimura, Toshimasa.—Aguiles Serdán 70, Veracruz.  
 Klett, Federico.—Nilo 52, México, D. F.  
 "La Casa Japonesa".—Orizaba.  
 "La Japonesa".—Aguiles Serdán 70, Veracruz.  
 "La Providencia".—Orizaba.  
 López Cortina, A.—México, D. F.  
 Matsumoto, Shigemasa.—Zaragoza y Arista, Veracruz.  
 Murakami, Ysao.—Hidalgo 323, Veracruz.  
 Muray, Benito K.—Colón 38, Orizaba.  
 Nakanishi, Dionisio S.—Madero 111, Orizaba.  
 Naviera de Cabotaje S. A., Cía.—Veracruz.  
 Shiraki, Asa.—Cortés 70, Veracruz.  
 Urias, César.—República Argentina 17, México, D. F.  
 Yokohashe, Enrique.—Ixtepec, Oaxaca.  
 Zenzes, Alexander Montamus (Dr.).—Mayorazgo 1219 (Apartado 8807), México, D. F.  
 Zenzes, Ernesto.—Mayorazgo 1219 (Apartado 8807), México, D. F.

## Peru

Agencia Nacional de Representaciones S. A.—Lampa 680-A, Lima.  
 Agrícola San Bartolo, S. A., Soc.—Santa, Chimbote.  
 Aida & Co., A.—Lima.  
 Akao, Jorge.—Arequipa.  
 Amemiya & Co., A. N.—Jirón Sinchi Roca 1625, Lima.  
 American Representations S. A., Succesores de F. S. Cockburn.—Lampa 663, Lima.  
 Andrade, Jorge.—Lima.  
 Arakaki, Juan.—Huacho.  
 Azaida, C.—Huaral.  
 Baños y Hotel de Churin.—Churin.  
 Barberis S. A., Hugo.—Cuzco.  
 Bazaar de Novedades Ohmura.—Calle Marquez, Cuzco.  
 Bazaar, Mishiyawa.—Calle Mantas, Cuzco.  
 Bazar Tokio.—Miraflores.  
 Bullitta, Salvador Enologo.—Puno 364, Lima.  
 Buschmann, Federico.—Lampa 680-A, Lima.  
 Calmet & Coloma.—Huanta 1008, Lima.  
 Casa Elva.—Camaná 505, Lima.

Cockburn, F. S.—Iquique 459 y Lampa 663, Lima.  
 Cockburn, Otto.—Lima.  
 Cockburn Hnos.—Lampa 663, Lima.  
 Deneumostier, Julio.—Camaná 505, Lima.  
 Fábrica de Chocolates Bernina.—Olmedo 455, Lima.  
 Fábrica de Embutidos.—Carabaya 581, Lima; and Lima 554, Miraflores, Lima.  
 Factoría Sakata.—Manco Capac 500, Callao.  
 Fernández Hnos. de R., Ltda.—Arequipa.  
 Fukuda, Victoria.—Huaral.  
 Furukawa, K.—Huacho.  
 Gerberding, Bruno.—Avenida Uruguay 490, Lima.  
 Gorbitz, Max.—Real 51, Chiclayo.  
 Goto, Juan.—Avenida Iquitos 601, Lima.  
 Hasegawa, Kumataru.—San Pedro 52, Chiclayo.  
 Hayakawa, Shotaro.—Avenida S. L. González 420, Chiclayo.  
 Hayashida, Tazuhiro.—7 de Enero 663, Chiclayo.  
 Hayasida, Toriki.—San José 614, Chiclayo.  
 Higa Hnos., José.—Huaral.  
 Hiraoka, K.—Esquina Ayacucho y Camarra, Trujillo.  
 Hirose y Omura.—Arequipa.  
 Hishikawa, Vicente.—Juliaca.  
 Horita, R.—Puno.  
 Hotel Europa.—Chiclayo.  
 Hubiaki, Pedro R.—Huaura.  
 Huchiyama, Asaichi.—San Pedro 50, Chiclayo.  
 Huchiyama, Muneichi.—Teatro 722, Chiclayo.  
 Huchiyama, Tekeaki.—San Pedro 50, Chiclayo.  
 Ide, Masatoshi.—Teatro 704, Chiclayo.  
 Ikehara, Santos.—7 de Enero 1107, Chiclayo.  
 Inafuko, Manuel.—Huaral.  
 Industrial Cauchifera Ltda., S. A., Cía.—Pacasmayo 276, Lima.  
 Ishihara & Co.—Huacho.  
 Ishimura, Santos.—Pisco.  
 Iwanaga, Carlos.—Arequipa.  
 Iwasaki, S.—Pueblo Supe.  
 Jinguji, Keiguen.—Santo Domingo 707, Chiclayo.  
 Jonda y Kasano.—Huacho.  
 Kanashiro, Eiko.—Teatro 719, Chiclayo.  
 Kasay, S.—Los Angeles.  
 Kawamoto B., Asahi.—Cuzco 132, Lima.  
 Kaway, Manuel.—Huancayo.  
 Kichikawa, Katuji.—Teatro 613, Chiclayo.  
 Kichikawa, Takeo.—Sáenz Peña 233, Chiclayo.  
 Kiyohara y Cía., Enrique.—Lima.  
 Kobayashi, H.—Cañete.  
 Kodata, I.—Casma.  
 Krefft, Erwin.—Lima.  
 Kudo, José.—Candelaria.  
 Kuhn, Paul.—Carabaya 581, Lima; and Lima 554, Miraflores, Lima.  
 Kuhn, Fábrica de Salchichas Paul.—Yungar 285, Lima.  
 Kuhn, Grifo Paul.—Pista Chosica primera cuadra, No. 228.  
 Kuriaki, Tomás.—Chimbote.



Kurihara, Sazo.—7 de Enero 627, Chiclayo.

La Interamericana.—Casilla 868, Lima.

"La Mariposa".—Carabaya 312, Lima.

La Rosa, Luis.—Esquivel.

"La Victoria", Fábrica de Jebe.—Avenida Iquitos 1100, Lima.

Lucioni V. Sucesores, Carlos.—Arequipa.

Maeda, Akira.—Teatro 627, Chiclayo.

Maeda, J.—Huaral.

Makino, Kenzo.—Eliás Aguirre 128, Chiclayo.

Maruno, Manuel.—Caraz.

Masagi, Hatta.—Pisco.

Matayoshi, Yoshiyuki.—Teatro, Chiclayo.

Matsumoto, M.—Huaral.

Matsumoto, P. M.—Huacho.

Matsuoka, N. O.—Huaral.

Matuy, Sigueso.—7 de Enero 918, Chiclayo.

Miyagosuku, Enroku.—7 de Enero 1107, Chiclayo.

Miyashiro, Julio.—Huaral.

Mizuaral, Kumaki.—Balta 62 Chiclayo.

Mochizaki, José.—Ica.

Molina, Máximo.—Chámbara.

Muta, Kanji.—Teatro 610, Chiclayo.

Nacional de Papeles, S. A., Cía.—Junín 442, Lima.

Naeman, Andrey.—Lima.

Nagahata, José.—Lima.

Nakagawa, Masao.—Colón 648, Chiclayo.

Nakagawa, Yoshiro.—San Pedro 817, Chiclayo.

Nakaneku, Sinei.—Teatro 719, Chiclayo.

Nishiyama, Antonio.—Caraz.

Ogata, Carlos.—Sandía 277, Lima.

Ogata y Cía., Alberto K.—Sandía 254-278, Lima.

Ogawa, Kenho.—7 de Enero 500, Chiclayo.

Ohmuro, M.—Cuzco.

Omura, Z.—San Nicolás.

Paez, Federico E.—Arequipa 263, Lima.

Richter, Adolfo.—Chiclayo.

Rushimito, Pedro.—Chimbote.

Salón Tokio.—Camarra 508, Trujillo.

Shibata, T.—Esquivel.

Shigyo, E.—Abancay 1091, Lima.

Shimabuko, Julio.—Huaral.

Sironoshita, K.—San Nicolás.

Sturmann, H.—Jirón Callao 326 y Juan Fanning 561, Miraflores, Lima.

Suenaga, José H.—Canta 735, La Victoria, Lima.

Takahashi, Tuzin.—San Pedro 160, Chiclayo.

Tanji, Luis.—Huacho.

Tanoue, José.—Ica.

Tatejita, Ituji.—7 de Enero 918, Chiclayo.

Tchiki, Yoshitaro.—Casa Dall'Orso, Chiclayo.

Tomijama, S. A.—Huacho.

Tominaga, Roberto.—Huacho.

Tomita y Cía., I.—Guadalupe 1027, Lima.

Toriu, Turukichi.—Colegio Japonés, Chiclayo.

Toyomura, Tomokichi.—Balta 157, Chiclayo.

Tudela, Rosa.—Arequipa.

Uchiyama, Juan.—Huancayo.

Ueda, Ysabro.—7 de Enero 1119, Chiclayo.

Vinícula Primor S. A., Cía.—Jirón Sinchi Roca 1625, Lima.

Weiss, Karl.—Chiclayo.

Yakabi, S.—Huacho.

Yamada, Hisbaski.—Avenida Manco Capac 251, Lima.

Yamada, Koso.—7 de Enero 1601, Chiclayo.

Yamaguchi, Sinkichi.—7 de Enero 1107, Chiclayo.

Yamashiro, Kotoku.—Balta 310, Chiclayo.

Ydogaawa, Yesada.—San Pedro 108, Chiclayo.

Yoshida, Tatuki.—Teatro 627, Chiclayo.

Yoshika, Uichi.—Teatro 627, Chiclayo.

Yoshimoto, Hiroshi.—Pulpitos 944, Lima.

Zacharias, Helmuth.—Chiclayo.

Zuiko, Teodoro.—Vilcahuaura.

Zukeran, Manuel.—Andahuasi.

#### Uruguay

Empresa Nacional de Radiodifusión, Soc. Ltda.—Ibicuy 1285, Montevideo.

I. N. T. E. L. A. S., Industria Nacional Tejidos en Lana, Algodón, Seda.—Avenida General Flores 2965, Montevideo.

Industria Nacional Tejidos en Lana, Algodón, Seda.—Avenida General Flores 2965, Montevideo.

Radio Nativa (CX 50).—Avenida Simón Martínez 6080 (Kilómetro 11), Montevideo.

Slowak, Roberto.—Nelson 3209, Montevideo.

Von Buch, Max.—Montevideo.

#### Venezuela

Amado, Enrique.—Viveres, Avenida Sucre 89 Oeste, Maracaibo.

#### AMENDMENTS

##### Brazil

For Colonizadora Brasil, Soc.—Lussanvira (P. B.), São Paulo, and Colonizadora do Brasil, Ltd., Soc.—Praça da Sé 399, São Paulo, substitute Colonizadora do Brasil, Ltd., Soc.—Praça da Sé 399, São Paulo.

For General de Obras e Construções S. A., Cía.—Praça Maurá 7, Rio de Janeiro, substitute Geral de Obras e Construções S. A., Cía.—Praça Maurá 7, Rio de Janeiro.

For "GEOBRA" Companhia General de Obras e Construções S. A.—Praça Maurá 7, Rio de Janeiro, substitute "GEOBRA" Copanhia Geral de Obras e Construções S. A.—Praça Maurá 7, Rio de Janeiro.

For Herrmann e Cia.—Rua dos Andradras, Porto Alegre, Rio Grande do Sul, and Livraria Herrmann.—Rua dos Andradras, Porto Alegre, Rio Grande do Sul, substitute Livraria Herrmann.—Rua dos Andradras, Porto Alegre, Rio Grande do Sul.

##### Chile

Relative to Chilena de Comercio Ltda., Soc.—Prat 647 (Casilla 1804) Valparaiso, see footnote 1.

For Martini y Rossi, S. A.—Santiago, and all branches in Chile, substitute Martini & Rossi (Chile) Ltda.—Viña del Mar, and Rossi Hermanos y Cia, Ltda.—Viña del Mar.

For Rensinghoff, Wilhelm y Cía.—Varas 350, Puerto Montt, substitute Rensinghoff, Wilhelm y Cía.—Varas 350, Puerto Montt; and Del Salvador (Casilla 16), Puerto Varas.

##### Colombia

For Almacén Romano.—Carrera 8 No. 12-04, Bogotá, substitute Almacén Romano.—Carrera 8 No. 10-47, Bogotá.

##### Costa Rica

For Castillo, R.—San José, substitute Castillo, Rigoberto.—San José.

##### Ecuador

For Chanange, Gustavo L.—Casilla 103, Guayaquil, substitute Chanange, Gustavo L.—Casillas 103 y 77, Guayaquil.

##### Mexico

For Beick, Guillermo.—Avenida del Rastro, Quinta Pilatenco, Coyoacán, substitute Beick, Guillermo.—Patzcuaro 125, Lomas de Chapultepec, México, D.F.

For Brehme, Hugo.—Avenida Francisco I. Madero 8, México, D.F., substitute Brehme, Arno Hugo.—Avenida Francisco I. Madero 8, México, D.F.

For Cantú, Manuel T.—M. M. del Llano 531 Oriente, Monterrey, substitute Cantú Gracia, Manuel T.—Saltillo, Coahuila.

Relative to "Deutz Otto" Legítimo, S.A., Compañía Mexicana de Motores.—All branches in Mexico, and Mexicana de Motores "Deutz Otto" Legítimo, S.A., Cía.—All branches in Mexico, see footnote 2.

For Kunagay, Víctor.—Huixtla, Chiapas, substitute Kumagai, Victor.—Huixtla, Chiapas.

For "La Suiza".—5 de Febrero 403 Poniente, Monterrey, substitute "La Suiza".—5 de Febrero 403 Poniente, Durango.

For Telefunken, S.A.—México, D.F., substitute Telefunken, S.A.—Avenida Madero 56, México, D.F., and Distribuidora de Radios Telefunken, S.A.—Avenida Madero 56, México, D.F.

Relative to *Tolteca*, for footnote Boat, owned by Gulf Shipping Company, San Juan de Letrán 13, México, D.F., substitute Boat, owned by Compañía Naviera de Cabotaje S.A., Veracruz.

##### Peru

For Sawao, Y.—Samanco and Chimbote, substitute Sawao, Y.—Samanco, Chimbote, and all branches in Peru.

For Yoshida, Yujio.—Eliás Aguirre 128-130, Chiclayo, substitute Yoshiad, Yojio.—Eliás Aguirre 128-130, Chiclayo.

##### Uruguay

For Confitaria Oro del Rhin.—Colonia esquina Convención, Montevideo, substitute Confitaria Oro del Rhin.—Colonia esquina Convención y 21 de Setiembre 2847 (Pocitos), Montevideo.

<sup>1</sup> Not to be confused with Compañía Chilena Comercial S. A., Blanco 669 (Casilla 1573), Valparaiso.

<sup>2</sup> Not to be confused with Deutz Hermanos, S.A., Avenida V. Carranza 25 (Apartado 98), San Luis Potosí.



## Venezuela

For Goecke, H. C.—substitute Goecke, H. C.

## DELETIONS

## Chile

"Floralia" Fábrica de Perfumes Ltda.—Tosca 2522, Santiago.  
Liebherr, Hermann.—Avenida Santa María 449, Santiago.

## Ecuador

Gómez Valencia, Alberto.—Venezuela 89-A, Quito.  
Leiberg, Rudolf Joachim.—Malecón Simón Bolívar 2106 (Casilla 755), Guayaquil.

## El Salvador

Beneficio "Santa Elena".—San Pedro Puxtla, Ahuachapán.  
Schmidt, Carlos A.<sup>1</sup>—San Pedro Puxtla, Ahuachapán.

## Guatemala

Cojulun R., Raquel (Lcda.).—Guatemala, Guatemala.  
Hotel Astoria.—6a Avenida Sur y 9a Calle, Guatemala, Guatemala.  
Kummerfeldt, Hertzsch & Co.—Chicacao, Suchitepequez.  
Zepeda de León, Miguel.—7a Calle Oriente 45, Guatemala, Guatemala.

## Honduras

Morales, Moeller & Co.—San Pedro Sula.

## Mexico

Botica La Profesa.—Saltillo.  
Botica San Francisco.—M. M. del Llano 531 Oriente, Monterrey.  
El Escritorio, S. A.—Jalapa, Veracruz.  
El Palacio de Hierro.—Parral, Chihuahua.  
Fernández, Rafad.—México, D. F.  
Gutiérrez, Ismael.—Parral, Chihuahua.  
Putz, Heinrich.—Ocampo 760 Oriente, Monterrey.  
Tellez Oronoz, Ricardo Pérez.—Jalapa, Veracruz.  
Zertuche, Juan (Jr.).—Saltillo.

## Peru

Zeballos, Juan C.—Lima.

## PART II—LISTINGS OUTSIDE AMERICAN REPUBLICS

## ADDITIONS

## Andorra

"Interco" Cia. Internacional de Industria y Comercio de Andorra.—Andorra la Vieja.  
Internacional de Industria y Comercio de Andorra, Cia. "Interco".—Andorra la Vieja.

## Iran

A. E. G.—Tehran, and all branches in Iran.  
Atlas Transport.—Ave. Lalezar, Tehran.  
Austria Export.—Ave. Ferdowsi, Tehran.  
Barbieri, Guiseppe.—Ave. Chah 773, Tehran.

<sup>1</sup> This individual is not connected with Carlos A. Schmidt & Co. of San Salvador.

Bayer & Co.—Tehran.  
Darudi (Darroudi), Aghal Ali.—Meshed.

Darudi (Darroudi), Mehdi.—Meshed.  
Fasting, Ernst.—Ave. Ferdowsi, Tehran.

Ferrostahl & Co.—Tehran.  
Formenton, Luigi.—Tehran.  
Freitze, Hans.—Tabriz.  
Hansa Line, D. D. G.—Tehran, and all branches in Iran.

Hochtief S. A. Iranienne.—Rue Hedayat, Tehran.

Holzmann, Philipp.—Ave. Seyyum Esfand, Tehran.

Ibttag.—Ave. Pahlevi, Tehran.  
Impresse Italiana All'estero-Oriente (Moassesseyeh Italiani Dar Kharedjeh-Chargh).—Ave. Shah, Tehran.

Iran-Japan Trading Co. Ltd.—Tehran.  
Janowsky, Georges.—Ave. Seyyum Esfand, Tehran.  
Krupp & Co.—Tehran.

Kuehnreich, Nico.—Tehran.  
Lendle, H.—Ave. Ferdowsi, Tehran.  
Leschan, Konstantin.—Ave. Ferdowsi, Tehran.

Lloyd Triestino.—Tehran.  
Lubel, Sherkat Sahami.—Tehran.  
M. A. N.—Tehran.

Mitsui Bussan Kaisha Ltd.—Tehran.  
Monberg, Axel.—Tehran.

Nouvel Iran-Express (Iran Expressi Nov).—Ave. Ferdowsi, Tehran, and all branches in Iran.

Oertel, R.—Ave. Tewfighi, Tehran.  
Rust, Heinrich.—Ave. Raphael, Tehran.

Schaefer, Henry.—Ave. Ferdowsi, Tehran.

Schiffahrtskontor Fuer Iran G.m.b.H.—Tehran, and all branches in Iran.

Schlüter, Edward.—Tehran.  
Schnell, Willy.—Tehran.  
Schunemann.—Isfahan.

Sherkat Industria Ba Massooliat Mahdood.—Khiban Ferdowci, Tehran.  
Shirkat Irani Barbari Saheli.—Tehran, and Ahwaz.

Siemens & Co.—Tehran.  
Spiegel, Erwin.—Tehran.  
Telefunken.—Tehran.

Thorsen, Ejnar.—Tehran.  
Tubino, Ricardo.—Ave. Chah 773, Tehran.

Undeutsch, F. & Co.—Tehran, and all branches in Iran.

Weinzinger, Dr. Erich.—Tehran.  
Wolfinger, Carl.—Tabriz.

## Iraq

Abdeni, Ernest.—Samawal St., Baghdad.

Abdeni, Gabriel.—Samawal St., Baghdad.

Abdeni, G. G. & Co. Ltd.—Samawal St., Baghdad.

Apánai, Amin.—13A-23, Rewak Lane, Baghdad.

Assoud, Cesar.—Khan Hayawi, Rewaq, Baghdad.

Aziz Ephraim.—228-1, Al Rashid St., Baghdad.

Baladi, Edgar Habib.—5-33, Rewaq St., Baghdad.

Baladi, H. & Fils.—5-33, Rewaq St., Baghdad.

Banco di Roma.—Al Rashid St., Baghdad.

Bata Shoe Co.—Baghdad.  
Daud, Abdul Ahad.—Al Rashid St., Baghdad.

De Kelaita, R. M.—158 Shorja, P. O. Box 78, Baghdad.

Ezra E. Brothers.—228-1, Al Rashid St., Baghdad.

Farraj, Artine J.—5A-176, Ras-el-Karya, and 6-11, Karrada Sabba Ksoor, Baghdad.

Ferrostahl A. G.—Bab-al-gha, Baghdad.

Gabbay, E. H.—228-1, Al Rashid St., Baghdad.

Gabbay, Ezra Ephraim.—228-1, Al Rashid St., Baghdad.

Gabbay, N. S.—228-1, Al Rashid St., Baghdad.

Hobayashii & Suma, Kenji.—Mustansir St., Baghdad.

Iraq Trading Co.—228-1, Al Rashid St., Baghdad.

Menger, Ahmet Veli.—13A-23, Rewak Lane, Baghdad.

Orient Optical Co.—Al Rashid St., Baghdad.

Saad, Sami ud Din.—104-27, Ma' Mun St., Baghdad.

Samhery, Antoine.—Baghdad.

Sami Drug Store.—Ras al Qassah, Baghdad.

Sanawi, Tariq al.—Al Rashid St., Baghdad.

Shammas, Jean.—8-33 Khan Hayawi, Rewaq, Baghdad.

Société Anonyme Egyptienne de Chaussures Bata, Alexandrie Dept., Iraq.—Baghdad.

Varga, Victor.—King Faisal Ave., Baghdad.

Zebouni, Selim.—Rewaq, Baghdad.

## Liechtenstein

Bock, Dr. Paul Friedrich.—Vaduz.

Credit Commercial et Industriel Trust.—Vaduz.

Etepha, A. G.—Eschen.

Export Transithandels A. G.—Triesen.

Gasina Trust A. G.—P. O. Box 444-72, Vaduz.

Hanauer & Schmidt A. G.—Muhleholz, Vaduz.

Papier und Bureaubedarfsartikel, A. G. für.—Vaduz.

"Ramco" A. G., Zahnfabrik (The Ramco Tooth Mfg. Co. Ltd.).—Schaan.

Sprenger Corp.—Vaduz.

## Portugal and Possessions

## Portugal

Almada e Lencastre, Nuno Miguel de.—Praca Duque da Terceira 24, and Rua Primo de Maio, Lisbon.

Almeida, Jose Cardoso de.—Rua Nova da Alfandega 77, Oporto.

Alves, Fernando.—Ave. Almirante Reis 28, Lisbon, and "Alfaiateria Lisbonense", Montemor-o-Novo.

Antunes, Fernando.—Rua Guilherme Braga 2, Lisbon.

Barrosa, Armando Barcelos da Silva.—Rua Mousinho da Silveira 287, Oporto.

Boloto, Domingos Lourenco.—Rua da Vitoria, Viseu.

Broedersdorf, Hans (Joao) Erich.—Rua Marques Sa da Bandeira 124, Lisbon; and Alhos Vedros, Moita.



Camilo, Heiter Luiz.—Rua Augusta 176, Lisbon.

Cardoso, Guedes & Cia. Ltda.—Rua Dr. Alexandre Braga 88, Oporto.

Coelho, A. Filho.—Viana do Castelo, and Praca da Republica, Oporto.

Coelho, A. & Cia.—Viana do Castelo, and Praca da Republica, Oporto.

Coelho, A. Ltda.—Viana do Castelo, and Praca da Republica, Oporto.

Correia Ltda., Antonio.—Rua Alexandre Herculane 59, Lisbon.

Costanzo, Dr. Giovanni.—Rua da Emenda 30, Lisbon.

Empresa Mineira de Sabrosa Ltda.—Rua Trindade Coelho 1, Oporto.

Empresa Nacional de Pesca—Enape Ltda.—Rua Serpa Pinto 122, Matozinhos, Oporto.

Enape Ltda. (Empresa Nacional de Pesca).—Rua Serpa Pinto 122, Matozinhos, Oporto.

Exploradora de Transportes Ltda., Soc.—Praca Duque da Terceira 24, Lisbon.

Fahrmeir, Adolf.—Rua do Crucifixo 76, Lisbon.

Fahrmeir, A. Ltda.—Rua do Crucifixo 76, Lisbon.

Fernandes, Abel.—Rua Augusta 176, Lisbon.

Ferraz & Alcada.—Guarda.

Freitas Sucrs. Ltda., Jose Augusto de.—Rua Cais de Monchique 22, Oporto.

Gourdell, G.—Palace Hotel, Estoril, Lisbon.

Halpern, Samy.—Rua Aurea 280, Lisbon.

Hora, Virgilio Felisberto Martins da.—Rua de Andaluz 17, Lisbon.

Inacio, Antonio Francisco.—Alcanena.

Lacasta Ltda.—Olhao.

Lucas & Cia. Ltda.—Rua Herois de Franca 223, Matozinhos, Oporto.

Lucas & Filhos, Joaquim Ferreira Pedro.—Rua Serpa Pinto 227, Matozinhos, Oporto.

Lucas & Filhos Ltda., Antonio.—Ave. Meneres 853, Matozinhos, Oporto.

Machado, Olivia.—Rua Conde S. Salvador 106, Matozinhos, Oporto.

Magalhaes, Mario Ferreira.—Vila Mea.

Malheiro, Antonio.—Viana do Castelo, and Praca da Republica, Oporto.

Malheiro, Antonio Coelho de Castro Vilas-Boas.—Viana do Castelo, and Praca da Republica, Oporto.

Mederos Gil, Luis.—Lisbon.

Midoes, Alberto Emidio.—Central Hotel, Rua Brito Capelo 161, Matozinhos, Oporto.

Oleos Lubrificantes Ltda., Soc. de.—Ave. Joao Crisostomo 72, Lisbon; and Rua Santa Catarina 253, Oporto.

Oliu, Americo.—Rua dos Panqueiros 257, and Travessa da Trabuqueta 28, Lisbon.

Peixoto, Antonio "Uniao Mecanica".—Rua de Santo Andre, Braga.

Peixoto, Nuno Miguel.—Lisbon.

Pereira, Francisco Miguel.—Mora-Setubal.

Pereira, Guilherme.—Ave. de Berne, Lisbon; and Quinta de Grilo, Carnaxide.

Pereira & Cia. Ltda., Guilherme.—Ave. de Berne, Lisbon.

Polonia, Adao Pacheco.—Rua Brito Capelo 1104-1200, and Rua Serpa Pinto 122 Matozinhos, Oporto.

Polonia & cia. Ltda., Adao.—Rua Brito Capelo 1104-1200, Matozinhos, Oporto.

Ramos, Manoel.—Carcavellos.

Ramos Ltda., Jose.—Rua Aurea 280, Lisbon.

Ribatejo Ltda., Soc. do.—Praca do Municipio 13, Lisbon; and at Fontes de Reguengo, Pontevel.

Rodrigues, Albino Casimiro.—Castro Daire, Folgosa.

Rosenstein, Martin (Mojzesk).—Rua da Palma 126, and Rua Zaire 5, Lisbon.

Sardinha Ltda., Antonio.—Rua Santa Catarina 253, Oporto.

Sartorio, Ennio.—Ave. da Liberdade 232, Lisbon.

Sousa, Francisco Sales Pereira de.—Belmonte.

Sousa, Virgilio Pereira de.—Belmonte.

Swiss Watch Trust—Trust Relojoeiro Suisso Ltda.—Rua Aurea 280, Lisbon.

Trust Relojoeiro Suisso Ltda. (Swiss Watch Trust).—Rua Aurea 280, Lisbon.

"Uniao Mecanica" Antonio Peixoto.—Rua de Santo Andre, Braga.

Waldsachs, Emil.—Rua Nova do Almada 81, Lisbon.

#### Mozambique

Manna, Alfredo M.—Rua Consigliere, Lourenço Marques.

Mascarenhas, Santana Piedade.—Caixa Postal 279, Beira.

Pagan, Carlos.—Rua Consigliere, Lourenço Marques.

Pagan, Umberto.—Rua Consigliere, Lourenço Marques.

Stefani e Radio Roma, Agencias.—Rua Consigliere, Lourenço Marques.

#### Spain and Possessions

##### Spain

Bracker, Ernesto Heinrich.—Rambla Cataluna 66, Barcelona.

C. I. E. R.—Cia de Importaciones Exportaciones y Representaciones.—Ave. Jose Antonio 27, Madrid.

Caruncho, H.—Lagasca 66, Madrid.

Casas Narciso.—Via Layetana 36, Barcelona.

Colombin, Bruno.—Seville, and other addresses in Spain.

Comercial Hispano-Neerlandesa Cia. (Nedspana S. A. E.)—Ayala 10, Madrid.

Consignaciones Exportacion Representacion Importacion Soc. Ltda.—C. E. R. I.—Plaza Cataluna 9, Barcelona.

Foerster, Federico.—Calle Consejo de Ciento 335, Barcelona.

Giannini, Fausto.—Madrid.

Hengstenberg, Hermann.—Hermanos Orozco 7, Madrid.

Importaciones Exportaciones y Representaciones, Cia. de (C. I. E. R.)—Ave. Jose Antonio 27, Madrid.

Mencarelli Santirelli, Amadeo.—Madrid.

Monguio y Scharlau Sucr.—Aragon 219, and Calle Balmes 65, Barcelona; and Ave. Jose Antonio 25, Madrid.

Nedspana S. A. E.—Cia. Comercial Hispano-Neerlandesa.—Ayala 10, Madrid.

Pavon Isern, Miguel.—Velazquez 110, Madrid.

Productos Quimicos Gehe.—Calle Moncada 21, Barcelona.

Quimica Farmaceutica Industrial, S. A.—Calle Miguel Moya 4, Madrid.

Raskop, Juan.—Gran Via 62, Bilbao.

Restegui Solar, Jose.—Trinidad 37, and Instituto 16, Gijon.

Schneeigluth, Hans Meyer.—Calle Camps y Fabres 7, Barcelona.

Serrats, Jose.—Capitan Zubiaur, Bermeo, Vizcaya.

Serrats, J. e. Hijos.—Captain Zubiaur, and Portal San Francisco 12, Bermeo, Vizcaya.

Trautwein, Hans Otto.—Ayala 10, Madrid.

Travalloni (Trabaglioni), Attilio.—Ave. Jose Antonio 27, Madrid.

Tresmafil S. A.—Bilbao.

Virzi, Francisco.—Teis, nr. Vigo.

Virzi, Juan.—Teis, nr. Vigo.

Ziegler, Wolfgang.—Ave. Jose Antonio 27, Madrid.

#### Canary Islands

Mederos Gil, Luis.—Las Palmas, Grand Canary.

#### Sweden

Bris, Rederi A/B.—Stureplan 4, Stockholm.

Carlberg, C. E.—Odengatan 42, Stockholm.

Helmstrand, Karl A.—David Bagaresgatan 3, Stockholm.

Larssons Rederi A/B.—Stureplan 4, Stockholm.

Larssons Skeppsmakleri, A/B.—Stureplan 4, Stockholm.

Larssons Skeppsmakleri, Oxelosunds Kontoret A/B.—Oxelosund.

Mattsson, H. Handels & Agenturfirma.—Kungsgatan 30, Stockholm.

Nordenstein, Oscar.—Stockholm.

Ronstrom, Snr. & Co. A/B, William.—Starndvagen 3, Stockholm.

Schmitterlow, Bertram.—Blasieholmstorg 9, Stockholm.

Seestedt, Adolf.—Erik Dahlbergsgatan 33, Stockholm.

#### Switzerland

Abt-Türler & Co., A. G.—Bettingerstr. 112, Riehen.

Ammann, Carl Ludwig.—Zürich.

Balmer, H.—Wabernstr. 24, Bern.

Beyer, Max.—Arbon.

Boller, Hans.—Gossau, Zürich.

Boller-Benz, H.—Albisriederstr. 184, Zürich.

Buchwalter, Emanuel.—Bogenscheut-zenstr. 6, Bern.

Comptoir Commercial S. A. (Handels Kontor A. G.)—Bogenscheut-zenstr. 6, Bern.

Deutsche Zeitung in der Schweiz.—Bahnhofplatz 3, Bern.

Diener, R. W.—Mullerstr. 33, Zürich.

Egli, Jean Martin.—Wil, St. Gallen.

Glühlampenfabrik Winterthur A. G.—Burglistr. 33, Winterthur.

Gremminger, Ferdinand.—Schaffhausen.

Guindani, Mario.—Klingenstr. 34, Zürich.

Hartman A. G. Gebr.—Neubrunnenstr. 41, Oerlikon, Zürich.

Marti, Fritz.—Ryfflgaesschen 6, Bern.

Mencarelli Santirelli, Amadeo.—Zürich.

Nied, Dr. Willibald.—Bahnhofplatz 3, Bern.



Rod & Co.—Corseaux S/Vevey, and Rue du College, Vevey.  
 Schneider, Ines.—Lugano.  
 Tanner, Ernesto.—Viganello.  
 Verlags G. m. b. H.—Thunstr. 11, Bern.  
 Verwaltungs Gesellschaft der Werkzeugmaschinenfabric Oerlikon.—Birchstr. 155, Zürich.  
 Wiesinger, Max.—Morgantenring 159, Basel.  
 Wolff, P. W. W.—Thunstr. 11, Bern.

*Turkey*

Aslan, Albert.—Havyar Han 89, Dahili, 2, Galata, Istanbul.  
 Aslan, Figli Pietro—Piyer Aslan Mahdumlari.—Havyar Han 89, Dahili 2, Galata, Istanbul.  
 Aslan, Joseph.—Havyar Han 89, Dahili 2, Galata, Istanbul.  
 Aslan Mahdumlari, Piyer (Pietro Aslan Figli).—Havyar Han 89, Dahili 2, Galata, Istanbul.  
 Bennahmias, Isakino.—Vakif Han 2, Istanbul.  
 Bennahmias, M. L. Halefi.—Vakif Han 2, Istanbul.  
 Kapps & Livadari (Antonio Livadari & Heinrich Koelle Sucr.).—Sultanhamam, Messadet Han, Istanbul.  
 Koelle, Heinrich.—Sultanhamam, Messadet Han, Istanbul.  
 Livadari, Antonio.—Sultanhamam, Massadet Han, Istanbul.  
 Livadari & Heinrich Koelle Sucr., Antonio—Kapps & Livadari.—Sultanhamam, Messadet Han, Istanbul.  
 Maier, M. U.—Alyanak Han 11-18, Istanbul.  
 Maier, Norbert.—Sultanhamam, Vakif Han, and Alyanak Han 11-18, Istanbul.  
 Reforzo, Umberto.—Cituri Han, Galata, Istanbul.

AMENDMENTS

*Portugal*

In relation to A. Transportadora Ltda., for S. S. Transportadora, substitute S. S. Transportador.

*Spain*

For C. E. R. I. Soc. Ltda., substitute C. E. R. I. (Consignaciones Exportacion Representacion Importacion Soc. Ltda.)  
 In relation to Comercial Maritima de Transportes S. A., Cia., add S. S. José Trujillo.  
 In relation to Naviera Levantina Ltda. Cia., delete S. S. Carmen.  
 In relation to Piastra, Attila Augusto, for Calle del Sil 28, substitute Ave. José Antonio 65.  
 For Zenker, Pablo, substitute Zenker, Heredos de Pablo.

*Switzerland*

For Schmucki, Max A., substitute Schmucki, Max Alfred.  
 In relation to Zeitungs A. G., for Aeschenvorstadt 50, substitute Thiersteinallee 23.

*Turkey*

For Guizani, M. S., substitute Guilani, M. S.  
 For Hollenbach-Boeck, substitute Hollenbach, G. (Hollenbach-Boeck).  
 For Raymond, Raoul, substitute Raymond, Raoul.

DELETIONS

*Portugal*

Meyer, Frida.—Lisbon.  
 Stern, Dr. Eduard—Travessa Enviado da Inglaterra 20, Lisbon and at Vila Verde, Paranhos.

*Turkey*

Kadlec.—Unyon Han 64, Istanbul.

[F. R. Doc. 42-5805; Filed, June 20, 1942; 1:28 p. m.]

TITLE 25—INDIANS

Chapter I—Office of Indian Affairs

PART 71—GENERAL GRAZING REGULATIONS

GRAZING PERMITS; BOND REQUIREMENTS

Title 25, Chapter I, Subchapter I, Grazing, Part 71, General Grazing Regulations, § 71.16 and 71.17 are amended to read as follows:

§ 71.16 *Grazing permits for organized and unorganized tribes.* (a) Permits may be issued by the person or persons duly authorized to grant grazing privileges, as defined in § 71.10, with the approval of the Superintendent and the concurrence of the Regional Forester, on range units exceeding 3,200 acres of allotted and tribal lands of organized tribes and in all other cases when the annual grazing fees exceed \$500. Permits may be issued with the approval of the Superintendent only on range units of 3,200 acres or less of allotted and tribal lands when the annual grazing fees do not exceed \$500.

(b) Permits may be issued by the Superintendent or other authorized person or persons with the concurrence of the Regional Forester on range units exceeding 3,200 acres of allotted and tribal Indian lands of unorganized tribes, or Government lands as defined in § 71.27, and in all other cases when the annual grazing fees exceed \$500. Permits may be issued by the Superintendent without the concurrence of the Regional Forester on range units of 3,200 acres or less when the annual grazing fees do not exceed \$500.

(c) All permits not requiring concurrence or approval of the Regional Forester shall be issued pursuant to advertisement concurred in by the Regional Forester. The Superintendent shall mail promptly to the Commissioner of Indian Affairs and the Regional Forester a copy of each permit upon issuance thereof.

The Commissioner of Indian Affairs, subject to the provisions of § 71.18, may modify or cancel any permit after written notice to the permittee, when necessary to protect and conserve the range. (R. S. 161, 465, sec. 3, 26 Stat. 795, sec. 1, 30 Stat. 85, sec. 1, 31 Stat. 229, sec. 4, 36 Stat. 856, sec. 1, 41 Stat. 1232, secs. 6, 16, 17, 18, 48 Stat. 986, 987, 988; 5 U.S.C. 22, 25 U.S.C. 9, 397, 395, 403, 393, 466, 476, 477, 478)

§ 71.17 *Bond requirements.* Permits must provide for the payment of grazing fees annually or semi-annually in advance. The total amount of the fees for annual permits must be paid in advance.

(a) Full performance of all permits for periods exceeding one year shall be guaranteed by corporate surety bond of a company holding a Certificate of Authority from the Secretary of the Treasury or a satisfactory personal surety bond of not less than four solvent sureties in a penal sum of not less than the annual grazing fees. Each personal surety must own unencumbered real estate of a value equal to twice the amount of the bond and must furnish satisfactory evidence of such unencumbered real estate. If married the spouse of the surety must also sign the bond and each signature must be witnessed by at least two individuals and their Post Office addresses must appear in the instrument. It shall be the duty of the Superintendent to determine the qualifications of each personal surety. Attorneys-in-fact for corporate surety bonds must furnish satisfactory evidence of authority to execute bonds for and on behalf of the surety company.

(b) In lieu of furnishing a surety bond, a permittee may in addition to paying the grazing fees annually in advance, deposit at the time of the first payment of the fees a sum equal to one-half of the annual grazing fees. This sum shall be held by the Superintendent as a cash penal bond and may be applied to the grazing fees due for the last six months of the permit provided that no breach of the permit has taken place. In all cases where a cash deposit is made in lieu of a surety bond, the permittee shall in writing at the time of making the deposit, authorize the Superintendent to use the amount so deposited as liquidated damages in the event of any breach of the permit. Except for the first year, grazing fees on permits supported by cash penal bonds are due and payable at least three months prior to the commencement of the annual period described in the permit.

(c) Negotiable United States Treasury bonds or other negotiable Treasury obligations may be pledged in lieu of a cash penal or surety bond under the same conditions and stipulations for cash penal bonds. Such Government securities shall be forwarded to the Commissioner of Indian Affairs for deposit with the United States Treasury and must be accompanied with a proper power of attorney authorizing disposal thereof by the Commissioner of Indian Affairs as liquidated damages in the event of any breach of the permit.

(d) The Superintendent may waive the bond requirements on permits issued to Indians when the livestock to be grazed under the permit is branded with the I. D. or approved reservation brand, and the Indian permittee executes an agreement to sell the livestock grazed under the permit in accordance with regulations governing the sale of livestock so branded and authorizes the Superintendent in writing to deduct from the pro-



ceeds of any sales of such livestock sufficient funds to pay the grazing fees due under the permit. (R.S. 161, 465, sec. 3, 26 Stat. 795, sec. 1, 30 Stat. 85, sec. 1, 31 Stat. 229, sec. 4, 36 Stat. 856, sec. 1, 41 Stat. 9, sec. 1, 41 Stat. 1232; 5 U.S.C. 22, 25 U.S.C. 9, 397, 395, 403, 214, 393)

Date: June 10, 1942.

OSCAR L. CHAPMAN,  
Assistant Secretary of the Interior.

[F. R. Doc. 42-5770; Filed, June 19, 1942;  
3:51 p. m.]

### TITLE 30—MINERAL RESOURCES

#### Chapter III—Bituminous Coal Division

[Docket No. A-1371]

#### PART 339—MINIMUM PRICE SCHEDULE, DISTRICT NO. 19

##### RELIEF GRANTED

Order approving and adopting proposed findings of fact, proposed conclusions of law of the Examiner and granting relief in the matter of the petition of District Board No. 19 for the establishment of a price classification and minimum price for the coals in size group 8 produced at certain mines in District No. 19 for shipment by rail into Market Area 243 (Alaska).

This proceeding was instituted upon an original petition filed on March 20, 1942, with the Bituminous Coal Division by the Bituminous Coal Producers Board for District No. 19, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Petitioner requests that the Schedule of Effective Minimum Prices for District No. 19 For All Shipments be amended by the establishment of a minimum price of \$2.75 per net ton f. o. b. the mines for coals in Size Group 8 produced at mines classified in Subdistricts 1 and 2 in District No. 19 for rail shipment into Market Area 243 (Alaska).

After due notice to interested persons, a hearing in this matter was held before Scott A. Dahlquist, a duly designated Examiner of the Division, at a hearing room thereof in Salt Lake City, Utah, on April 7, 1942, and upon continuances, on April 8, 1942 and April 9, 1942. All interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses and otherwise be heard. Appearances were entered by petitioner and by the United States Fuel Company, Salt Lake City, Utah.

Examiner Dahlquist submitted, on May 18, 1942, his Report, Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation. The Examiner stated that an increased demand for nut coals on the part of the Government for the prosecution of the war effort in Alaska—constituting Market Area 243—was anticipated; that District No. 23 producers, who ordinarily supplied Alaska from United States coals, will not be able to satisfy the expected increased demand; and that Subdistricts 1 and 2 in District No. 19 wished to be able to com-

pete for the expanding nut coal market in Alaska along with Subdistrict 1 in District No. 20. The Examiner found that the minimum price effective for nut coal for shipment to Market Area 243, produced in Subdistrict 1 of District No. 20 and classified in Size Group 7—the size group comparable to Size Group 8 (3' x 1 5/8") for District No. 19 coals—was \$2.75 per net ton f. o. b. the mines. Examiner Dahlquist pointed out that, since no price had been established for coals in Size Group 8 for rail shipment to Market Area 243 from District No. 19, an applicable price instruction requires that such coal take a price of \$3.00 per net ton f. o. b. the mines for shipment to Alaska. Examiner Dahlquist referred to the uncontroverted testimony elicited at the hearing before him to the effect that a minimum price of \$2.75 per ton f. o. b. the mines for Size Group 8 coals for shipment to Alaska from Subdistricts 1 and 2 in District No. 19 had been omitted from the District No. 19 price schedule simply through inadvertence. Further reference was made by the Examiner to the uncontroverted testimony that the price for coal in Size Group 8 produced in Subdistricts 1 and 2 in District No. 19 when consigned to Seattle, Washington, was the same as the effective price for the same size coal consigned to Seattle from Subdistrict 1 in District No. 20, and that the effective minimum prices now effective for coal in Size Groups 1, 2, 3, 5 and 6 for rail shipment to Alaska produced in Subdistricts 1 and 2 in District No. 19 were on a parity with the prices effective for coal in comparable size groups produced in Subdistrict 1 of District No. 20 for shipment to the same market area.

The Examiner pointed out that no objection had been offered to the granting of the relief asked for. He recommended that the relief asked for be granted, concluding that such relief would satisfy applicable price fixing provisions of the Act by affording District No. 19 an opportunity fairly to compete with District No. 20 for the anticipated increased demand for nut coals from Market Area 243.

An opportunity was afforded to all parties to file exceptions to the Proposed Findings of Fact, Proposed Conclusions of Law and Recommendation of the Examiner and supporting briefs. No exceptions or supporting briefs have been filed.

The undersigned has determined that the proposed findings of fact and proposed conclusions of law of the Examiner in this matter should be approved and adopted as the findings of fact and conclusions of law of the undersigned.

Now, therefore, it is ordered, That the said proposed findings of fact and proposed conclusions of law be, and they hereby are, approved and adopted as the findings of fact and conclusions of law of the undersigned.

It is further ordered, That, commencing forthwith, § 340.5 (General Prices, minimum prices for shipment via rail transportation) in the Schedule of Effective Minimum Prices for District No. 19 For All Shipments Except Truck be,

and it hereby is, amended by the establishment of a minimum price of \$2.75 per net ton f. o. b. the mines for the coals in Size Group 8 produced in Subdistricts 1 and 2 for shipment by rail into Market Area 243 (Alaska).

Dated: June 20, 1942.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-5881; Filed, June 22, 1942;  
11:49 a. m.]

### TITLE 32—NATIONAL DEFENSE

#### Chapter IX—War Production Board

Subchapter B—Division of Industry Operations  
PART 1041—PRODUCTION, TRANSPORTATION,  
REFINING AND MARKETING OF PETROLEUM  
[Amendment 1 to Preference Rating Order  
P-98, Extended and Amended]

Paragraph (a) (3) is hereby amended to read as follows:

##### (a) Definitions. \* \* \*

(3) "Main gas trunk line" means any pipeline and appurtenant structures carried as a "trunk line" on the books of an operator in accordance with the regulations of any duly constituted public regulatory body or, where there is no duly constituted public regulatory body regulating the accounting procedures of the operator, carried as a "trunk line" on the books of an operator for Federal or Dominion (whichever is appropriate) income tax purposes.

Paragraph (a) (9) is hereby amended to read as follows:

##### (9) "Operator" means:

(i) Any person located in the United States, its territories and possessions, engaged in operating a petroleum enterprise;

(ii) Any person located in the Dominion of Canada engaged in operating a petroleum enterprise to whom and in whose name a copy of this order is specifically issued and to whom a serial number has been assigned.

Paragraph (d) (1) is hereby amended by changing paragraph (d) (1) (v) and by adding paragraph (d) (1) (vi) as follows:

(d) Restrictions on use of ratings—  
(1) Restrictions on operator. \* \* \*

(v) The operator, as defined in paragraph (a) (9) (i), may not apply a rating to obtain material for any use which is restricted, prohibited or in any way limited by any order issued by the Director of Industry Operations, other than material to be used in conformity with the provisions of such order.

(vi) The operator, as defined in paragraph (a) (9) (ii), may not apply a rating to obtain material for any use which is restricted, prohibited or in any way limited by any applicable order or equivalent authority issued by the Gov-

<sup>1</sup> 7 F.R. 278, 903, 1495, 1721, 2099, 3712.



ernment of the Dominion of Canada, other than material to be used in conformity with the provisions of such order or equivalent authority.

Paragraph (e) (3) is hereby amended to read as follows:

(e) *Application of preference ratings.*

(3) In addition to the requirements of paragraph (e) (1), in order to apply the preference rating assigned by paragraph (b) (5) (ii):

(i) The operator, as defined in paragraph (a) (9) (i) (but not a supplier), must obtain the countersignature of the Director in charge of a District Office of the Office of Petroleum Coordinator upon the purchase order or contract which such operator has endorsed and signed pursuant to paragraph (e) (1);

(ii) The operator, as defined in paragraph (a) (9) (ii) (but not a supplier), must obtain the countersignature of the Oil Controller, Dominion of Canada, upon the purchase order or contract which such operator has endorsed and signed pursuant to paragraph (e) (1).

Paragraph (e) (4) is hereby amended to read as follows:

(e) *Application of preference ratings.*

(4) In addition to the requirements of paragraph (e) (1), in order to apply the preference ratings assigned by paragraphs (b) (5) (i), (b) (6) (i) and (b) (6) (ii):

(i) The operator, as defined in paragraph (a) (9) (i) (but not a supplier), must obtain the countersignature of the Director in charge of a District Office of the Office of Petroleum Coordinator upon the purchase order or contract which such operator has endorsed and signed pursuant to paragraph (e) (1), unless any individual item to be obtained under the ratings assigned by these paragraphs and to which a preference rating is to be applied has a cost to the operator of \$500 or less;

(ii) The operator, as defined in paragraph (a) (9) (ii), (but not a supplier) must obtain the countersignature of the Oil Controller, Dominion of Canada, upon the purchase order or contract which such operator has endorsed and signed pursuant to paragraph (e) (1), unless any individual item to be obtained under the ratings assigned by these paragraphs and to which a preference rating is to be applied has a cost to the operator of \$500 or less.

Paragraph (f) is hereby amended to read as follows:

(f) *Restrictions on use of material obtained under a rating.* (1) When an operator has applied a rating authorized by this order, he must use the material delivered pursuant to the rating or an equivalent amount of material for the purpose stated in his endorsement pursuant to paragraph (e).

(2) In no event shall any operator, as defined in paragraph (a) (9) (i), use material delivered to him pursuant to a

preference rating assigned by this order in violation of the provisions of any conservation order issued by the Director of Industry Operations.

(3) In no event shall any operator, as defined in paragraph (a) (9) (ii), use material delivered to him pursuant to a preference rating assigned by this order in violation of the provisions of any order or equivalent authority issued by the Government of the Dominion of Canada.

Paragraph (j) is hereby amended to read as follows:

(j) *Communications.* All reports which may be required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed:

(i) By any person located in the United States, its territories or possessions to: Office of Petroleum Coordinator Washington, D. C. Ref: P-98.

(ii) By any person located in the Dominion of Canada to: Office of Oil Controller, Dominion of Canada, Toronto, Canada. Ref.: P-98.

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

Issued this 19th day of June, 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-5758; Filed, June 19, 1942; 3:09 p. m.]

**PART 1029—FARM MACHINERY AND EQUIPMENT AND ATTACHMENTS AND REPAIR PARTS THEREFOR**

[Amendment 4 to Limitation Order L-26]

Schedule A (including Schedule A-1) as defined in § 1029.1 (Limitation Order L-26 as amended<sup>1</sup>), is hereby amended in the following particulars:

1. Division 1 (Beekeepers' Supplies) of Group 17 (Miscellaneous Farm Equipment) is hereby amended to read as follows:

	Quota
Division 1: Beekeepers' supplies:	(percent)
Item 1. Beekeepers' supplies (except beehives).....	100
Item 2. Beehives (wooden, except for necessary nails, and steel strips and wire for foundation frames).....	133

2. Type 2 of Item 1 (Turbine Pumps) of Division 1 (Irrigation Pumps) of Group 18 (Irrigation Equipment) is hereby amended to read as follows:

	Quota
Type 2. Turbine pumps 1200 GPM and up:	(percent)
Sub-type a. Electric.....	0
b. Belt driven.....	(2)

<sup>1</sup> That amount only for which contracts or purchase orders are received bearing a preference rating of A-3 or higher.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7

<sup>2</sup> 7 F.R. 34, 2504, 2787, 3713.

F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of June 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-5788; Filed, June 20, 1942; 10:36 a. m.]

**PART 1047—PETROLEUM MATERIAL CONSERVATION**

CERTAIN WELLS IN MISSOURI AND PORTIONS OF KANSAS AND OKLAHOMA

[Supplementary Order M-68-2]

General exception authorized by paragraph (c) (10) of Conservation Order M-68, as amended.<sup>1</sup>

Whereas, immediate production of large quantities of Natural Gas in the States of Kansas, Missouri, and Oklahoma is necessary for the continued effective operation of industries engaged in vital war production and for essential civilian uses;

Now, therefore, it is hereby ordered, That:

§ 1047.7 *Supplementary Order M-68-2*—(a) *Wells drilled in the State of Missouri and portions of the States of Kansas and Oklahoma.* The provisions of paragraph (b) of Conservation Order M-68, as amended, shall not apply to any case where material is to be used by an operator, engaged in the production of natural gas in the State of Missouri, that portion of the State of Kansas which lies east of Range Two (2) east of the Sixth Principal Meridian and that portion of the State of Oklahoma included in the counties of Osage, Washington, Nowata, Craig, Ottawa, Pawnee, Tulsa, Rogers, Mayes, Delaware, Creek, Okmulgee, Wagoner, Cherokee, Adair, Muskogee and Sequoyah, to drill, complete or provide additions to any well in any discovered or undiscovered natural gas field, other than a Condensate Field, located in the above area where such well conforms to a uniform spacing pattern of not more than one single well to each 40 surface acres: *Provided*, That no well shall be "spudded" by such operator unless:

(1) Such well is to be drilled on a drilling unit of not less than 40 surface acres;

(2) The proposed drilling unit upon which such well is to be located consists entirely of acreage which is not attributable to any well other than such proposed well. The acreage attributable to wells offsetting the proposed drilling unit shall be determined by assigning to such wells an acreage equivalent to that in the existing well density or drilling pattern contiguous to such wells. No portion of a drilling unit shall fall within 330 feet of an existing well;

<sup>1</sup> 6 F.R. 6687; 7 F.R. 281, 601, 903, 1068, 1089, 8806.



(3) All separate property interests of less than 40 surface acres, or in tracts on which a well cannot otherwise be drilled by virtue of the provisions of this order, surrounding the designated drilling location of any well, are first consolidated with each other, another, or other property interests to form a drilling unit consisting of not less than 40 surface acres on which a well may be drilled;

(4) Such well is drilled at least 990 feet from all wells "spudded" subsequent to December 23, 1941;

(5) Such well is drilled at least 660 feet from all wells "spudded" or completed on or before December 23, 1941;

(6) Such well is drilled at least 330 feet from any lease line, property line or subdivision line which separates unconsolidated property interests; and

(7) Material required to drill, complete or provide additions to such well is on hand and available for such use or is to be obtained without the use of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of June 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-5787; Filed, June 20, 1942;  
10:55 a. m.]

PART 1279—ELASTIC FABRICS, KNITTED,  
WOVEN OR BRAIDED

[Conservation Order M-174]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of elastic fabrics 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 welfare.

§ 1279.1 Conservation Order M-174—

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

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

(1) "Elastic fabric" means any fabrics, knitted, woven or braided, containing rubber core or covered rubber thread.

(2) "To consume" means to commence to sew on any garment or other article, or otherwise attach thereto any elastic fabric, or to begin the processing, cutting, or changing in any manner of the form of any elastic fabric.

(c) *Restrictions on use.* No person shall consume any elastic fabric except in the manufacture of the following items:

Edging for baby pants.

Industrial shoes, belting and flexible metallic hose.

Repair cords and webs manufactured from rubber thread of the sizes permitted by Conservation Order No. M-124<sup>1</sup> or from scrap or tag ends of less than five feet in length.

Sanitary belts subject to the provisions of Order L-137<sup>2</sup> as from time to time amended.

Surgical elastic bandages.

Surgical stockings.

Supports for abdomen, back and breast subject to the provisions of Order L-90<sup>3</sup> as from time to time amended.

Trusses (including umbilical belts).

Webbing for respirators, hose masks, gas masks, inhalators, and goggles.

*Provided, however,* That the quantity of elastic fabric to be used in the manufacture of any of the above items shall be regulated by the provisions of any General Limitation or other orders now in effect or as may from time to time become effective with respect thereto.

(d) *General exceptions.* The restrictions imposed by paragraph (c) shall not apply to:

(1) Any elastic fabric to be used for the purpose of filling actual orders for, or contracts held by any person with:

(i) The Army or Navy of the United States, the United States Maritime Commission, War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development; or

(ii) The government of any of the following countries: The United Kingdom, Canada, and other Dominions, Crown Colonies and Protectorates of the British Empire, Belgium, China, Greece, the Kingdom of the Netherlands, Norway, Poland, Russia, Yugoslavia, Free France, Iceland, Turkey and Czechoslovakia for military purposes only.

(2) Any elastic fabrics which, on or before the opening of business on June 20, 1942, were already packaged in the customary retail packaging of such fabrics, where such packaging differs in both put-up and amount of fabric from the packaging of the same fabric for distribution to processors, manufacturers, or any persons other than retail distributors or persons selling to retail distributors.

(3) Any elastic fabric which can be shown to the satisfaction of the Director of Industry Operations to be unsuitable or unnecessary as substitutes in the production of any of the articles listed in paragraph (c) or contracted for pursuant to paragraph (d) (1). Applications for such exceptions shall be in writing, stating the complete specifications of each item covered by the application, and shall be accompanied by samples of at least three feet in length of each such item. Such exceptions may be made in

<sup>1</sup> 7 F.R. 2472, 2580, 3234, 3932.

<sup>2</sup> 7 F.R. 4571.

<sup>3</sup> 7 F.R. 3033, 4475.

special cases or by supplemental order as public interest and the national defense may require, and may contain such restrictions on the rate of use thereof as may be necessary and appropriate in the public interest and to promote the national defense.

(4) Any person who has, in good faith, filed application pursuant to paragraph (3) hereof, may, pending action on such application, use an amount of each elastic fabric held by him not in excess of 10 per cent of his inventory thereof on June 20, 1942: *Provided,* That no such person shall use in the manufacture of any article more than 15 per cent by area of the type of elastic fabrics, or any type using less rubber thread, used by such person in the manufacture of such article in May, 1941, unless the said limitation to 15 per cent would require the use of narrow elastic fabrics in lengths of less than 3 inches, in which case lengths of 3 inches of any narrow elastic fabric may be used up to an amount equal to 10 per cent of the inventory thereof.

(e) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of elastic fabrics conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board by letter or telegram, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(f) *Reports.* Each manufacturer, processor, wholesaler, or jobber shall compile and retain an inventory of elastic fabrics as of the opening of business on June 20, 1942, and shall file such reports with the War Production Board as may be required by such Board from time to time; but no such reports shall be filed until forms therefor have been prescribed and made available.

(g) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, consumption and sales.

(h) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed be addressed to: War Production Board, Washington, D. C., Ref.: M-174.

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



(j) *Effective date.* This order shall take effect on June 24, 1942, at 12:01 a. m. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of June 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-5789; Filed, June 20, 1942;  
10:56 a. m.]

**PART 1068—TINPLATE AND TERNEPLATE**

[Amendment 3 to Conservation Order M-81]

Section 1068.1 *Conservation Order M-81*<sup>1</sup> is hereby amended as follows:

The last clause of Item 3 of "Fruits" in Table II, entitled "Apricots" is hereby amended to read as follows:

"65 percent of 1940 pack".

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

Issued this 22d day of June 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

[F. R. Doc. 42-5821; Filed, June 22, 1942;  
11:21 a. m.]

**PART 1084—CANNED FOODS**

[Conservation Order M-172]

**IMPORTED CANNED BEEF**

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials used in canning foods for defense, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

**§ 1084.1 Conservation Order M-172—**

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

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

(1) "Imported canned beef" shall mean any corned, roast, or boiled beef canned outside the Continental United States in hermetically sealed metal or glass containers and sterilized by the use of heat.

(2) "Government Agency" shall mean any officer, board, agency, commission or government owned or government controlled corporation of the United States.

(c) *Restrictions.* (1) Every person, other than a Government Agency, who

on June 22, 1942 has in his possession or under his control in any one place of storage, or in contiguous places of storage, or in transit, in the Continental United States, in excess of 5,000 pounds net weight of imported canned beef, shall set aside such excess for the requirements of government agencies, without regard to previously existing contracts. All such imported canned beef so set aside shall, unless and until released, be held for allocation to any Government Agency by the Director of Industry Operations. Imported canned beef may be delivered without specific allocation to the armed forces of the United States to fill purchase orders placed before June 22, 1942, but otherwise imported canned beef required to be set aside by this order shall not be delivered to any Government Agency when not specifically allocated to such agency by the Director of Industry Operations.

(2) Any imported canned beef arriving in the Continental United States after June 22, 1942 shall be set aside and held pursuant to the provisions of paragraph (1) but without regard to the quantity thereof, unless imported by or for the account of a Government Agency or by a person thereto duly authorized by the Director of Industry Operations pursuant to Order M-63.<sup>1</sup>

(3) No person shall purchase or accept delivery of any imported canned beef with knowledge or reason to believe that such imported canned beef is being or has been sold or delivered in violation of the provisions of this order. Purchase or acceptance of deliveries totaling 2,500 pounds net weight of imported canned beef or more from a single seller shall be deemed to be with knowledge of violation of this order, unless pursuant to an allocation order, or unless the seller furnishes to the buyer a certificate in writing, signed by a responsible official, in substance as follows:

This is to certify that ----- pounds net weight of imported canned beef sold or delivered to you on this date is sold or delivered in accordance with the provisions of Conservation Order M-172, with the terms of which I am familiar. Such imported canned beef was:

1. Released by the Director of Industry Operations;
2. Not required to be set aside by Order M-172.

(Include explanation which applies.)

-----  
Seller

By: -----  
Duly Authorized Official.

A copy of each such certificate shall be forwarded by the seller within one week after the date thereof to the War Production Board, Ref.: M-172, and shall constitute a representation that any imported canned beef referred to in such certificate was sold in compliance with the order, as stated therein.

(4) Each person required by this order to set any imported canned beef aside, shall, within 30 days after June 22, 1942, (or, in the case of canned beef imported after June 22, 1942, within 10 days after

such importation), mail to or file with the War Production Board a report on Form PD-555.

(5) If any imported canned beef set aside for the requirements of Government Agencies has not been purchased within 60 days after the mailing or filing of the report prescribed in paragraph (c) (4), the person who mailed or filed such report may notify the War Production Board in writing that if such imported canned beef is not purchased within 30 days he will no longer hold it set aside. If any of such imported canned beef is not purchased within 30 days after the mailing or filing of such notice, and if no further order is issued with respect to it, it shall be deemed released and shall be available for unrestricted sale and distribution.

(6) If he determines that any imported canned beef set aside pursuant to this order is not required for Government Agencies, the Director of Industry Operations may release such imported canned beef at any time by notice directed to the person who mailed or filed the report prescribed in paragraph (c) (4) concerning such imported canned beef.

(d) *Reports.* In addition to the report prescribed in paragraph (c) (4), each person having any imported canned beef in his possession or control shall file such additional reports as the War Production Board may prescribe for the purpose of effective administration of this order.

(e) *Inspection and grading.* Any imported canned beef required to be set aside under this order shall be subject to inspection and grading at any time by the Director of Industry Operations, or by any person or Government Agency thereto authorized by him.

(f) *Appeals.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship upon him, may appeal to the Director of Industry Operations by letter, setting forth the pertinent facts and reasons such person considers that he is entitled to relief. The Director may thereupon take such action as he deems appropriate.

(g) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, purchases, production and sales.

(h) *Audit and inspection.* All records required to be kept by this order or by any rule, regulation or order of the Director of Industry Operations shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(i) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Food Branch, Washington, D. C. Ref: M-172.

(j) *Violations.* Any person who wilfully violates any provision of this order or who wilfully furnishes false information to the Director of Industry Opera-

<sup>1</sup>7 F.R. 947, 1998, 2631, 3264.

<sup>1</sup>7 F.R. 4199, 4404.



tions in connection with this order, 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 by the Director of Industry Operations.

(k) *Expiration.* This order shall continue in effect until October 1, 1942. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of June, 1942.

J. S. KNOWLSON,

Director of Industry Operations.

[F. R. Doc. 42-5824; Filed, June 22, 1942; 11:22 a. m.]

**PART 1085—MAINTENANCE AND EXPANSION OF PLANTS CANNING FRUITS AND VEGETABLES**

[Amendment 1 to Preference Rating Order P-115]

Section 1085.1 (*Preference Rating Order P-115*<sup>1</sup>) is hereby amended in the following respects:

(a) By deleting from paragraph (b) the term "A-3" and substituting therefor the term "A-1-j".

(b) By deleting from paragraph (b) the term "A-3" and substituting therefor the term "A-1-c".

(c) By amending paragraph (e) (1) (iii) to read as follows:

(iii) If the material is required for replacement, expansion or addition, the producer shall not apply preference rating A-1-c, unless he shall have communicated with the War Production Board, describing the material needed and the nature of the proposed replacement, expansion or addition, and shall have received from the Director of Industry Operations a specific authorization to apply such rating, notwithstanding the fact that he may have previously been authorized to apply a rating of A-3. Such application for authorization may be made by a written statement on Form PD-285 or, in any emergency, by telegram giving substantially the information called for by said Form PD-285.

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

Issued this 22d day of June 1942.

J. S. KNOWLSON,

Director of Industry Operations.

[F. R. Doc. 42-5823; Filed, June 22, 1942; 11:21 a. m.]

<sup>1</sup> 7 F.R. 952, 2389.

**PART 1086—O. D. WOOL CLIPS, O. D. WOOL RAGS AND O. D. WOOL WASTES**

[Amendment 2 to General Preference Order M-87

Section 1086.1 *General Preference Order M-87*<sup>1</sup> is hereby amended in the following respect:

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

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

(1) "O. D. Wool Clips" means the clippings resulting from the manufacture of woven or knitted fabric O. D. in color, containing at least 80% wool fiber, into articles of clothing.

(2) "O. D. Wool Rags" means rags that are substantially all wool fiber, O. D. in color, that are derived from fabric, either woven or knitted, that has been used by the ultimate consumer.

(3) "O. D. Wool Wastes" means wool fiber wastes of any type that are O. D. in color, resulting from any phase in the manufacture of O. D. wool products, excepting:

(i) Card strips, spinner's fly, brush waste, sweeps and fulling mill flocks, napper flocks and shear flocks; and

(ii) Remnants, ends, seconds or rejects more than 1½ yards in length, and blankets made from remnants, ends, seconds or rejects of any length, which have been offered as such remnants, ends, seconds, rejects or blankets for sale to the War Department or Navy Department and have been refused.

(4) "O. D. in Color" means of olive drab, drab, Marine Corps green, or khaki color.

(5) "Dealer" means any person heretofore regularly engaged, either wholly or partly, in the business of purchasing and selling O. D. Wool Clips, O. D. Wool Rags or O. D. Wool Wastes.

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

Issued this 22d day of June 1942.

J. S. KNOWLSON,

Director of Industry Operations.

[F. R. Doc. 42-5822; Filed, June 22, 1942; 11:21 a. m.]

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

[General Limitation Order L-91, as Amended June 22, 1942]

Effective at once, *General Limitation Order L-91*<sup>1</sup> (§ 1174.1), as heretofore amended, is further amended to read as follows:

<sup>1</sup> 7 F.R. 1854, 2879.

<sup>2</sup> 7 F.R. 3852, 4228.

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain materials, used in the production of commercial laundry and dry cleaning machinery, and tailors' pressing machinery, 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:

§ 1174.1 *General Limitation Order L-91—(a) Definitions.* For the purpose of this order:

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

(2) "Manufacturer" means any person producing commercial laundry or dry cleaning machinery to the extent that he is engaged in such manufacture, and shall include sales and distribution outlets controlled by a manufacturer.

(3) "Distributor" means any person in the business of distributing commercial laundry or dry cleaning machinery, or tailors' pressing machinery other than sales and distribution outlets controlled by a manufacturer.

(4) "Commercial laundry machinery," "commercial dry cleaning machinery," and "tailors' pressing machinery," unless otherwise specified, include machinery of the kinds listed, from time to time, in List A attached hereto. New machinery of such kinds is machinery which has not been delivered to any person acquiring it for use. "Tailors' pressing machinery" shall include pressing machinery used by custom tailors or by pressing establishments, but shall not include pressing machines used in the mass production of garments or other textiles. "Commercial laundry machinery" and "commercial dry cleaning machinery" shall include machinery used in all types of laundering and cleaning establishments, such as, but not limited to, rug cleaning establishments, and fur cleaning establishments, but shall not include electric hand irons, electrically heated steam irons or water spray irons, which are subject to the limitations of General Limitation Order L-65.

(b) *Restrictions on delivery.* Regardless of the terms of any contract of sale or purchase or other commitment, or of any Preference Rating Certificate, no manufacturer, distributor, or other person shall accept an order for, or sell, deliver, or otherwise transfer, and no person shall purchase, receive delivery of, or otherwise acquire, any new commercial laundry or dry cleaning machinery, or tailors' pressing machinery, of any value, or any of such kinds of rebuilt or reconditioned machinery of a value in excess of \$100.00, except as follows:

(1) To fill orders for the Army or Navy of the United States, the Army or Navy of Belgium, China, Czechoslo-



vakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom including its Dominions, Crown Colonies and Protectorates, or Yugoslavia; for the Maritime Commission or War Shipping Administration; or to fill orders to equip a vessel constructed for the Navy, Maritime Commission, War Shipping Administration or Lend-Lease Administration, or a cantonment or other Army or Navy base constructed for the use and operation of the Army or Navy of the United States; or to fill orders for a bag loading or other ordnance plant where the hazard is such that the above-mentioned machinery has been specified as necessary by the Army or Navy; or

(2) Upon express authorization of the Director of Industry Operations upon Form PD-418.

Nothing in this paragraph shall be construed to prohibit the delivery of machinery from one manufacturer to another to fill a part of an order which has been authorized for delivery on Form PD-418, or to fill a part of an order placed pursuant to the provisions of paragraph (b) (1).

(c) *Procedure for authorization.* All persons making application for an authorization under paragraph (b) (2) hereof, shall make such application on Form PD-418. Applicants who secure authorization upon Form PD-418 shall surrender such Form PD-418 to their supplier.

(d) *Prohibition of production of commercial laundry and dry cleaning machinery.* (1) Unless otherwise authorized by the Director of Industry Operations, on and after June 1, 1942, no manufacturer shall produce any commercial laundry machinery, except to fill orders for, and in accordance with, specifications of, the Army or Navy of the United States, the Army or Navy of Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom including its Dominions, Crown Colonies and Protectorates, or Yugoslavia; for the Maritime Commission or War Shipping Administration; or to fill orders to equip a vessel constructed for the Navy, Maritime Commission, War Shipping Administration or Lend-Lease Administration, or a cantonment or other Army or Navy base constructed for the use and operation of the Army or Navy of the United States; or to fill orders for a bag loading or other ordnance plant where the hazard is such that the above-mentioned machinery has been specified as necessary by the Army or Navy: *Provided, however,* That a Manufacturer may complete the assembly of any Commercial Laundry Machinery, the delivery of which has been authorized by the Director of Industry Operations on Form PD-418, where the only operation necessary to complete the machinery for delivery is the final assembly of completely fabricated parts.

(2) Unless otherwise authorized by the Director of Industry Operations, on and after July 1, 1942, no manufacturer shall produce any commercial dry cleaning machinery, except to fill orders for, and in accordance with, specifications of, the Army or Navy of the United States, the Army or Navy of Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom including its Dominions, Crown Colonies and Protectorates, or Yugoslavia; for the Maritime Commission or War Shipping Administration; or to fill orders to equip a vessel constructed for the Navy, Maritime Commission, War Shipping Administration or Lend-Lease Administration, or a cantonment or other Army or Navy base constructed for the use and operation of the Army or Navy of the United States; or to fill orders for a bag loading or other ordnance plant where the hazard is such that the above-mentioned machinery has been specified as necessary by the Army or Navy: *Provided, however,* That a Manufacturer may complete the assembly of any commercial dry cleaning machinery, the delivery of which has been authorized by the Director of Industry Operations on Form PD-418, where the only operation necessary to complete the machinery for delivery is the final assembly of completely fabricated parts.

(3) Unless otherwise authorized by the Director of Industry Operations, no commercial laundry or dry cleaning machinery, or tailors' pressing machinery, including maintenance or repair parts therefor, shall be manufactured after May 15, 1942, except by a person who has filed an application under Preference Rating Order P-90 (Production Requirements Plan) on Form PD-25A, PD-25X, or other applicable form for all his material requirements for such manufacture for which he requires priority assistance.

(e) *Non-applicability to repair or maintenance of existing equipment.* The prohibitions of paragraphs (b) or (d) hereof shall not be construed to restrict the manufacture, acquisition, sale, or delivery, in any manner, of parts to be used to repair or maintain existing machinery, or machinery delivered under the terms of this order. The above provision for parts for repair or maintenance includes replacement parts to be used for that purpose.

(f) *Restrictions on use of materials.* (1) On and after April 30, 1942, no monel metal, nickel, nickel silver, or nickel chrome steels shall be used in the production of commercial laundry or dry cleaning machinery, except where specified by the Army, the Navy, or the Maritime Commission.

(2) Nothing in this order shall be construed to permit any person to sell, deliver, or otherwise transfer, or any manufacturer to purchase, receive delivery of, or otherwise acquire any raw materials, semi-processed parts, or finished products in contravention of the terms

of any order or other regulation now effective or effective at the date of any such sale, delivery, or other transfer.

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

(h) *Existing contracts.* Fulfillment of contracts in violation of this order is prohibited regardless of whether such contracts are entered into before or after the effective date of this order. No person shall be held liable for damages or penalties for default under any contract or order which shall result directly or indirectly from his compliances with the terms of this order.

(i) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Services Branch, Washington, D. C., Ref.: L-91.

(j) *Appeals.* Any manufacturer affected by this order, who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that compliance with this order would disrupt or impair his program of conversion from non-defense to defense work, may apply for relief by addressing a letter to the War Production Board, Ref.: L-91, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director of Industry Operations may thereupon take such action as he deems appropriate.

(k) *Violations.* Any person who wilfully violates any provision of this order, or who wilfully furnishes false information to the Director of Industry Operations in connection with this order 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 by the Director of Industry Operations.

(l) *Records and reports.* (1) Each person affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventory, production, and sales of commercial laundry and dry cleaning machinery and tailors' pressing machinery.

(2) Each person affected by this order shall execute and file with the Services Branch, Division of Industry Operations, such reports and questionnaires as said Branch shall from time to time request.

(3) On or before May 7, 1942, for the month of April, and on or before the seventh day of each month thereafter,



for the preceding month, each manufacturer or distributor of commercial laundry or dry cleaning machinery, or tailors' pressing machinery shall file a monthly report of orders, production and shipments on Form PD-419. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of June 1942.

J. S. KNOWLSON,  
Director of Industry Operations.

LIST A

Blocking machines, garment.  
Boards, pressing.  
Boards, pressing, velvet and nap.  
Boards, shirt folding.  
Boards, ironing.  
Boards, spotting.  
Boards, steam.  
Cabinets, deodorizing.  
Cabinets, drying.  
Cabinets, sterilizing.  
Collar shapers.  
Collar tipper.  
Conveyors "go back".  
Conveyors, bags, (wet wash).  
Conveyors, monorail.  
Conveyors, shirt.  
Cuff cleaners.  
Dampeners, cloth.  
Dampeners, collar and seam.  
Dry cleaning units, naphtha.  
Dry cleaning units, synthetic.  
Dryers, garments, hot air.  
Dryers, hosiery and sock.  
Dryers, blanket and curtain, stretchers.  
Dryers, rug.  
Dryers, windwhip.  
Dry rooms, conveyor.  
Dry rooms, sectional.  
Dye kettles.  
Dye machines.  
Extractors, laundry.  
Extractors, drycleaning.  
Extractor baskets.  
Extractors, starch.

Extractors, mechanical unloading.  
Feather sanitizing machines.  
Forms, gloves, steam heated.  
Forms, collars.  
Forms, hosiery and socks.  
Forms, overall.  
Forms, sleeve.  
Forms, trouser.  
Filters, solvent.  
Finishers, garment.  
Finishers, sleeve.  
Fluffers, handkerchief.  
Fluting machines.  
Folding machines, automatic.  
Fur cleaning equipment.  
Glazer, fur.  
Glove cleaning machines.  
Hangers, shirt, revolving.  
Hatters equipment.  
Holders, bag.  
Holders, net.  
Identification systems:  
  Pin and tag.  
  Machine marking.  
  Listing machines.  
Irons, puff.  
Irons, rotary.  
Irons, steam.  
Ironers, collar.  
Ironers, flatwork.  
Ironers, flatwork, chest type, steam.  
Ironers, flatwork, cylinder type, steam.  
Ironers, edger, electrical, gas, or steam.  
Ironers, flatwork, cylinder, gas, electric.  
Ironers, flatwork, chest, gas, electric.  
Ironers, handkerchiefs.  
Ironers, hat crown.  
Ironers, ruffles.  
Ironer attachments:  
  Canopies.  
  Cooling device.  
  Feeding devices.  
  Stripping device.  
  String mark eliminator.  
Napping machine (carding machine)  
  (blanket finishing).  
Puffers, steam.  
Presses, pneumatic.  
Presses, foot power.  
Presses, hand power.  
Presses, electric driven.  
Rug scrubbing machines.

Sand bags, hat.  
Seam cleaners.  
Shakers, flatwork.  
Shapers, sleeves.  
Shapers, trouser.  
Shirt envelope machines.  
Spreaders, flatwork.  
Stackers, flatwork, automatic.  
Stackers, handkerchief, automatic.  
Starch cookers.  
Starching and extracting machines.  
Starching machines.  
Starch mixers.  
Steam sterilizers, diapers.  
Steamers, garment.  
Steamers, velvet.  
Sterilizer feathers.  
Sterilizer, general.  
Stretchers, trouser.  
Stretchers, dress.  
Tables, collar finishing.  
Tables, folding.  
Tables, garment blocking.  
Tables, ironing.  
Tables, marking.  
Tables, shaping.  
Tables, shirt finishing and folding.  
Tables, spotting.  
Tables, steam.  
Tables, wet cleaning.  
Tanks, soap.  
Traps, drycleaning.  
Tubs, scrub.  
Tubs, starch.  
Tubs, stationary laundry.  
Tumblers, drying.  
Tumblers, shake-out and conditioning.  
Tumblers, drying, deodorizing.  
Washers, automatic.  
Washers, blanket.  
Washers, drycleaning.  
Washers, glove.  
Washers, metal.  
Washers, metal cylinders.  
Washers, rug.  
Washers, sterilizing.  
Washers, unloading.  
Washers, wood.  
Washers, wood cylinders.  
Washers, wood shells.

[F. R. Doc. 42-5825; Filed, June 22, 1942;  
11:22 a. b.]



Chapter XI—Office of Price Administration

[Supplementary Order 6—Amending "Posting of Prices" Sections of Certain Revised Price Schedules and Maximum Price Regulations]

POSTING OF PRICES

ALTERNATE METHODS; POSTING IN ACCORDANCE WITH SPECIFIC REGULATION

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

Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, including section 201 (d) thereof, it is hereby ordered that:

*Requirements for posting of prices.* The paragraph set forth below as paragraph (a) is added, in the manner indicated in paragraph (b), to the "posting of prices" sections of the Revised Price Schedules and Maximum Price Regulations set forth in paragraph (b) and certain existing preceding paragraphs are designated by letters as indicated in paragraph (b); and the paragraph set forth below as paragraph (c) is added, in the manner indicated in paragraph (d), to the "posting of prices" sections of the Maximum Price Regulations set forth in paragraph (d) and certain existing preceding paragraphs are designated by letter as indicated in paragraph (d):

*Provisions for Alternate Methods of Posting*

(a) (Enter here the appropriate section number and paragraph designation as set forth in paragraph (b))—Any person subject to the provisions of this section may mark or post maximum prices for commodities for which maximum prices are established by this regulation, either in accordance with the provisions of this section or with the provisions of § 1499.13 (a) of the General Maximum Price Regulation.<sup>1</sup>

(b) The applicable section number, the designation of paragraphs, and the number of the Revised Price Schedule or Maximum Price Regulation are set forth below. The existing undesignated preceding paragraphs, if any, in each section indicated below should be designated with the letter or letters which apply.

<sup>1</sup> 7 F.R. 3153, 3330, 3666, 3990, 3991.

Section	Schedule or regulation	Designation of new paragraph set forth in paragraph (a) of this Supplementary Order No. 6	Designation of existing preceding paragraphs
1315.104	Revised Price Schedule No. 63. <sup>1</sup>	(f)	-----
1315.1204	Revised Price Schedule No. 66. <sup>2</sup>	(c)	(a), (b)
1315.1354	Maximum Price Regulation No. 107. <sup>3</sup>	(c)	(a), (b)
1380.106	Maximum Price Regulation No. 110. <sup>4</sup>	(b)	(a)
1340.86	Maximum Price Regulation No. 137. <sup>5</sup>	(c)	-----

<sup>1</sup> 7 F.R. 1323, 1836, 2132, 3036, 3719.  
<sup>2</sup> 7 F.R. 1333, 1836, 1837, 2132.  
<sup>3</sup> 7 F.R. 1838, 1981, 2394, 3891.  
<sup>4</sup> 7 F.R. 2311, 2543, 2761, 4107.  
<sup>5</sup> 7 F.R. 3165, 3749, 4273.

*Provision for Posting in Accordance With a Specific Regulation*

(c) (Enter here the appropriate section number and paragraph designation as set forth in paragraph (d))—The provisions of § 1499.13 (a) of the General Maximum Regulation relating to the posting or marking of maximum prices shall not apply to any sale or delivery for which a maximum price is in effect under the provisions of this Regulation. Such maximum prices shall be displayed in accordance with the provisions of this section.

(d) The applicable section number, the designation of paragraphs, and the number of the Maximum Price Regulation are set forth below. The existing undesignated preceding paragraph, if any, in each section indicated below should be designated with the letter which applies.

Section	Maximum price regulation No.	Designation of new paragraph set forth in paragraph (c) of this supplementary order No. 6	Designation of existing preceding paragraphs
1370.8.....	* 111	(b)	(a)
1340.261 (f) ..	* 122	(f) (3)	-----
1380.203.....	* 139	(b)	(a)

\* 7 F.R. 2307, 2794, 3330, 3447, 3776, 4229.  
 \* 7 F.R. 3239, 3666, 3856, 3940, 3941.  
 \* 7 F.R. 3393, 3489.

(e) *Effective date of Supplementary Order No. 6.* This Supplementary Order No. 6 amending the schedules and regulations set forth in paragraphs (b) and (d), shall become effective June 25, 1942. (Public Law 421, 77th Cong.)

Issued this 19th day of June 1942.  
 LEON HENDERSON,  
 Administrator.

[F. R. Doc. 42-5764; Filed, June 19, 1942; 3:22 p. m.]

PART 1340—FUEL

[Amendment 19 to Revised Price Schedule 88<sup>1</sup>]

PETROLEUM AND PETROLEUM PRODUCTS  
 EFFECTIVE DATE OF CERTAIN PROVISION

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

Inferior subdivision (b) set forth in § 1340.159 (c) (1) (iii) as amended by Amendment No. 7 is hereby made effective as of February 2, 1942.

§ 1340.158a *Effective dates of amendments.* \* \* \*

(s) (1) The provisions of § 1340.159 (c) (1) (iii) (b) added by Amendment No. 7 shall become effective as of February 2, 1942. (2) Amendment No. 19 § 1340.159 (c) (1) (iii) (b) to Revised Price Schedule No. 88 shall become effective June 20, 1942. (Pub. Law 421, 77th Cong.)

Issued this 18th day of June 1942.

LEON HENDERSON,  
 Administrator.

[F. R. Doc. 42-5762; Filed, June 19, 1942; 3:20 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[Maximum Price Regulation 169]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

In the judgment of the Price Administrator, it is necessary and proper, in order to effectuate the purposes of the Emergency Price Control Act of 1942, to

<sup>1</sup> 7 F.R. 1107, 1371, 1798, 1799, 1836, 2132, 2304, 2352, 2634, 2945, 3116, 3482, 3624, 3552, 3576, 3895, 3963.



establish as the maximum prices for beef and veal carcasses and wholesale cuts the prices prevailing with respect thereto during the period March 16 to March 28, 1942. The Price Administrator has ascertained and given due consideration to the prices of beef and veal carcasses and wholesale cuts prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

The maximum prices established herein are not below prices which will reflect to producers of the agricultural commodities from which beef and veal carcasses and wholesale cuts are produced prices for their commodities equal to the highest of any of the following prices therefor determined and published by the Secretary of Agriculture: (1) 110 percentum of the parity price for each such commodity adjusted by the Secretary of Agriculture for grade, location, and seasonal differentials; (2) the market prices prevailing for each such commodity on October 1, 1941; (3) the market prices prevailing for each such commodity on December 15, 1941; or (4) the average prices for each such commodity during the period July 1, 1919, to June 30, 1929.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1<sup>1</sup>, issued by the Office of Price Administration, Maximum Price Regulation No. 169 is hereby issued.

AUTHORITY: §§ 1364.51 to 1364.66, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1364.51 *Prohibition against selling beef or veal carcasses or wholesale cuts at prices above the maximum.* On and after July 13, 1942, regardless of any contract, agreement, or other obligation, no person shall sell or deliver any beef or veal carcass or wholesale cut, and no person in the course of trade or business shall buy or receive any beef or veal carcass or wholesale cut at a price higher than the maximum price permitted by § 1364.52; and no person shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of beef or veal carcasses or wholesale cuts to a purchaser if, prior to July 13, 1942, such carcasses or wholesale cuts have been received by a carrier, other than a carrier owned or controlled

by the seller, for shipment to such purchaser.

§ 1364.52 *Maximum prices for beef and veal carcasses and wholesale cuts.* Except as provided by paragraphs (d) and (f) of this section, each seller's maximum prices for beef and veal carcasses and wholesale cuts which are shipped otherwise than via car route or by carload shall be computed as provided by paragraph (a) of this section; his maximum prices for such carcasses or cuts shipped via car route shall be computed as provided by paragraph (b) of this section; and his maximum prices for such carcasses or cuts shipped by carload shall be computed as provided by paragraph (c) of this section. Maximum prices for carcasses or cuts which cannot be determined under paragraphs (a), (b), (c) or (d) shall be computed as provided in paragraph (e). Each seller shall report to the Office of Price Administration his maximum prices as provided in paragraph (g).

(a) *Maximum prices for products not shipped via car route or by carload.* Except as provided in paragraphs (d) and (f) of this section, each seller's maximum price for each beef or veal carcass or wholesale cut not shipped via car route or by carload shall be computed as follows:

(1) The maximum price for each grade of each beef or veal carcass shall be the highest price actually charged by the seller during the period March 16 to March 28, 1942, at or above which at least 30% of the total weight volume of the seller's sales of carcasses of the same grade were made during such period.

EXAMPLE: Assume that the seller's sales of choice carcasses of beef during the base period, March 16 to March 28, were as follows:

Price per lb.:	Weight volume in lbs.	Percentage of total weight volume (percent)
24¢	1,000	4
23½¢	2,000	8
23¢	4,000	16
22¾¢	5,000	20
22½¢	8,000	32
22¢	4,000	16
21½¢	1,000	4
Total weight volume.....		25,000

The seller's maximum price for choice carcasses of beef is 22¾¢ per lb., for that is the highest price actually charged by him at or above which he made at least 30% of the total weight volume of his sales of such carcasses during the base period. 23¢ cannot be his maximum price, because only 28% of the total weight volume of sales was made at or above that price. 22½¢ cannot be his maximum price, for he made no sales during the base period at that price.

(2) The maximum price for each grade of fore-quarter of beef, hind-quarter of beef, fore-quarter of veal, hind-quarter of veal, fore-saddle of veal, and hind-saddle of veal shall be determined as follows:

(1) The seller shall ascertain the highest price actually charged by him during

the period March 16 to March 28, 1942, at or above which at least 30% of the total weight volume of his sales of such fore-quarter, hind-quarter, fore-saddle, or hind-saddle was made during the period March 16 to March 28, 1942.

(i) In the event that the sales of fores and hinds of each grade at the prices computed in subparagraph (2) (i) above would yield a greater total sales realization when sold separately, then the total sales realization obtainable from the sales of the same fores and hinds of each grade in carcass form, at the seller's maximum price for a carcass of such grade, the seller shall adjust downward the prices of such fores and hinds to remove such excess. In making such adjustment the seller shall not change the price differential in cents per pound between hinds and fores as established pursuant to subparagraph (2) (i). The price so fixed and adjusted shall be the seller's maximum price for such quarter or saddle, and he may not thereafter charge any higher price.

(3) The maximum price for each grade of each wholesale cut derived from a quarter or saddle shall be determined as follows:

(i) The seller shall fix a price for each such cut upon the basis of the relationship which prevailed, during the base period March 16 to March 28, 1942, between the price of such cut and the prices of other cuts derived from a quarter or saddle of the same grade.

(ii) In the event that the total gross proceeds obtainable through sales at the prices so fixed of all cuts derived from such quarter or saddle exceeds by more than \$1.00 per cwt. the total gross proceeds obtainable through the sale of such quarter or saddle, uncut, at its maximum price, the seller shall adjust downward the prices of such cuts to remove the excess over \$1.00 per cwt. In making such adjustments, the seller shall not change the relationship of such prices as established pursuant to subparagraph (3) (i). The price so fixed and adjusted shall be the seller's maximum price for such wholesale cut.

NOTE: In making computations of total weight volume required by paragraph (a) of this section, the seller shall omit all sales of products which he shipped via car route or by carload.

(b) *Maximum prices for products shipped via car route.* Except as provided in paragraphs (d) and (f) of this section, each seller's maximum price for each grade of each beef or veal carcass or wholesale cut delivered via car route shall be computed as follows:

(1) The seller shall ascertain separately the total weight volume of each grade of each carcass, or fore-quarter or hind-quarter of beef or veal, or fore-saddle or hind-saddle of veal delivered by him, during the period March 16 to March 28, 1942, via all car routes operated by him from each car route shipping point.

(2) The seller shall compute maximum prices for each grade of each such



carcass side, quarter and saddle, and for each grade of each wholesale cut in the manner provided for in subparagraphs (1), (2), and (3) of paragraph (a) of this section, for each car route shipping point.

(3) The prices determined pursuant to subparagraph (2) of this paragraph (b) shall be the maximum prices in the zone of the highest freight and icing costs. Such zone shall include all car routes the freight and icing costs of which are within 25¢ per cwt. of the highest freight and icing costs of any of such car routes operating from the same shipping point.

(4) Other car route zones from the same shipping point shall also be determined by the seller upon the basis of 25¢ per cwt. differences in freight and icing costs. Maximum prices in each such zone shall be computed by deducting from the maximum prices determined pursuant to subparagraph (2) of this paragraph (b) ¼¢ per pound for each 25¢ per cwt. difference in freight and icing costs.

(c) *Maximum prices for products shipped by carload.* Except as provided in paragraphs (d) and (f) of this section, each seller's maximum price, f. o. b. the seller's shipping point, for each grade of each beef or veal carcass or wholesale cut sold for carload delivery shall be the highest price actually charged by the seller during the period March 16 to March 28, 1942, at or above which at least 30% of the total weight volume of the seller's sales of such carcass or wholesale cut sold in carload shipments from such shipping point during such period: *Provided*, That, in determining such maximum price, the seller shall deduct from all delivered prices charged in his carload sales during such period the actual transportation costs from the shipping point to all points of delivery. If the seller is unable to determine the maximum price for any grade of any wholesale cut derived from a quarter or saddle, because he made no carload sale of such cut during such period, he shall compute such maximum price in the manner provided for in subparagraph (3) of paragraph (a) of this section.

(d) *Maximum prices for products purchased by certain governmental agencies.* The maximum price for each grade of each beef or veal carcass or wholesale cut which is purchased for any institution of any State, or political subdivision thereof, or of the United States by an authorized purchasing agency (other than purchases for the armed forces of the United States or the Federal Surplus Commodities Corporation) shall be the highest price which such agency contracted to pay for such grade of carcass or cut in contracts specifying comparable delivery and entered into during the thirty-day period commencing on March 16, 1942. Such authorized purchasing agency shall quote the maximum price for such grade of beef or veal carcass or wholesale cut at such times as it issues invitations for bids. If the maximum price cannot be determined under the foregoing provisions of this para-

graph (d), such maximum price shall be the seller's maximum price determined under the applicable provisions of paragraph (a), (b), or (c) of this section.

(e) *Maximum prices for products which cannot be priced under the foregoing paragraphs.* Except as provided in paragraph (f) of this section, if the maximum price for any grade of any beef or veal carcass or wholesale cut cannot be determined under paragraphs (a), (b), (c) or (d) of this section, the maximum price for such carcass or cut shall be the maximum price of the most nearly competitive seller.

(f) *Maximum prices for products sold for export.* The maximum price at which a person may sell or deliver any commodity for export shall be determined in accordance with the provisions of the Maximum Export Price Regulation<sup>7</sup> issued by the Office of Price Administration on April 25, 1942.

(g) *Duty to report maximum prices and adhere to reported prices.* Each seller shall report to the Office of Price Administration, pursuant to the provisions of § 1364.58, his maximum prices on all beef and veal carcasses and wholesale cuts which he sells. The seller shall in no event charge any prices higher than those so reported as his maximum prices.

§ 1364.53 *Duty to maintain and identify grades.* No person shall sell or offer for sale, and no person in the course of trade or business shall buy or receive any beef or veal carcass or wholesale cut unless each such carcass or cut has been identified by grade in accordance with the provisions of this section. Each seller shall maintain uniform grades, as specified in paragraph (a) of this section; shall compute his maximum prices upon the basis of such uniform grades rather than upon the basis of his own grades, as provided in paragraph (b) of this section; and shall identify his products by grade letters, as provided by paragraph (c) of this section.

(a) *Uniform grades.* (1) Beef carcasses and wholesale cuts derived from steers and heifers shall be graded into the following uniform grades: choice, good, commercial, utility, and cutter and canner. Beef carcasses and wholesale cuts derived from cows shall be graded in the same manner, except that no such carcass or cut shall be graded choice. In determining the grade of each such carcass or cut, the seller shall use the "Specifications for Official United States Standards for Grades of Carcass Beef"<sup>8</sup> set forth in Appendix A hereof, and incorporated herein as § 1364.64, except that, the specifications therein for the two grades, cutter and canner, shall be combined and treated as a single grade, and the specifications therein for the two

grades, prime and choice, shall be combined and treated as a single grade, choice.

(2) Veal and calf carcasses and wholesale cuts shall be graded into the following uniform grades: choice, good, commercial, utility and culls. In determining the grade of each such carcass or cut, the seller shall use the "Specifications for Official United States Standards for Grades of Veal and Calf Carcasses"<sup>4</sup> set forth in Appendix B hereof, and incorporated herein as § 1364.65, except that the specifications therein for the two grades, prime and choice, shall be combined and treated as a single grade, choice.

(b) *Duty to compute maximum prices on the basis of uniform grades.* The word "grade", as used in § 1364.52 and in paragraph (c) of this section, means any uniform grade referred to in paragraph (a) of this section, and shall not be construed to mean the private grade of an individual seller. Irrespective of the grading system used by the seller during the base period March 16 to March 28, 1942, it shall be the duty of the seller to classify into the uniform grades provided for in paragraph (a) of this section the beef and veal carcasses and cuts sold by him during such period, by reference to the grading standards provided for in said paragraph (a), and then to ascertain his maximum prices for each such grade of carcass and cut as required by § 1364.52.

(c) *Duty to identify products by grade letters.* (1) No person shall sell or break any beef or veal carcass unless a stamp has been placed thereon with harmless marking fluid conforming to the formula for violet branding fluid approved by the United States Department of Agriculture, Bureau of Animal Industry, set forth in Appendix C hereof, and incorporated herein as § 1364.66, marking the appropriate grade letter, as hereinafter designated, in such manner as to identify by such letter the uniform grade of each wholesale cut which may be derived from such carcass, except that in the case of a calf or veal carcass sold with the skin on, the grade letter shall be stamped only on the shanks and briskets. He shall similarly stamp upon all bull and stag carcasses their sex identification. The grade identification of each beef or veal carcass and wholesale cut must appear on the seller's invoice.

(2) The appropriate grade letter for each uniform grade shall be as follows:

Grade:	Grade letter
Choice.....	AA
Good.....	A
Commercial.....	B
Utility.....	C

The grade letter shall be at least ½ inch in height and width. Carcasses or cuts graded as canners and cutters, or culls, need not be stamped.

<sup>7</sup> F.R. 3096, 3824.

<sup>8</sup> Service and Regulatory Announcements No. 99, Official United States Standards for Grades of Carcass Beef, United States Department of Agriculture, Agricultural Marketing Administration, issued as amended May, 1942.

<sup>4</sup> Service and Regulatory Announcements No. 114, Official United States Standards for Grades of Veal and Calf Carcasses, United States Department of Agriculture, Agricultural Marketing Administration, issued as amended, October, 1940.



(d) *Use of other grading and branding systems.* Any seller may use a private grading and branding system in addition to that required by the foregoing paragraphs of this section: *Provided*, That he shall not compute his maximum prices upon the basis of such private system, and that he shall identify his private grading and branding system in such manner as to distinguish it from the official grade stamp as required by paragraph (c) of this section.

§ 1364.54 *Conditional agreements.* No seller of beef or veal carcasses or wholesale cuts shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices provided by § 1364.52, in the event that this Maximum Price Regulation No. 169 is amended or is determined by a court to be invalid or upon any other contingency: *Provided*, That if a petition for amendment has been duly filed, and such petition requires extensive consideration, the Administrator may grant an exception upon the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment. Requests for such an exception may be included in the aforesaid petition for amendment.

§ 1364.55 *Exempt sales.* The provisions of this Maximum Price Regulation No. 169 shall not apply to sales at retail; nor to sales to the Federal Surplus Commodities Corporation or to any purchasing agency of the armed forces of the United States.

§ 1364.56 *Less than maximum prices.* Lower prices than those set forth in § 1364.52 may be charged, demanded, paid or offered.

§ 1364.57 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 169 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to beef or veal cuts or wholesale cuts, alone or in conjunction with any other commodity, or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or by changing the selection or grading or the style in effect during the base period, March 16 to March 28, 1942, of cutting, trimming, curing, smoking, cooking, drying, or otherwise processing, or the canning, wrapping or packaging of wholesale cuts.

§ 1364.58 *Records and reports.* (a) Not later than July 18, 1942, every person making sales subject to § 1364.52 of this Maximum Price Regulation No. 169, shall file with the Office of Price Administration in Washington, D. C., a sworn statement certifying:

(1) A description of the grading system used by the seller during the base period March 16 to March 28, 1942, setting forth the grade terms, code designations, and marks employed by the seller in any private grading system, and

setting out fully the seller's grade specifications.

(2) The maximum price for each official grade of carcass and wholesale cut as determined pursuant to §§ 1364.53 and 1364.52 above, enumerating separately the maximum selling prices of each grade of carcass and wholesale cut for (i) carload lots, (ii) car routes and (iii) sales other than in carload lots and via car routes.

(3) Whether the maximum selling prices are delivered prices or f. o. b. seller's shipping point.

(4) The area or areas in which the sellers' maximum selling prices are applicable.

(b) Not later than July 13, 1942 every person making sales subject to § 1364.52 of this Maximum Price Regulation shall prepare on the basis of all information and records required in accordance with paragraph (a) of this section, and thereafter keep for examination by any purchaser during ordinary business hours, a statement showing and enumerating separately the maximum selling prices of each grade of beef or veal carcass and wholesale cut for (1) carload lots, (2) car-routes, and (3) sales other than in carload lots and via car routes.

(c) Every person making a sale of any beef or veal carcass or wholesale cut, on or after July 13, 1942, in the course of trade or business or otherwise dealing therein, shall make and preserve complete and accurate records of each such sale, showing the date thereof, the name and address of the buyer and seller, the quantity, grade and weight of all carcasses or wholesale cuts sold, and the price charged or received therefor.

(d) Persons affected by this Maximum Price Regulation No. 169 shall submit such other reports to the Office of Price Administration as it may from time to time require.

§ 1364.59 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 169 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 169 or any price schedule, regulation, or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1364.60 *Petition for amendment.* Persons seeking modification of any provision of this Maximum Price Regulation No. 169 or an adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1364.61 *Applicability of General Maximum Price Regulation.*<sup>5</sup> The pro-

visions of this Maximum Price Regulation No. 169 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this regulation.

§ 1364.62 *Definitions.* (a) When used in this Maximum Price Regulation No. 169 the term:

(1) "Person" means individual, corporation, partnership, association, car route, packer's branch house, or other group of persons, or the legal successor or representative of any of the foregoing.

(2) "Seller" means any person who sells, supplies, disposes, barbers, exchanges, transfers and delivers, and contracts and offers to do any of the foregoing. Where a person makes sales from more than one place of business, each separate place of business of such person shall be deemed to be a separate seller, except that all places of business owned or controlled by the same person, and selling in the same municipal or county locality shall be regarded as a single seller. Each shipping point from which a car route or car routes originates shall be deemed a separate seller.

(3) "Veal" includes the dressed carcasses and wholesale cuts derived from calves.

(4) "Wholesale cuts" means all cuts and combinations of cuts derived from the dressed beef or veal carcass, including but not limited to: (i) fore-quarters and hind-quarters and fore-saddlers and hand-saddles; (ii) rough and trimmed, bone in and boneless, whole and sliced; (iii) fresh, frozen, cured, pickled, spiced, smoked, cooked, dried or otherwise processed; and including ground hamburger and sausage containing any proportion of beef. Kosher fores and all cuts derived therefrom shall for the purposes of § 1364.52 be regarded as separate wholesale cuts.

Cuts of each grade and brand, and in each stage of processing, shall be considered separate wholesale cuts. Trimmings of each grade and in each stage of processing shall be considered separate wholesale cuts. Each type of canned and packaged meat, made entirely from beef or veal, shall be considered a separate wholesale cut.

(5) "Carcass" means the dressed carcass of beef and veal, and includes: the side or sides of beef and veal; the fore-quarter and hind-quarter of beef or veal when sold together, and the fore-saddle and hind-saddle of veal when sold together.

(6) "Carload" means: (i) a shipment by rail to a single point of destination of at least the minimum weight as set forth in the tariffs of railroad carriers, upon which shipment the railroad carload rate from the point of shipment to the point of destination is based: *Provided*, That where a smaller quantity is shipped which could move at a railroad carload rate rather than at a railroad less-than-carload rate because a lower transportation charge is produced thereby, such smaller quantity shall be considered a carload lot; and (ii) a shipment by motor truck or trucks of 15,000 lbs. or more to a single

<sup>5</sup> 7 F.R. 3155, 3158.



point of destination, as a single bulk sale transaction. In determining what constitutes carload sales, the seller shall include all shipments which meet the above description, including those picked up by the buyer at the seller's place of business.

(7) "Purchasing agency" refers to the authorized purchasing agency which contracts for future delivery of any carcasses or wholesale cuts according to fixed specifications.

(8) "Sales at retail" means sales to the ultimate consumer; *Provided*, That no wholesaler, processor, packer, slaughterer, branch house, purchaser for resale, car route or commercial user, shall be deemed to be an ultimate consumer, except that a sale to a purveyor of meals, by a person regularly and generally engaged in selling at retail, made on usual retail terms, shall be regarded as a sale at retail.

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

§ 1364.63 *Effective date.* Maximum Price Regulation No. 169 (§§ 1364.51 to 1364.66) shall become effective July 13, 1942.

§ 1364.64 *Appendix A: Specifications for grades of carcass beef—(a) Choice.* Choice grade beef carcasses and wholesale cuts shall be relatively blocky and compact and thickly fleshed throughout. Loins and ribs shall be thick and full. The rounds shall be plump. The chucks shall be short and thick, and the neck and shanks short. The fat covering shall be fairly smooth and uniform and shall extend over the entire exterior surface of the carcass. The interior fat shall be abundant in the pelvic cavity and over the kidney. The protrusion of fat between the chine bones shall be fairly liberal and the "overflow" of fat over the inside of the ribs shall be distinctly in evidence and fairly evenly distributed. The intermingling of fat with the lean in evidence between the ribs, called feathering, shall be extensive. Both the interior and the exterior fat shall be firm, brittle, and somewhat waxy, but may be slightly wavy or rough. The fat is usually white or creamy white but a slight yellowish tinge will not exclude beef from this grade, provided the character of the fat meets the requirements for the grade in other respects. The cut surface of the lean muscle shall be firm and possess a smooth velvety appearance. It shall be well marbled and the marbling shall be relatively extensive, especially in the heavier carcasses. The color shall be uniform and bright and may range from a pale red to a deep blood red. The bones are usually soft and red, terminating in soft pearly white cartilages but some ossification of the cartilages and hardening in the bone as indicated by a tinge of whiteness will not disqualify beef produced from mature cattle from this grade.

Only beef produced from beef-type steers and heifers that show a relatively high degree of perfection in breeding

and feeding will qualify for the Choice grade. Beef produced from cows is not eligible for this grade.

(b) *Good.* Good grade beef carcasses and wholesale cuts shall be moderately blocky and compact and shall be moderately thick-fleshed throughout. A tendency for the loins and ribs to be slightly flat and for the rounds to be slightly flat and to taper toward the shank is permitted. Chucks and neck may be only moderately short and thick and shanks may be only moderately short. The fat covering shall extend well over the exterior surface but may show a moderate degree of waste or patchiness, particularly in heavy mature beef. The interior fat shall be fairly plentiful in the pelvic cavity and around the kidney. There is usually a slight protrusion of fat between the chine bones. The "overflow" of fat over the inside of the ribs may be apparent to a slight extent. A limited amount of intermingling of fat with the lean between the ribs, called feathering, shall be in evidence. Both the interior and the exterior fat are usually fairly firm and brittle. The quantity of fat required of beef within this grade will vary within relatively wide limits dependent upon the age and class of cattle from which it is produced. That produced from lightweight steers and heifers which were slaughtered when relatively young may have a relatively thin exterior fat covering and only a moderate quantity of interior fat, whereas that produced from heavier, older cattle may possess a relatively thick exterior fat covering and fairly heavy interior fat deposits in the pelvic cavity, over the kidney, and on the inside of the forequarters. The fat is usually creamy white but it may possess a distinctly yellowish tinge. The cut surface of the lean muscle may be only moderately firm and smooth and velvety in appearance. Beef within this grade will show a relatively wide range of marbling. That produced from young cattle may show only a limited degree of marbling which is apparent only in the thicker cuts whereas that produced from the older, more mature cattle shall show rather extensive marbling throughout. The color is usually uniform and bright but may be slightly two-toned or slightly shady. It usually ranges from a light red to a slightly dark red. The bone will range from soft and red in lightweight beef produced from young cattle to a relatively hard bone that is tinged with white in the beef produced from older, more mature cattle. It is, however, necessary that the chine bones show cartilages, termed "buttons", in order to qualify for this grade.

Beef produced from steers, heifers, and relatively young well-finished beef-type cows may qualify for the Good grade.

(c) *Commercial.* Commercial grade beef carcasses and wholesale cuts may be somewhat rangy, angular, and irregular in conformation and the fleshing may be slightly thin throughout. Loins and ribs tend to be flat and somewhat thinly fleshed. The rounds are relatively long, flat, and tapering. Chucks are usually

slightly flat and thinly fleshed. The neck is somewhat long and thin and the shanks somewhat long and tapering. The quantity of fat required of beef within this grade will vary within wide limits dependent upon the age and class of cattle from which it is produced. That produced from relatively young lightweight steers and heifers that were slaughtered when relatively young may have a thin exterior fat covering that does not extend over the round or chucks and a relatively small quantity of interior fat. In such beef there will be practically no protrusion of fat between the chine bones and there will be no "overflow" of fat on the inside of the ribs and no feathering between the ribs. Beef produced from heavier, older cattle, and particularly from mature animals, will possess a moderately thick exterior fat covering that may be uneven and waxy, and fairly heavy interior fat deposits in the pelvic cavity, over the kidney, and on the inside of the forequarters. The fat may be slightly yellow, somewhat soft, and slightly oily. The cut surface of the lean muscle may be somewhat soft and watery in beef produced from younger cattle, but in that produced from older cattle it is usually firm but is also usually coarse. Beef within this grade produced from yearling cattle will have little if any marbling whereas that produced from mature cattle, and particularly cows, will show a moderate degree of marbling through the thicker cuts. The color may be two-toned or shady and usually ranges from a light red to a dark red. The character of the bone will vary from fairly soft and red in the beef produced from the young cattle to white and hard in that produced from mature cattle.

Beef produced from steers, heifers, and cows may qualify for the Commercial grade.

(d) *Utility.* Utility grade beef carcasses and wholesale cuts may be decidedly rangy, angular, and irregular in conformation. The fleshing is usually thin. The loins and ribs are flat and thinly fleshed. The rounds are long, flat, and tapering. The chucks are flat and thinly fleshed. The neck and shanks are long and tapering. The hip and shoulder joints are prominent. The degree of fat covering varies from very thin in beef produced from young steers and heifers to a slightly thick covering that may be somewhat uneven in beef produced from cattle that are more or less advanced in age. The quantity of interior fat varies from very little in beef that is produced from young and immature steers and heifers to a moderate quantity in that produced from mature cattle. The fat is usually soft and varies in color from a grayish white to decidedly yellow. The cut surface of the lean muscle is usually soft and watery in the beef produced from younger cattle but in that produced from more mature cattle it is usually fairly firm but coarse. The beef in this grade will show practically no marbling except in that produced from aged cattle which may show a little marbling in the thicker cuts. The color may be two-toned or shady and usually ranges from a light



red to a very dark red. The bone is usually hard and white.

The utility grade of beef may be produced from steers, heifers, or cows.

(e) *Cutter and canner.* Cutter grade beef carcasses and wholesale cuts may be very rangy, angular, and irregular in conformation and very thinly fleshed throughout. The loins and ribs are very flat, thin, and shallow. The rounds are very long, flat, and tapering. The chucks are very flat, thin, and shallow. The neck and shanks are very long and tapering. The hip and shoulder joints are very prominent. The degree of exterior fat covering may vary from a very thin covering that is confined almost entirely to the ribs and loins in the beef produced from younger cattle to a thin, more extensive covering in the beef produced from mature cattle. The interior fat is confined largely to the pelvic cavity and the kidney and may vary from a very small quantity, if any, in these parts in beef produced from younger cattle to a limited quantity in that produced from mature cattle. The color of both the interior and the exterior fat may vary from grayish white to a deep yellow. The cut surface of the lean muscle shows no marbling, is coarse, and is usually soft and watery. The color may be two-toned or shady and usually ranges from a slightly dark red to a very dark red. The bone is usually hard and white.

The cutter grade of beef may be produced from steers, heifers, and cows. That produced from cows constitutes a relatively large percentage of the beef eligible for this grade.

Canner grade beef carcasses and wholesale cuts shall be extremely rangy, angular, and irregular in conformation and extremely thinly fleshed throughout. All cuts are extremely thinly fleshed. Loins and ribs are extremely thin, flat, and shallow. The rounds are very long, flat and tapering, and the chucks are extremely thin, flat, and shallow. The neck and shanks are extremely long and the hips and shoulder joints are extremely tapering. Beef of this grade is practically devoid of both interior and exterior fat. The outside surface usually has a very dark appearance. The cut surface of the lean muscle is usually coarse and is soft and watery in appearance. It shows no marbling. The color may be two-toned or shady and usually ranges from a moderately dark red to an extremely dark red or brownish black. The bones are nearly always hard and white.

A very large percentage of the beef of the canner grade is produced from mature cows that are somewhat advanced in age.

§ 1364.65 *Appendix B: Specifications for grades of veal carcasses—(a) Choice.* A choice grade veal carcass is markedly superior in conformation, finish, and quality.

In general shape or outline it is blocky and compact. It is broad and deep in proportion to its length. All parts are thickly fleshed, each part having its proper proportionate thickness. Because of the thickness of fleshing the

carcass presents a plump, full, well-rounded appearance. The different parts are developed and balanced in such a way as to result in a high proportion of back, loin, and round combined.

The shanks are short and thick. Rounds are thick and bulging. Loin and back are full and plump. Shoulders and breasts are broad thick. The neck is short and thick.

There is a thin covering of fat over the rump, loin, back, and top of the shoulders, and over the inner walls of the chest and abdomen. There are moderately large deposits of fat in the breast, flanks, and crotch, and around the kidneys. All exterior fat is smooth. The color of fat is a creamy white tinged with pink.

The flesh ranges from light gray to pinkish brown in color. It is firm, fine-grained and, in a cut surface, is velvety to sight and touch. All bones are small in proportion to the size and weight of the carcass and are soft and red.

(b) *Good.* A good grade veal carcass possesses a moderately high degree of conformation, finish, and quality.

In general shape or outline it tends to be blocky and compact. It is moderately broad and deep in proportion to its length. All parts are moderately thick-fleshed, each part having its proper proportionate thickness. Because of the thickness of fleshing, the carcass presents a moderately plump, full, well-rounded appearance. The different parts are developed and balanced in such a way as to result in a moderately high proportion of back, loin, and round combined.

The shanks are moderately short and thick. Rounds are moderately thick and bulging. Loin and back are moderately full and plump. Shoulders and breast are moderately broad and thick. The neck is moderately short and thick.

There is a very thin covering of fat over the loin and back and over the inner walls of the chest and abdomen. There are slightly small deposits of fat in the breast, flanks, and crotch, and around the kidneys. All exterior fat is moderately smooth. The color of fat is usually a creamy white. The flesh ranges from a pinkish brown to a light tan in color, is moderately firm, fine-grained and, in a cut surface, is moderately velvety but may be slightly moist to sight and touch. All bones are moderately small in proportion to the size and weight of the carcass and are moderately soft and red.

(c) *Commercial.* A commercial grade veal carcass is slightly deficient in conformation, finish, and quality.

In general shape or outline it is slightly rough and rangy. It is slightly narrow and shallow in proportion to its length. All parts are slightly deficient in fleshing, each part being proportionately lacking in this respect. Because of the relative thinness of fleshing the carcass presents a slightly empty, sunken, or hollowed-out appearance. The different parts are developed and balanced in such a way as to result in a slightly low proportion of back, loin, and round combined.

The shanks are slightly long and thin. Rounds are slightly thin and tapering. Loins and back are slightly depressed. Shoulders and breast are slightly narrow and thin. The neck is slightly long and thin.

There are extremely thin patches of fat over the back and loin and over a portion of the inner walls of the chest and abdomen. There are very small deposits of fat in the breast, flanks, and crotch, and around the kidneys, the latter usually being incompletely covered. The color of fat is white but it lacks the pinkish tinge.

The flesh is usually pinkish brown in color, is slightly soft, is coarse-grained and, in a cut surface, is slightly moist to the touch. All bones are slightly large in proportion to the size and weight of the carcass, are moderately soft but are slightly lacking in redness.

(d) *Utility.* A utility grade veal carcass is very deficient in conformation, finish, and quality.

In general shape or outline it is very rough and rangy. It is very narrow and shallow in proportion to its length. All parts are very deficient in fleshing, each part being proportionately lacking in this respect. Because of the relative thinness of fleshing the carcass presents a very depressed or hollowed-out appearance. The different parts are developed and balanced in such a way as to result in a very low proportion of back, loin, and round combined.

The shanks are very long and thin. Rounds are very thin and tapering. Loin and back are very shallow and depressed. Shoulders and breast are very narrow and thin. The neck is very long and thin.

There is no fat covering over the back, loin, or inner walls of the chest and abdomen. Usually there are extremely small deposits of fat in the breast, flanks, and crotch, and around the kidneys. The color of the fat usually is grayish white tinged with yellow.

The flesh ranges from pinkish brown to dark tan in color, is soft, very coarse-grained and, in a cut surface, is very moist to the touch. All bones are large in proportion to the size and weight of the carcass, are moderately soft but are lacking in redness.

(e) *Cull.* A cull grade veal carcass is extremely deficient in conformation, finish, and quality.

In general shape or outline it is extremely rough and rangy. It is extremely narrow and shallow in proportion to its length. All parts are extremely deficient in fleshing, each part being proportionately lacking in this respect. Because of the relative thinness of fleshing the carcass presents an extremely shallow, depressed, or hollowed-out appearance. The different parts are developed and balanced in such a way as to result in an extremely low proportion of back, loin, and round combined.

The shanks are extremely long and thin. Rounds are extremely thin and tapering. Loin and back are extremely depressed. Shoulders and breast are extremely narrow and thin. The neck is extremely long and thin.



There is no fat covering over any part of the exterior of the carcass and none on the inner walls of the chest and abdomen. There are no discernible fat deposits in the breast, flanks, or crotch, and only extremely small quantities around the kidneys.

The flesh usually is reddish brown in color, is very soft, coarse-grained and watery. All bones are very large in proportion to the size and weight of the carcass and are decidedly lacking in softness and redness.

§ 1364 66 *Appendix C: Formula for meat marking fluid.* The following formula has been approved by the United States Department of Agriculture, Bureau of Animal Industry, Meat Inspection Laboratory, to be used for marking meats under the provisions of meat inspection law:

Water.....	gallons..	45
Pure grain alcohol, 95 percent.....	gallons..	38
Granulated cane sugar.....	pounds..	100
Methyl violet.....	pounds..	10

The methyl violet is dissolved in the alcohol and a portion of the water; the sugar is dissolved in the remaining portion of the water and added to the methyl violet solution. Thorough stirring facilitates solution of the methyl violet.

It is not necessary that the above-mentioned formula be adhered to in every detail, but the proportions indicated should not be subjected to any considerable variation; otherwise the marking qualities of the fluid may be impaired. Instead of the pure grain alcohol specified in the formula there may be employed pure grain alcohol, denatured according to formula 33 of the United States Bureau of Internal Revenue. When such denatured alcohol is used, it should be employed in the proportion indicated above. No additional methyl violet should be added. Instead of granulated cane sugar, pure granulated glucose may be used in the same proportion, or heavy corn sirup, if of suitable purity, may be used, provided due allowance is made for the water introduced in that way. All the ingredients used in preparing the marking fluid must be free from poisonous and harmful substances.

Issued this 19th day of June 1942.

LEON HENDERSON,  
*Administrator.*

[F. R. Doc. 42-5775; Filed, June 19, 1942; 5:05 p. m.]

**PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND MIXTURES**

[Amendment 1 to Maximum Price Regulation 128<sup>1</sup>]

**PROCESSING PIECE GOODS**

**DATE AMENDED IN CERTAIN PROVISION**

A statement of the considerations involved in the issuance of this amendment

<sup>1</sup> 7 F.R. 3117.

has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

In paragraph (a) of § 1400.27 *Reports*, the date "June 20, 1942" is amended to read "July 20, 1942". A new § 1400.33 is added as set forth below:

§ 1400.33 *Effective dates of amendments.* (a) Amendment No. 1 (§ 1400.27 (a) and § 1400.33) to Maximum Price Regulation No. 128 shall become effective June 20, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 19th day of June 1942.

LEON HENDERSON,  
*Administrator.*

[F. R. Doc. 42-5763; Filed, June 19, 1942; 3:22 p. m.]

**PART 1499—COMMODITIES AND SERVICES**  
[Amendment 6 to General Maximum Price Regulation<sup>1</sup>]

**FLOUR, CAKE MIXES, ETC., DEFINED**

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

Paragraphs (v) and (w) in § 1499.20 are amended to read as set forth below.

§ 1499.20 *Definitions and explanations.* The General Maximum Price Regulation, and the terms appearing therein, unless the context otherwise requires, shall be construed as follows:

(v) "Flour" means the flour produced from wheat, rye, buckwheat, rice, corn, oats, barley, soy beans and potatoes. Combinations of flours produced from the said commodities, and bleached, bromated, enriched, phosphated and self rising flours shall be considered flour. Products of wheat, except for whole wheat flour and whole durum flour, whose ash is more than 1/20 of the protein calculated to a moisture free basis plus .35 percent or, in the case of products of durum wheat, more than 1.5 percent calculated to a moisture free basis, shall not be considered flour. In determining whether the ash content of bleached, bromated, enriched, phosphated and self rising flours complies with the above ash requirements, allowance shall be made for the increase in the ash content resulting from the addition of the bleaching, bromating, enriching, phosphating and self rising ingredients.

(w) "Cake mixes" and "Flour mixes" means combinations of flour or flours with any other ingredients except those used in making bleached, bromated, enriched, phosphated and self rising flours.

§ 1499.23a *Effective dates of amendments.*

(f) Amendment No. 6 (§ 1499.20 (v) and (w)) to the General Maximum Price

<sup>1</sup> 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487.

Regulation shall become effective June 22, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 19th day of June 1942.

LEON HENDERSON,  
*Administrator.*

[F. R. Doc. 42-5760; Filed, June 19, 1942; 3:19 p. m.]

**PART 1499—COMMODITIES AND SERVICES**  
[Amendment 7 to General Maximum Price Regulation<sup>1</sup>]

**MISCELLANEOUS AMENDMENTS**

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

A new paragraph (c) is added to § 1499.1 and §§ 1499.7, 1499.15, 1499.16, 1499.20 (f), (g), (o) and (p), and 1499.21 are amended to read as set forth below:

*Maximum Prices*

\* \* \* \* \*  
§ 1499.1 *Prohibition against dealing in commodities or services above maximum prices.* \* \* \* \*

(c) The provisions of paragraph (b) of this section shall not be applicable to any war procurement agency or any contracting or paying finance officer thereof and any such agency or contracting or paying finance officer shall be relieved of any and every liability, civil or criminal, imposed by this General Maximum Price Regulation or by the Emergency Price Control Act of 1942 "War procurement agency" as used in this paragraph, includes the War Department, the Department of the Navy, the United States Maritime Commission, and the Lend-Lease Section of the Procurement Division of the Treasury Department, or any agency of any of the foregoing.

§ 1499.7 *Federal and State taxes.* Any tax upon, or incident to, the sale, delivery, processing, or use of a commodity, or the supplying of a service, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such commodity or service and in preparing the records of such seller with respect thereto:

(a) *As to a tax in effect during March 1942.* (1) If the seller paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price during March 1942 the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the seller may not collect such amount in addition to

<sup>1</sup> 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487.



the maximum price, and in such case shall include such amount in determining the maximum price under this General Maximum Price Regulation.

(2) In all other cases if, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this General Maximum Price Regulation.

(b) *As to a tax or increase in a tax which becomes effective after March 31, 1942.* If the statute or ordinance imposing such tax or increase does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

#### Registration and Enforcement

§ 1499.15 *Registration.* Every person selling at wholesale, and every person who owns, or hereafter becomes the owner of, any business operating an establishment selling at retail any commodity or service for which a maximum price is established by this General Maximum Price Regulation or by any other price regulation of the Office of Price Administration, shall register with the Office of Price Administration at such time and in such manner as the Administrator may hereafter by regulation prescribe, on forms which will be made available by the Office of Price Administration.

§ 1499.16 *Licensing.* Every person selling at wholesale or retail any commodity or service for which a maximum price is established by this General Maximum Price Regulation or by any other price regulation of the Office of Price Administration is by this General Maximum Price Regulation granted a license as a condition of selling any such commodity or service. Such license shall be effective on the effective date of this General Maximum Price Regulation or when any such person becomes subject to the maximum price provisions of this or any other price regulation, and shall, unless suspended in accordance with the provisions of the Emergency Price Control Act of 1942, remain in effect as long as such regulation, or any applicable part, amendment, or supplement remains in effect.

#### Definitions and Explanations

§ 1499.20 *Definitions and explanations.* This General Maximum Price Regulation, and the terms appearing therein, unless the contract otherwise requires, shall be construed as follows:

(f) "Mixed feed" includes a mixture or blend of more than one feed ingredient for the purpose of feeding animals, except screenings as defined in the Official Publication of the Association of American Feed Control Officials Incorporated for 1942 and except a mixed feed resulting from the blending or mixing of offals or byproducts from a single vegetable, plant or other agricultural product.

(g) "Most closely competitive seller of the same class". "Seller of the same class" means a seller (1) performing the same function (for example, manufacturing, distributing, retailing, processing, storing, installing, or repairing), (2) of similar type (for example, department store, mail order house, chain store, specialty shop, cut-rate store), (3) dealing in the same type of commodities or services, and (4) selling to the same class of purchaser. A seller's "most closely competitive seller of the same class" shall be a seller of the same class who (i) is selling the same or a similar commodity or service, and (ii) is closely competitive in the sale of such commodities or services, and (iii) is located nearest to the seller.

(o) "Sale at retail" or "selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user, except that (1) for the purpose of § 1499.3 of this General Maximum Price Regulation a "sale at retail" shall not include any sale by a producer, manufacturer, or fabricator of any commodity produced, manufactured, or fabricated by him, and (2) for the purpose of §§ 1499.11 and 1499.13 of this General Maximum Price Regulation a "sale at retail" shall not include any sale to the United States, any other government or any of its political subdivisions, any religious, educational or charitable institution, any institution for the sick, deaf, blind, disabled, aged or insane, or any school, hospital, library or any agency of any of the foregoing.

(p) "Sale at wholesale" means a sale by a person who buys a commodity and resells it, without substantially changing its form, to any person other than the ultimate consumer, except that for the purposes of § 1499.3 of this General Maximum Price Regulation a sale at wholesale shall include any sale by such person to an industrial or commercial user.

#### Other Price Regulations, Applicability, Effective Date

§ 1499.21 *Effect of other price regulations.* Sections 1499.13, 1499.14, 1499.15, 1499.16 and 1499.25 of this General Maximum Price Regulation shall apply but the other provisions of this General Maximum Price Regulation shall not apply

to any sale or delivery for which a maximum price is in effect, at the time of such sale or delivery, under the provisions of any other price regulation issued, or which may be issued, by the Office of Price Administration, unless otherwise provided in any such price regulation.

#### § 1499.23a. Effective dates of amendments.

(g) Amendment No. 7 (§§ 1499.1 (c), 1499.7, 1499.15, 1499.16, 1499.20 (f), (g), (o) and (p) and 1499.21) to General Maximum Price Regulation shall become effective June 25, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 19th day of June 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-5766; Filed, June 19, 1942; 3:23 p. m.]

#### PART 1499—COMMODITIES AND SERVICES<sup>1</sup> [Amendment 4 to Supplementary Regulation 4 to General Maximum Price Regulation]

#### SALES AND DELIVERIES OF IMPORTED COMMODITIES

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

Subparagraph (14) in § 1499.29 (a) is amended to read as set forth below:

§ 1499.29 *Exceptions for sales and deliveries to the United States or any agency thereof of certain commodities and in certain transactions and for certain other commodities.* (a) General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities or in the following transactions:

(14) Sales or deliveries after May 17, 1942 of any imported commodity to the United States or any agency thereof or to any person who will use the imported commodity purchased by him to fulfill a contract with the United States or any agency thereof or a sub-contract under such a contract: *Provided*, That this exception shall not apply to any lumber and shingles produced in and imported from Canada or to any commodity imported prior to April 1, 1942.

(d) \* \* \*  
(6) Amendment No. 4 (§ 1499.29 (a) (14)) to Supplementary Regulation No. 4 shall become effective June 25, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 19th day of June 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-5765; Filed, June 19, 1942; 3:23 p. m.]

<sup>1</sup> 7 F.R. 3724, 3942, 4410, 4488, 4543.



PART 1499—COMMODITIES AND SERVICES  
[Supplementary Regulation 12 to General  
Maximum Price Regulation]

SALES AND DELIVERIES OF IMPORTED  
COMMODITIES

A statement of the considerations involved in the issuance of Supplementary Regulation No. 12 has been issued simultaneously herewith, and has been filed with the Division of the Federal Register. For the reasons set forth in that statement, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and pursuant to the General Maximum Price Regulation, Supplementary Regulation No. 12 is hereby issued.

§ 1499.48 *Sales and deliveries of imported commodities.* (a) Any person who imports a commodity after March 31, 1942, may sell or deliver such commodity to an industrial or commercial user, and any industrial or commercial user may buy or receive from such person any such commodity, at a price higher than the maximum price established by the General Maximum Price Regulation: *Provided*, That, (1) such commodity is sold in substantially the same form in which it was originally received by the seller, (2) no industrial or commercial user shall be obligated to buy or receive any imported commodity under a contract or other firm commitment made prior to June 20, 1942, at a price higher than the maximum price which could have been charged except for this Supplementary Regulation No. 12, and (3) if the seller delivered the same commodity during March 1942, such increase in price shall not exceed the difference between his delivered cost of such commodity and his delivered cost for the same imported commodity delivered by him during March 1942. If the seller did not deliver the same commodity during March, the price charged by him shall be subject to revision or adjustment by the Price Administrator if, in the opinion of the Price Administrator, such price exceeded the maximum price which could have been charged except for the provisions of this paragraph plus a fair allowance for increases in the cost of importation over those importation costs which prevailed during March 1942.

(b) No petition or application for amendment, adjustment, exception or other relief will be entertained by the Price Administrator to the extent that such petition or application is based, directly or indirectly, on the purchase or receipt of an imported commodity at the higher price permitted by paragraph (a).

(c) Within 10 days after the first delivery made pursuant to a sale at the higher price permitted by paragraph (a), the seller shall forward to the [Chief, Import Price Control Office], Office of Price Administration, Washington, D. C., a statement showing the following:

(1) The name and address of the buyer.

(2) A description of each imported commodity sold at such higher price, and the price and terms of sale.

(3) The price at which the seller of such commodity purchased it, the terms of his purchase, and the charges for transportation, insurance and duties incurred by the seller in connection with the purchase.

(4) The delivered cost to him of the same imported commodity, if any, delivered by him during March 1942.

(5) The date on which such commodity was imported by the seller.

(6) The price to which the seller would have been limited under General Maximum Price Regulation in selling to the buyer, except for paragraph (a).

(d) Any person who on or after June 20, 1942, agrees to sell an imported commodity at the higher price permitted by paragraph (a), or who shall deliver at such higher price pursuant to an agreement made before June 20, 1942, shall prior to the time of such agreement notify the buyer that such higher price is being charged pursuant to paragraph (a) and shall inform the buyer of the provisions of paragraph (b).

(e) This Supplementary Regulation No. 12 shall not apply to lumber imported from Canada.

(f) Lower prices than those permitted under paragraph (a) may be charged, demanded, paid, or offered.

(g) For the purposes of Supplementary Regulation No. 12:

(1) A commodity shall be deemed to have been imported only if such commodity was brought into the continental United States from outside thereof, whether or not such commodity was imported for entry into a warehouse. The removal of a commodity from a warehouse, whether or not such removal is out of bond, is not the importation of the commodity.

(2) The term "industrial or commercial user" shall not include any person who resells the commodity purchased by him in substantially the same form as he received it.

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

(h) Supplementary Regulation No. 12 (§ 1499.48) to the General Maximum Price Regulation shall become effective June 20, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 19th day of June 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-5774; Filed, June 19, 1942;  
5:00 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 11—Maximum Prices Authorized under § 1499.3 (b) of the General Maximum Price Regulation<sup>1</sup>]

E. R. SQUIBB & SONS, INC.

APPROVAL OF ANTI-PERTUSSIS SERUM PRICE

E. R. Squibb & Sons, Incorporated, of New York, New York, has made application under § 1499.3 (b) of the General Maximum Price Regulation for specific authorization to determine the maximum price for a commodity which cannot be priced under § 1499.2 thereof. Due consideration has been given to the application, and an Opinion in support of this Order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the Opinion, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is ordered:

§ 1499.47 *Approval of maximum price for Anti-Pertussis serum for sale by E. R. Squibb & Sons, Incorporated.* (a) On and after June 20, 1942, E. R. Squibb & Sons, Incorporated, a corporation having its principal place of business in New York, New York, may sell and deliver and offer, agree, solicit, and attempt to sell and deliver, either directly or through an agent, consignee, or factor, Anti-Pertussis serum, and any person may buy Anti-Pertussis serum from E. R. Squibb & Sons, Incorporated, either directly or through an agent, consignee, or factor, at prices no higher than those hereinafter set forth:

\$12.50 per package of one vial of 15,000 mouse-protective units.

(b) All discounts, trade practices, and practices relating to the payment of shipping charges in effect in March, 1942, on the sale by this company of comparable serums shall apply to the maximum price set forth in paragraph (a).

(c) This Order No. 11 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 11 (§ 1499.47) shall become effective June 20, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 19th day of June 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-5761; Filed, June 19, 1942;  
3:20 p. m.]

<sup>1</sup>7 F.R. 8153, 3330, 3666, 3990, 3991, 4339, 4478.



## PART 1337—RAYON—

[Maximum Price Regulation 167]

## RAYON YARN AND STAPLE FIBER

The Price Administrator has ascertained and given due consideration to the prices of rayon yarn and staple fiber prevailing between October 1 and 15, 1941, and has made adjustments for such relevant factors as he has determined to be of general applicability. So far as practical, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this Regulation.

In the judgment of the Price Administrator, the maximum prices established by this Regulation are and will be generally fair and equitable and will effectuate the purposes of the Act.

A statement of the considerations involved in the issuance of this Maximum Price Regulation No. 167 has been issued simultaneously herewith, and has been filed with the Division of the Federal Register.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1,<sup>1</sup> issued by the Office of Price Administration, Maximum Price Regulation No. 167 is hereby issued.

**AUTHORITY:** §§ 1337.31 to 1337.42, inclusive, issued pursuant to the authority contained in Pub. Law 421, 77th Cong.

§ 1337.31 *Maximum prices for rayon yarn and staple fiber.* On and after June 27, 1942, regardless of any contract, agreement, lease or other obligation, no person shall sell or deliver rayon yarn or staple fiber, and no person shall buy or receive rayon yarn or staple fiber, in the course of trade or business, at prices higher than the maximum prices set forth in Appendix A, incorporated herein as § 1337.42, and § 1337.32; and no person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1337.32 *Sales for export.* The maximum prices at which a person may sell or deliver rayon yarn or staple fiber for export shall be determined in accordance with the provisions of Maximum Export Price Regulation<sup>2</sup> issued by the Office of Price Administration on April 25, 1942.

§ 1337.33 *Less than maximum prices.* Lower prices than the maximum prices established herein may be charged, demanded, paid or offered.

§ 1337.34 *Records.* (a) Every person making purchases or sales of rayon yarn or staple fiber in the course of trade or business after June 26, 1942, whether or not of the types enumerated in Appendix A (§ 1337.42), shall keep for inspection by the Office of Price Administration for a period of not less than two years, complete and accurate records of each such purchase or sale, showing the date there-

of, the name and address of the buyer and the seller, the price paid or received, and the quantity in pounds of each type and quality purchased or sold.

(b) Every producer of rayon yarn or staple fiber shall keep for inspection by the Office of Price Administration for a period of not less than two years, complete and accurate records of the production and sales of rayon yarn and staple fiber, including a full description of each type and quality, whether or not of the types enumerated in Appendix A (§ 1337.42), specifying (1) the denier, (2) the number of filaments, (3) the process by which made, (4) the put-up and (5) any other distinguishing characteristics of the rayon yarn or staple fiber produced or sold.

§ 1337.35 *Reports.* (a) On or before July 10, 1942, and on or before the tenth day of each month thereafter, every producer of rayon yarn and staple fiber shall submit to the Office of Price Administration the following reports:

(1) A report in the detail required by the form 267:1 setting forth the sales for the previous calendar month of: (i) the total poundage of rayon yarn of the types enumerated in Appendix A (§ 1337.42), (ii) the total poundage of the types of rayon yarn not enumerated in Appendix A (§ 1337.42), and (iii) the total poundage of each type of rayon yarn enumerated in Appendix A (§ 1337.42).

(2) A report in the detail required by the form 267:2 setting forth the sales for the previous calendar month of: (1) the total poundage of all rayon staple fiber and (ii) the total poundage of each type of staple fiber listed in Appendix A (§ 1337.42).

(3) A report in the detail required by the form 267:3 setting forth the total poundage and selling price of each type of rayon yarn of which 1,000 pounds or more was sold during the preceding month, which was not listed in Appendix A (§ 1337.42).

(b) There shall also be submitted to the Office of Price Administration such other reports as it may from time to time require and deem advisable.

§ 1337.36 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 167 shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to rayon yarn or staple fiber, alone or in conjunction with any other commodity, or by use of commission, service, transportation or other charge or discount premiums, or other privilege, or by tying agreement, trading or trade understanding, or otherwise.

§ 1337.37 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 167 or an adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1337.38 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 167 are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 167 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1337.39 *Applicability of General Maximum Price Regulation.* This Maximum Price Regulation No. 167 shall apply and the General Maximum Price Regulation<sup>3</sup> shall not apply to sales of rayon yarn and staple fiber for which maximum prices are established by this regulation.

§ 1337.40 *Definitions.* (a) When used in this Maximum Price Regulation No. 167, the term:

(1) "Person" includes an individual, corporation, partnership, association or any other organized group of persons or legal successor or representative of any of the foregoing and includes the United States or any agency thereof or any other government thereof or any of its political subdivisions or any agency of the foregoing;

(2) "Rayon yarn" means manufactured continuous filament yarn produced chemically from cellulose or with a cellulose base;

(3) "Staple fiber" means manufactured cut filament textile fibers chemically produced from cellulose or with a cellulose base; and

(4) "Producer" means any person who produces rayon yarn or staple fiber and includes any agent or affiliate of a producer.

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

§ 1337.41 *Effective date of Maximum Price Regulation No. 167.* Maximum Price Regulation No. 167 (§§ 1337.31 to 1337.42, inclusive) shall become effective June 27, 1942.

§ 1337.42 *Appendix A: Maximum prices for rayon yarn and staple fiber—*

(a) *Introductory.* (1) The maximum prices established in this Section apply only to sales or deliveries of rayon yarn or staple fiber in the continental United States.

(2) The maximum prices established by this Maximum Price Regulation No. 167 do not apply to: (i) high tenacity rayon yarns, or (ii) rayon yarns with special put-up, or (iii) rayon yarn or staple fiber produced according to customers' specifications for special uses, or

<sup>1</sup> 7 FR. 971, 3663.<sup>2</sup> 7 FR. 3096, 3824, 4294.<sup>3</sup> 7 FR. 3153, 3330, 3366, 3990, 3991.



(iv) rayon yarns or staple fiber having other special characteristics not available in rayon yarns or staple fiber of standard types.

(3) The prices set forth in paragraph (b) of this section are maximum prices for rayon yarn and staple fiber sold by the producers thereof. The maximum prices for rayon yarn and staple fiber sold by persons other than producers are set forth in paragraph (c) of this section.

(b) *Maximum prices for rayon yarn and staple fiber sold by producers.* The following are prices per pound f. o. b. shipping point, with actual cost of transportation (but not in excess of lowest published rate) to destination allowed, except that on shipments to points west of the Mississippi River actual cost of transportation to the Mississippi River only shall be allowed. The carrier is to be chosen by the buyer except for shipments of Viscose-Process staple fiber, subparagraph (4), where the carrier is to be chosen and paid for by the seller. Terms are net thirty days, and no additional charge shall be made for any extension of further credit.

(1) *Acetate process continuous filament yarns.*

CONES AND SPOOLS

Denier	Low twist (under 2 turns per inch)	Regular twist (over 2 and under 6 turns per inch)	Skeins
45	\$1.02	\$1.07	\$1.16
55	.93	.98	1.07
65	.86	.90	.97
75	.76	.80	.88
100	.70	.73	.80
120	.65	.65	.71
150 and coarser	.56	.56	.61

The following premiums above the maximum prices set forth in subparagraph (1) for first quality continuous filament yarns shall be allowed:

- (i) 1¢ per pound on all deniers for each turn per inch over five turns per inch;
- (ii) 5¢ per pound for tinted cones; and
- (iii) 10¢ per pound for spun dyed black yarn.

(2) *Cuprammonium process continuous filament yarns.*

Denier	Skeins (no twist)	Converted skeins and cones <sup>1</sup>
40	\$1.40	\$1.55
50	1.10	1.25
55		1.07
65	.95	1.05
75	.90	.98
100	.73	.70

<sup>1</sup> Twisted up to 6 turns per inch on 40 and 50 denier yarns; twisted up to 5 turns per inch on 55 denier or coarser yarns.

(3) *Viscose process continuous filament yarns.*

Denier	Skeins	Weaving and knitting cones
40		\$1.20
50	\$1.05	1.10
65	.95	.98
75	.85	.88
100 (60 filaments and less)	.73	.75
100 (more than 60 filaments)	.66	.77
125	.66	.68
150 (less than 60 filaments)	.55	.55
150 (60 filaments or more)	.57	.57
200	.52	.52
250	.51	.51
300 and coarser	.49	.49

The following premiums above the maximum prices set forth in subparagraph (3) for first quality continuous filament yarns shall be allowed:

- (i) 4¢ per pound for 6 turns per inch on 150 denier or finer yarns;
- (ii) 5¢ per pound for 7 turns per inch on 150 denier or finer yarns;
- (iii) 5¢ per pound for dark tinted cones; and
- (iv) 10¢ per pound for spun dyed black yarn.

(4) *Rayon staple fiber.*

Viscose process:

All deniers, all lengths: Price per pound  
 Bright ----- \$0.25  
 Dull ----- .26

Acetate process:

8 denier or finer, all lengths, bright and dull:  
 Untinted ----- .43  
 Tinted ----- .45

Coarser than 8 denier, all lengths, bright and dull:  
 Untinted ----- .45  
 Tinted ----- .47

(c) *Maximum prices for rayon yarn and staple fiber sold by persons other than producers.* The maximum selling price when sales are made by a person other than a producer, and which shall not be increased by any charges for the extension of credit, are as follows:

(1) *First quality rayon yarns.* Producer's maximum prices set forth in paragraph (b) of this section, plus 4¢ per pound, f. o. b. seller's warehouse.

(2) *Inferior quality rayon yarns.* Producer's maximum prices set forth in paragraph (b) of this section, f. o. b. seller's warehouse.

(3) *Rayon staple fiber.* Producer's maximum prices set forth in paragraph (b) (4) of this section, f. o. b. seller's warehouse.

(4) This paragraph (c) does not apply to sales for export, the maximum prices for which are governed by § 1337.32.

Issued this 20th day of June 1942.

LEON HENDERSON,  
 Administrator.

[F. R. Doc. 42-5777; Filed, June 20, 1942; 10:00 a. m.]

PART 1337—RAYON

[Maximum Price Regulation 168]

CONVERTED RAYON YARN AND CONVERTING CHARGES

In the judgment of the Price Administrator, the prices of converted rayon yarn and charges for the converting of rayon yarn have risen in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of rayon converted yarn and the charges for converting rayon yarn prevailing between October 1 to 15, 1941, and has made adjustments for such relevant factors as he has determined to be of general applicability. So far as practicable the Price Administrator has advised and consulted with representative members of the industry which will be affected by this Regulation.

In the judgment of the Price Administrator, the maximum prices established by this Regulation are and will be generally fair and equitable and will effectuate the purposes of the Act.

A statement of the considerations involved in the issuance of this Maximum Price Regulation No. 168 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Procedural Regulation No. 1,<sup>1</sup> issued by the Office of Price Administration, Maximum Price Regulation No. 168 is hereby issued.

AUTHORITY: §§ 1337.51 to 1337.62, inclusive, issued under Pub. Law 421, 77th Cong.

§ 1337.51 *Maximum prices for converted rayon yarn and converters' charges.* On and after June 27, 1942, regardless of any contract, agreement, lease, or other obligation, no person shall sell or deliver converted rayon yarn or make any charges for the conversion of rayon yarn and no person shall buy or receive converted rayon yarn from such seller, or pay or agree to pay for charges for the converting of rayon yarn in the course of trade or business, at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1337.62 and no person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1337.52 *Sales for export.* The maximum prices at which a person may sell or deliver converted rayon yarn for export shall be determined in accordance with the provisions of Maximum Export Price Regulations,<sup>2</sup> issued by the Office of Price Administration on April 25, 1942.

§ 1337.53 *Less than maximum prices.* Lower prices than the maximum prices

<sup>1</sup> 7 F.R. 971, 3663.

<sup>2</sup> 7 F.R. 3096, 3824, 4294.



established herein may be charged, demanded, paid or offered.

§ 1337.54 *Conditional agreements.* No seller of converted rayon yarn nor any converter of rayon yarn shall enter into an agreement permitting the adjustment of the prices to prices which may be higher than the maximum prices provided herein, in the event that this Maximum Price Regulation No. 168 is amended or is determined by a court to be invalid, or upon any other contingency: *Provided*, That if a petition for amendment (or for adjustment or for exception) has been duly filed and such petition requires extensive consideration, and the Administrator determines that an exception would be in the public interest pending such consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment (or for adjustment or exception, as the case may be). Requests for such an exception may be made in the aforesaid petition for amendment (or for adjustment or for exception).

§ 1337.55 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 168 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to converted rayon yarn or charges for the converting of rayon yarn, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying agreement or other trade understanding, or otherwise.

§ 1337.56 *Records and reports—(a) Converted yarn.* Every person making a sale or purchase of converted rayon yarn in the course of trade or business, or otherwise dealing therein, after June 26, 1942, whether or not of the type of converted yarn enumerated in Appendix A (§ 1337.62), shall keep for inspection by the Office of Price Administration for a period of not less than two years complete and accurate records of each such purchase or sale showing the date thereof, the name and address of the buyer and the seller, the type of yarn, its denier and filament, the type of conversion performed in the detail set forth in Appendix A (§ 1337.62) herein, and the price paid or received.

(b) *Converting charges.* Every person converting rayon yarn and every person for whom such yarn is converted in the course of trade or business after June 26, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than two years complete and accurate records of the form of converting performed in the detail set forth in Appendix A (§ 1337.62) herein, together with the prices charged or received therefor.

(c) *Reports.* Such persons shall submit such reports to the Office of Price Administration as it may from time to time require.

§ 1337.57 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 168 are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 168 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1337.58 *Petitions for amendment.* Persons seeking any modification of this Maximum Price Regulation No. 168 or an adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1337.59 *Applicability of the General Maximum Price Regulation.* This Maximum Price Regulation No. 168 shall apply and the General Maximum Price Regulation shall not apply to sales of rayon converted yarns and charges for the conversion of rayon yarn for which maximum prices are established by this regulation.

§ 1337.60 *Definitions.* (a) When used in this Maximum Price Regulation No. 168, the term:

(1) "Person" includes an individual, corporation, partnership, association or any other organized group of persons or

\* 7 F.R. 3153, 3330, 3666, 3990, 3991.

legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing;

(2) "Rayon yarn" means manufactured continuous filament yarn produced chemically from cellulose or with a cellulose base;

(3) "Converters' charges" means any charge which is made for performing any one or more of the operations listed in Appendix A (§ 1337.62);

(4) "Converted rayon yarn" means any rayon yarn which has been processed in one or more of the manners listed in Appendix A (§ 1337.62).

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

§ 1337.61 *Effective date.* This Maximum Price Regulation No. 168 (§§ 1337.51 to 1337.62, inclusive) shall become effective on June 27, 1942.

§ 1337.62 *Appendix A: Maximum prices—(a) Converting charges.* Maximum converters' charges set forth herein are prices per pound. Unless otherwise stated, the terms shall be net 30 days, f. o. b. converters' plant, delivery of yarn to converters' plant prepaid. These prices shall not be increased by any charges for the extension of credit. The owner of the yarn is considered as assuming all waste losses. In the operations where there are boil-off allowances, adjustments shall be made for the oil added and delivery shall be on a net weight basis.

TABLE I—HOSIERY THROWING

[Prices are based on the use of graded yarns supplied on oiled cones, with original twist, delivery to be on 4" base cones, 3" tops]

Denier	Base price per pound for 10 t. t. per inch	Differentials						Special hosiery throwing <sup>1</sup>	
		If delivered on 5" base cones	If received as unrolled cones or cakes	If received in skeins	If cones to be reeled	Each turn over 10 t. t. per inch	Each turn under 10 t. t. per inch	Each turn in and each turn backed out	Redraw and extra cost allowance (per pound)
50	\$0.53	-\$0.03	+\$0.03	+\$0.07	+\$0.19	+\$0.005	-\$0.005	+\$0.005	+\$0.37
65	.46	-.03	+.03	+.065	+.155	+.005	-.005	+.005	+.23
75	.37	-.03	+.03	+.065	+.15	+.005	-.005	+.005	+.23
100	.30	-.03	+.03	+.06	+.14	+.005	-.005	+.005	+.21
125	.27	-.03	+.03	+.05	+.12	+.005	-.005	+.005	+.18
150	.25	-.03	+.03	+.05	+.10	+.005	-.005	+.005	+.18
200	.24	-.02	+.03	+.05	+.09	+.005	-.005	+.005	+.15
250	.23	-.02	+.03	+.04	+.09	+.005	-.005	+.005	+.15
275	.22	-.02	+.03	+.04	+.08	+.005	-.005	+.005	+.15
300	.21	-.02	+.03	+.04	+.08	+.005	-.005	+.005	+.15

<sup>1</sup> Invoice for commission work or bill of sale for yarn twisted on the above basis must indicate total of turns applied, in and out, although number in and number out need not be individually indicated.

NOTE.—All delivered weights are based on Standard 11% moisture regain, with full boil-off allowances.

*Prices for special lubricating treatment.* If yarns are specially treated with a wax or wax-like substance requiring an organic volatile solvent as a carrier agent and the retained basic sizing substance is not less than 10% of the weight of the yarn, there may be added an additional charge of twelve cents per pound. A statement of the special lubrication treatment and the charges therefor shall be enumerated on each invoice delivered.



TABLE IV—VOILE TWISTING

[Unless otherwise indicated, prices are based on the use of graded yarns supplied in standard long skeins with original twist, with delivery to be on spools]

Process	Denier	Basic total turns twist	Price per pound	Differentials			
				If from doped cone or cakes	If inferior skeins used <sup>1</sup>	If short skeins used <sup>1</sup>	Each turn over basic total turns twist
Acetate	75	28 to 30 inc.	\$0.30	±\$0.00	+\$0.05	+\$0.02	±\$0.005
Viscose	75	34 to 38 inc.	.33	-.03	±.03	±.02	±.005
Acetate	100	35 to 38 inc.	.23	±.00	±.03	±.015	±.004
Viscose	100	35 to 38 inc.	.25	-.02	±.03	±.015	±.004
Acetate	150	30 to 32 inc.	.22	±.00	±.02	±.01	±.003
Viscose	150	30 to 32 inc.	.22	±.00	±.02	±.01	±.003
Acetate	200	20 to 22 inc.	.18	±.00	±.02	±.01	±.003
Viscose	200	20 to 22 inc.	.18	±.00	±.02	±.01	±.003
Acetate	300	15	.16	±.00	±.01	±.01	±.002
Viscose	300	15	.16	±.00	±.01	±.01	±.002
Bemberg <sup>2</sup>	65	28	.30				

<sup>1</sup> Less than 7,500 yards.  
<sup>2</sup> Original yarn supplied on cones, whether doped or not.  
<sup>3</sup> No original twist.

NOTE: All delivered weights based on Standard 11% moisture regain.

TABLE V—COMBINATION YARN TWISTING

[Prices are based on the use of graded yarns supplied in standard long skeins, with original twist, delivery to be on spools]

Type of combination	Type of yarn and twist	Base price per pound	Differentials			
			If supplied in pre-treated cones	If inferior skeins used <sup>1</sup>	If short skeins used <sup>1</sup>	Each turn in ply or single under indicated base
75/75	75V—57½ t. l. } 15	\$0.43	-\$0.015	+\$0.015	+\$0.01	±\$0.005
75/100	75A—Standard } 15	.39	-.015	±.015	±.01	±.005
100/100	100V—55 t. l. } 12	.35	-.01	±.01	±.01	±.005
100/150	100A—Standard } 15	.27	-.01	±.01	±.01	±.005
150/150	150V—48 t. l. } 10	.24	-.01	±.01	±.01	±.005
	150A—Standard } 10					

<sup>1</sup> Under 7,500 yards

NOTE: All delivered weights are based on Standard 11% moisture regain.

TABLE II—PLIED SINGLE END TWISTING

[Prices are based on the use of graded yarns supplied on oiled cones, with original twist, delivery to be on one pound cones]

Ply	Denier	Turns for each single	Turns for ply	Price per pound	Differentials			
					Each turn in ply or in single over indicated base	If put up on 2 lbs. cones	If received in unplied cones	If received in skeins
2	50	Up to 10 t. l.	Up to 10 t. l.	\$0.525	±\$0.005	-\$0.03	±\$0.03	±\$0.19
2	75	Up to 10 t. l.	Up to 10 t. l.	.42	±.005	-.03	±.03	±.15
2	100	Up to 10 t. l.	Up to 10 t. l.	.35	±.005	-.03	±.03	±.14

NOTE: All delivered weights are based on Standard 11% moisture regain, with full boil-off allowances.

Prices for special lubricating treatment. If yarns are specially treated with a wax or wax-like substance requiring an organic volatile solvent as a carrier agent and the retained basic sizing substance is not less than 10% of the weight of the yarn, there may be added an additional charge of 12 cents per pound. A statement of the special lubrication treatment and the charges therefor shall be enumerated on each invoice delivered.

TABLE III—CREPE TWISTING

[Unless otherwise indicated, prices are based on the use of graded yarns supplied in standard long skeins, with original twist, delivery to be on spools]

Denier	Basic total turns twist	Price per pound	Differentials			
			If from doped cone or cakes	If inferior skeins used <sup>1</sup>	If short skeins used <sup>2</sup>	Each turn over basic total turns twist
50	105	\$0.72	-\$0.04	±\$0.05	±\$0.02	±\$0.005
75	57½	.43	-.03	±.03	±.02	±.004
100	55	.30	-.02	±.02	±.015	±.003
125	52	.28	-.02	±.02	±.015	±.002
150	50	.26	-.02	±.02	±.01	±.001
200	50	.23	-.02	±.015	±.01	±.001
75 Bemberg <sup>1</sup>	57½	.46	-.00	±.05	±.00	±.004

<sup>1</sup> Based on no original twist.

<sup>2</sup> Under 7,500 yards.

NOTE: All delivered weights based on Standard 11% moisture regain.



TABLE VI—WARP TWISTING

[Prices are based on delivery of graded yarns in skeins or cones with original twist and delivery to be made on spools]

Denier	Turns per inch	Price for natural yarn	Price for dyed yarn <sup>1</sup>	Differential (for each turn over indicated base)
75.....	8 to 10 turns...	\$0.26	\$0.34	+\$0.01
150.....	6 to 8 turns.....	.22	.30	+.01
300.....	6 to 8 turns.....	.18	.27	+.01

<sup>1</sup> Dyeing charges not included.

TABLE VII—SCHIFFLI TWISTING

[Prices are based on the use of graded or inferior yarn supplied either on cones or in skeins, with original twist, delivery to be on cones or headless packages]

Denier	Ply	Twist	Price per pound
75.....	2 or 3	10 x 12.....	\$0.31
100.....	2 or 3	10 x 12.....	.295
125.....	2 or 3	10 x 12.....	.28
150.....	2 or 3	7 to 10 inc. x 7 to 10 inc.....	.26
200.....	2 or 3	7 to 10 inc. x 7 to 10 inc.....	.24
300 (or coarser).....	2 or 3	7 to 10 inc. x 7 to 10 inc.....	.22

TABLE VIII—BRAIDER TUBE WINDING

[Prices are based on the use of graded or inferior yarns supplied in skeins or cones with original twist, delivery to be on braider tubes]

A—STANDARD TWIST

Denier	Base price per pound for 1 end up	Differentials			
		If delivered on metal ship-ping spools	For 2 ends up	For 3 ends up	For 4 ends up
150.....	\$0.16	-\$0.02	+\$0.02	+\$0.02 <sup>1/2</sup>	+\$0.03
200.....	.15	-.02	+.02	+.02 <sup>1/2</sup>	+.03
300.....	.14	-.02	+.02	+.02 <sup>1/2</sup>	+.03

B—OPEN TWIST

Denier	Base price per pound for 1 end up	If delivered on metal ship-ping spools	For 2 ends up	For 3 ends up	For 4 ends up
150.....	\$0.27	-\$0.04	.....	.....	.....
200.....	.26	-.04	.....	.....	.....
300.....	.21	-.04	.....	.....	.....

TABLE IX—WARPING AND SLASHING

(A) NATURAL YARNS, ON HIGH SPEED WARP

[Prices are based on delivery of graded yarns to converter, original twist on weaving cones. Warps based on 10 lbs. yarn per 100 yard warp length]

Denier	Price for viscose yarn <sup>1</sup>	Price for acetate yarn <sup>1</sup>	Differential (if sold on beams by converter)
75.....	\$0.15	\$0.165	+\$0.035
100.....	.13	.140	+.030
150.....	.11	.12	+.025

TABLE IX—WARPING AND SLASHING—Con.

(b) DYED YARNS, 100% SOLID COLORS

[Prices are based on delivery of graded yarns dyed, to converter, original twist, in skeins. Warps based on 10 lbs. yarn per 100 yard warp length]

Denier	Price for viscose yarn <sup>1</sup>	Differential (if sold on beams by converter)
75.....	\$0.34	+\$0.04
100.....	.28	+.03
150.....	.25	+.025

(c) DYED YARNS IN PATTERNS, 1 BEAM BASIS

[Prices are based on delivery of graded yarns in skeins, either in dyed or natural state, original twist. Warps based on 10 lbs. yarn per 100 yard warp length]

Denier	Price for viscose yarn <sup>1</sup>	Differential (if sold on beams by converter)
100.....	\$0.32	+\$0.03
150.....	.29	+.025

<sup>1</sup> All prices based on net weight of yarn. Full allowance to be made for weight of sizing material and stretch gain.

TABLE XI—PACKAGE DYEING—VISCOSE YARN WITH DIRECT COLORS

[Prices are based on the use of graded yarns in skeins or cones, original or other twists, delivery to be on dye package]

Batch size	Prices per pound			Differentials				
	150 denier	200 denier	300 denier	For pastel shades	For fast to light and water	If delivered on cones		
						150 denier	200 denier	300 denier
1-10 lbs., inc.....	\$0.56	\$0.56	\$0.55	-\$0.01	+\$0.02	+\$0.08	+\$0.07	+\$0.06
11-24 lbs., inc.....	.41	.41	.40	-.01	+.02	+.08	+.07	+.06
25-52 lbs., inc.....	.36	.36	.35	-.01	+.02	+.08	+.07	+.06
53-113 lbs., inc.....	.31	.31	.30	-.01	+.02	+.08	+.07	+.06
114-170 lbs., inc.....	.28	.28	.27	-.01	+.02	+.08	+.07	+.06
171-500 lbs., inc.....	.25	.25	.24	-.01	+.02	+.08	+.07	+.06
501 and over.....	.24	.24	.23	-.01	+.02	+.08	+.07	+.06

TABLE XII—SKEIN DYEING—VISCOSE PROCESS YARN WITH DEVELOPE AND VAT COLORS

[Prices are based on the use of graded yarns in skeins, with original or other twist, delivery to be in skeins]

Denier	Batch size	Type of dyestuff					
		Price per pound for developé colors			Price per pound for vat colors		
		Light	Medium	Dark	Light	Medium	Dark
All.....	Case or over <sup>1</sup> .....	\$0.23	\$0.26	\$0.29	\$0.40	\$0.50	\$0.70
All.....	100 lbs. to case.....	.25	.28	.31	.42	.52	.72
All.....	49 lbs. to 99 lbs., inc.....	.28	.31	.34	.45	.55	.75
All.....	25 lbs. to 48 lbs., inc.....	.32	.35	.38	.48	.58	.78
All.....	11 lbs. to 24 lbs., inc. <sup>2,3</sup> .....	.46	.49	.52	.63	.63	.83

<sup>1</sup> Minimum weight of case, 200 lbs.

<sup>2</sup> In quantities of less than 11 pounds, a minimum charge of \$5.50 may be made for Developé Colors.

<sup>3</sup> In quantities of less than 11 pounds, a minimum charge of \$8.50 may be made for Vat Colors.

TABLE X—SKEIN DYEING—VISCOSE PROCESS YARN WITH DIRECT COLORS

[Prices are based on the use of graded yarns in skeins, with original or other twists, delivery to be in skeins]

Denier	Lot size	Type of dyestuffs		Differentials	
		Price per pound for ordinary direct	Price per pound for commercial fast	For pastel shades	II Bomberg yarn used
All	Case lots or over <sup>1</sup> .....	\$0.15	\$0.17	-\$0.01	+\$0.02
All	100 lbs. to case lots.....	.17	.19	-.01	+.02
All	49 lbs. to 99 lbs., inc.....	.20	.22	-.01	+.02
All	25 lbs. to 48 lbs., inc.....	.24	.26	-.01	+.02
All	11 lbs. to 24 lbs., inc.....	.38	.40	-.01	+.02
All	10 lbs. and under <sup>2</sup> .....	.55	.57	-.01	+.02

<sup>1</sup> Minimum weight of case, 200 lbs.

<sup>2</sup> In quantities of less than five pounds a minimum charge not to exceed \$5.50 may be made.



TABLE XIII—ACETATE SKEIN DYEING

[Prices are based on the use of graded yarn in skeins with original or other twist, delivery to be in skeins]

Denier	Batch size	Price per pound for light shades	Price per pound for medium shades	Price per pound for dark shades
All	Case or over 1	\$0.20	\$0.26	\$0.36
All	100 lbs. to case	.22	.28	.38
All	49 lbs. to 99 lbs., inc.	.25	.31	.41
All	25 lbs. to 48 lbs., inc.	.29	.35	.45
All	11 lbs. to 24 lbs., inc. <sup>2</sup>	.43	.49	.55

<sup>1</sup> Minimum weight of case, 200 lbs.

<sup>2</sup> In quantities of less than 11 pounds, a minimum charge not to exceed \$5.50 may be made.

TABLE XIV—DYEING SPECIAL SUPERFAST COLORS FOR ACETATE YARNS

U. S. PATENT NO. 2,249,607, ON 16-OUNCE PACKAGES

[Prices are based on use of graded yarns in skeins, with original or other twists, delivery to be dye package]

Color	Price per pound for all deniers	Differentials			
		If delivered on cones			
		100 Den.	150 Den.	200 Den.	300 Den.
Light shades	\$0.58	+\$0.07	+\$0.05	+\$0.04	+\$0.04
Medium shades	.63	+0.07	+0.05	+0.04	+0.04
Dark shades	.69	+0.07	+0.05	+0.04	+0.04
Reds, oranges and browns	.69	+0.07	+0.05	+0.04	+0.04

TABLE XV—SPOOLING

Prices are based on the use of graded yarns supplied in skeins, with original twist, delivery to be on spools]

Denier	Natural yarn prices per pound	Dyed yarn prices per pound	Differential (if to be coned in dyed state)
75	\$0.175	\$0.20	+\$0.15
100	.130	.15	+0.07
150	.10	.12	+0.05
200	.085	.11	+0.04
300	.065	.08	+0.04

(b) *Converted yarn.* The maximum prices for converted rayon yarn shall be the maximum prices for the rayon yarn set forth in § 1337.42, paragraph (c) of Maximum Price Regulation No. 167 plus the charges for any one or more of the conversion operations performed in connection with said rayon yarn as set forth in paragraph (a) of § 1337.62. Terms are f. o. b. converters' plant, net 30 days. These maximum prices shall not be increased by any charges for the extension of credit. The converter shall assume all waste loss: *Provided*, That the maximum prices for the sale of converted rayon yarn made by a producer of rayon yarn shall be the maximum prices for the rayon yarn set forth in § 1337.42, paragraph (b) of Maximum Price Regulation No. 167 plus the charges for any one or more of the conversion operations performed in connection with said rayon yarn as set forth in paragraph (a) of § 1337.62.

Issued this 20th day of June 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-5778; Filed, June 20, 1942; 9:59 a. m.]

PART 1306—IRON AND STEEL

[Amendment 2 to Revised Price Schedule 41<sup>1</sup>]

STEEL CASTINGS

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

Paragraph (b) of § 1306.100 and § 1306.108 are amended to read as set forth below:

§ 1306.100 *Maximum prices for steel castings and railroad specialties.* \* \* \*

(b) *Adjustable pricing.* Any person may offer or agree to adjust prices to or at prices not in excess of the maximum prices in effect at the time of delivery and, where a petition for amendment or for adjustment or exception has been made pursuant to § 1306.108 of this Revised Price Schedule No. 41, may offer or agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1306.108 *Petitions for amendment, adjustment or exception.* (a) The Price Administrator may grant an exception permitting a seller of steel castings or railroad specialties to charge more than the maximum prices set forth in this Revised Price Schedule No. 41 in cases where the seller shows that he must otherwise absorb abnormally high transportation costs by reason of unusual circumstances arising from the emergency demands of the war. In all such cases the petitioner shall submit data indicating why the particular shipment or series of shipments are abnormal and the relation of such shipment or shipments to the war effort. Persons petitioning pursuant to this paragraph may be required to submit such data or reports in regard to any petition or order granting relief hereunder as may be from time to time required by the Price Administrator. Petitions for such exceptions must be filed in accordance with Procedural Regulation No. 1<sup>2</sup> issued by the Office of Price Administration.

(b) Persons seeking any modification of this Revised Price Schedule No. 41 or an adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1306.110a *Effective dates of amendments.* \* \* \*

(b) Amendment No. 2 (§§ 1306.100 (b), 1306.108) to Revised Price Schedule No. 41 shall become effective June 25, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 20th day of June 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-5801; Filed, June 20, 1942; 12:44 p. m.]

<sup>1</sup> 7 F.R. 1281, 2001.  
<sup>2</sup> 7 F.R. 971.

PART 1330—CONTAINERS

[Amendment 1 to Maximum Price Regulation 151<sup>1</sup>]

NEW BAGS

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

Subparagraph (1) of paragraph (c) of § 1330.162 and subparagraph (2) of paragraph (a) of § 1330.174 are amended to read as set forth below and a new § 1330.177 is added:

§ 1330.162 *Maximum prices for new bags.* \* \* \*

(c) *Sales and deliveries of new bags by persons other than the manufacturer thereof or the agent or other person acting on behalf or under the control of such manufacturer.* (1) The maximum prices, f. o. b. point of shipment, applicable to sales or deliveries of new bags by any person other than the manufacturer thereof or the agent or other person acting on behalf or under the control of such manufacturer shall be the delivered cost thereof plus:

(i) The highest markup in cents per bag taken by such person on a sale or delivery to a purchaser of the same general class during March 1942 of new bags of the same type, size, and quality, or

(ii) If during March 1942 no such sales or deliveries were made, a markup in cents per bag in line with the highest markup taken by such person on a sale or delivery to a purchaser of the same general class during March 1942 of a similar new bag most nearly like the new bag for which the maximum price is being determined; or

(iii) If during March 1942 no sales or deliveries of the same or similar new bags were made by such person, the highest markup in cents per bag taken by the most closely competitive seller of the same class on a sale or delivery to a purchaser of the same general class during March 1942 of new bags of the same type, size and quality; or

(iv) In the case of any type, size or quality of new bag sold or delivered only during a particular season of the year for which such person's maximum price cannot be determined pursuant to subdivisions (i), (ii) or (iii) of this subparagraph (1), the highest markup in cents per bag taken by such person on a sale or delivery to a purchaser of the same general class during the last selling season prior to March 1942 of new bags of the same type, size and quality; or, if no such sales or deliveries were made during such selling season, the highest markup in cents per bag taken by the most closely competitive seller of the same class on a sale or delivery to a purchaser of the same general class during such season of new bags of the same type, size and quality.

For the purpose of this subparagraph (1) the term "delivered cost" shall mean the price paid by the seller for the new

<sup>1</sup> 7 F.R. 3893.



bags, which must not exceed the maximum price established by this Maximum Price Regulation No. 151, plus actual transportation charges incurred by such seller in transporting the bags to the point of shipment. If the goods are transported in a conveyance other than a commercial carrier, the transportation charge shall not exceed the charge which would be applicable in an identical shipment from the same point of shipment to the same receiving point at the lowest available commercial transportation rate. The term "in line with" means having a justifiable relationship to the markup provided for in subdivision (i) with commensurate increases or decreases to take into account differences in cost of such new bags to the seller.

§ 1330.174 *Definitions.* (a) When used in this Maximum Price Regulation No. 151, the term:

(2) "New bag" means a previously unused container which (i) is manufactured within the United States, (ii) is to be used for packaging a commodity therein for transportation or storage, (iii) is manufactured from burlap or cotton textile material which has not previously been used for any commercial purpose. It shall not include seamless cotton bags.

§ 1330.177 *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1330.162 (c) (1) and 1330.174 (a) (2)) to Maximum Price Regulation No. 151 shall become effective June 25, 1942. (Pub. Law 421, 77th Cong.)

Issued this 20th day of June 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-5802; Filed, June 20, 1942;  
12:45 p. m.]

**PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS**

[Amendment 4 to Maximum Price Regulation 129<sup>1</sup>]

**LIST OF PAPERS AFFECTED; PRICE DETERMINATION FOR CERTAIN KRAFT PAPERS**

Waxed paper.  
Envelopes.  
Paper cups, paper containers and liquid tight containers.  
Sanitary closures and milk bottle caps.  
Drinking straws.  
Certain sulphate and certain sulphite papers.  
Certain tissue papers.  
Rope and jute papers.  
Technical papers.  
Gummed papers.  
Tags, pin tickets and marking machine tickets.  
Glazed and fancy papers.  
Standard grocer's and variety bags.  
Resale book matches.  
Unprinted single weight crepe paper in folds.  
Certain bag papers.  
Certain wrapping papers.

A statement of the considerations involved in the issuance of this amend-

<sup>1</sup> 7 F.R. 3178, 3242, 3482, 3554.

ment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 1347.11 (a) (6), in paragraph (d) of § 1347.12 the headnote, subparagraphs (1) and the headnote "grades" of the table thereto, (2), (3), and § 1347.22 (a) (20) are amended to read as set forth below:

§ 1347.11 *Prohibition against dealing in commodities above maximum prices.* On and after May 11, 1942, regardless of any contract or other obligation, (a) With respect to the following commodities:

(6) All papers included in the following:

Papers containing 50% or more bleached or unbleached sulphate fibre excluding all wrapping grades and standard machine finish and machine glazed bag papers and variety bag papers; papers containing 50% or more bleached or unbleached sulphite fibre or 50% or more bleached sulphate fibre used for wrapping or protective purposes or converting, excluding box covers, box liners, lining papers, facing papers, drinking cup stock, glassine, greaseproof and waxing papers; any tissue papers or papers under 18 pounds basis weight excluding cigarette, carbonizing, fruit wrapping, manifold and condenser tissues; any paper containing rope or jute fibres in any amount; and technical papers including but not limited to grades generally classified as saturating, impregnating, insulating, shotshell and photographic paper, no manufacturer shall sell, offer to sell or deliver any such commodity at a price higher than:

§ 1347.12 *Maximum prices for certain paper commodities.* \* \* \*

(d) *Machine finish and machine glazed Kraft wrapping paper and standard machine finish and machine glazed Kraft bag paper—(1) Tabulation of maximum prices.*

Machine finish grades	Maximum manufacturers delivered prices for carload lots
* * *	

(2) In order to determine the maximum prices for all other grades of Machine Finish Kraft Wrapping Paper and all grades of Machine Finish Kraft Variety Bag Paper, Machine Glazed Kraft Wrapping Paper and Machine Glazed Kraft Bag Paper, including but without limitation Unbleached Kraft Butchers Paper, there shall be subtracted from, and there may be added to, the maximum price of the most nearly similar product listed in the paragraph (d) (1) above, an amount equal to the difference between the price of the most nearly similar product listed in paragraph (d) (1) above and the grade in question, actually employed by the manufacturer in sales or deliveries of such grade during the period from October 1, 1941 to October 15, 1941, inclusive, to a purchaser of the same class.

(3) The maximum prices established in paragraph (d) (1) and (d) (2) above are the maximum prices for rolls in carload lots, Zone A, f. o. b. mill, lowest available carload rate of freight allowed to destination point, 30 pounds basis weight and up, except in the case of Imitation Kraft Wrapping Paper, where the basis weight is 45 pounds and up, in the case of Unbleached Kraft Butchers Paper, where the basis weight is 40 pounds and up, and in the case of Machine Glazed Kraft Paper, where the basis weight is 25 pounds and up. The lowest carload rate of freight means the lowest freight rate for shipment of carload quantities by the means of transportation available at the time of shipment.

§ 1347.22 *Definitions.* (a) When used in the Maximum Price Regulation No. 129, the term:

(20) "No. 1 Kraft Wrapping Paper" includes any wrapping paper 18# basis weight or over, containing 100% unbleached sulphate fibre and testing 90% to 96% of the basis weight Mullen Test under Standard TAPPI testing procedure. All rolls or bundles of sheets must be stencilled or labeled with a designation including the words, "No. 1 Kraft".

§ 1347.25 *Effective dates of amendments.* \* \* \*

(d) Amendment No. 4 (§ 1347.11 (a) (6), § 1347.12 (d) (1), (2), (3), and § 1347.22 (a) (20)) to Maximum Price Regulation No. 129 shall become effective June 25, 1942.

(1942 Pub. Law 421, 77th Cong.)

Issued this 20th day of June 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-5803; Filed, June 20, 1942;  
12:43 p. m.]

**PART 1393—ICE**

[Amendment 1 to Maximum Price Regulation 154<sup>1</sup>]

**ICE**

**"RETAIL SALES" FOR PURPOSES OF ADJUSTMENTS**

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

A new paragraph (a) is added to § 1393.6, and a new § 1393.8a is added, as set forth below:

§ 1393.6 *Incorporation of the provisions of the General Maximum Price Regulation.* \* \* \*

(a) For purposes of adjustment under § 1499.18 (a), incorporated in this section, a sale at retail shall include a sale to an ultimate commercial or industrial user.

<sup>1</sup> 7 F.R. 3903.



§ 1393.8a *Effective dates of amendments.* (a) Amendment No. 1 (§ 1393.6 (a)) to Maximum Price Regulation 154 shall become effective June 25, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 20th day of June 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-5800; Filed, June 20, 1942; 12:45 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 9 to Supplementary Regulation 1<sup>1</sup> to General Maximum Price Regulation<sup>2</sup>]

EXCEPTION FOR CERTAIN DEAD ANIMALS

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

A new subparagraph (27) is added to § 1499.26 (a) as set forth below:

§ 1499.26 *Exceptions for certain commodities, certain sales and deliveries.* (a) The General Maximum Price Regulation shall not apply to any sale or delivery of the following commodities:

(27) Dead animals of any kind except those slaughtered for food purposes and except sales or deliveries by a breeder, trapper, or hunter of pelts, furs, or other parts of wild animals raised by him, or trapped, shot, or killed by him.

(e) *Effective dates.* \* \* \* (10) Amendment No. 9 (§ 1499.26 (a) (27)) to Supplementary Regulation No. 1 shall become effective June 25, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 20th day of June 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-5799; Filed, June 20, 1942; 12:44 p. m.]

Chapter XVII—Office of Civilian Defense

[Regulations 3, Amendment 2]

PART 1903—UNITED STATES CITIZENS DEFENSE CORPS

By virtue of authority vested in me by Executive Order No. 8757 dated May 20, 1941, as amended by Executive Order No. 9134 dated April 15, 1942, and Executive Order No. 9088 dated March 6, 1942, § 1903.9 of this chapter (section 9 of Office of Civilian Defense Regulations No. 3<sup>3</sup>) is hereby amended to read as follows:

§ 1903.9 *Oath.* (a) Each appointee to membership in the Defense Corps shall, prior to being enrolled as a mem-

ber of the Defense Corps, take an oath, written or oral, which oath shall be substantially as follows:

I, \_\_\_\_\_, solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; that I will well and faithfully discharge my duties as a member of the United States Citizens Defense Corps; and that I do not advocate, and have not advocated, the overthrow of our constitutional form of government in the United States by force or violence.

Such oath may include allegiance to the particular State and such other matter as shall not be inconsistent with the foregoing.

(b) If such oath is in writing and signed, it shall be filed with the Local Defense Council. If such oath is taken orally, there shall be filed with the Local Defense Council an affidavit of the Commander of the local Defense Corps, or the chief of the service in which the member is enrolled, or of the person administering the oath, specifying the name of the person taking the oath, the date on which the oath was taken, and the form of the oath, so taken. Such oaths, written or oral, may be taken before or after the effective date of these regulations. (E.O. 8757, 6 F. R. 2519, as amended by E.O. 9088, 7 F. R. 1775, E.O. 9134, 7 F. R. 2887)

[SEAL] JAMES M. LANDIS,  
Director of Civilian Defense.

JUNE 20, 1942.

[F. R. Doc. 42-5794; Filed, June 20, 1942; 11:51 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 5—ADJUDICATION: DEPENDENTS' CLAIMS

PAYMENT OF PENSION OR COMPENSATION TO A CHILD WHEN IT REACHES 16 OR 18 YEARS OF AGE

Section 5.2598 is revised as follows:

§ 5.2598 *Effective dates of payments (and termination of pension or compensation paid) to a child after it reaches 18 years of age.* Except as outlined in § 5.2500 pertaining to original claims, the effective dates of payments on account of school attendance will be as follows:

(a) and (b) No change.

(c) *Continuance during intervening holidays.* In a claim where evidence is submitted showing that the child was attending a course of instruction in an approved institution at the close of a regular school term, and intends to resume attendance at the next regular term, either in the same or a different institution, the award will be continued during the intervening holidays or period, if all other requirements are met, provided that where the child does not

actually resume attendance the award will be discontinued as of date of such failure to pursue a course or as of the date of last payment whichever is the earlier; provided, further, that payments will not be authorized retroactively for the vacation period where the child fails to resume attendance at the end of such period.

(d) No change.

(e) In those cases in which payments have been or are being made on the basis of a course in an institution, which meets with the approval of the Veterans Administration, and it is shown that during all or a portion of such period the child was pursuing a different course in the same institution or a course in another institution, action of approval or disapproval thereof may be taken at any time and, if approved, payments previously made covering the period of attendance in such course will not be disturbed.

(f) and (g) No change. (June 20, 1942.)

(48 Stat. 9; 38 U.S.C. 704)

[SEAL] FRANK T. HINES,  
Administrator.

[F. R. Doc. 42-5771; Filed, June 19, 1942; 4:09 p. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order No. 13]

PART 301—REGULATIONS AFFECTING MARITIME CARRIERS

BAREBOAT CHARTERS FOR CARGO AND TANK VESSELS

Whereas, an unlimited National Emergency was proclaimed by the President of the United States on May 27, 1941;<sup>1</sup>

Whereas, by Executive Order No. 9054, dated February 7, 1942,<sup>2</sup> the President of the United States conferred upon the War Shipping Administration the functions, duties, and powers with respect to the provisions of section 902 of the Merchant Marine Act, 1936, as amended, to requisition or charter the use of any vessel or other watercraft owned by citizens of the United States or under construction within the United States, for any period during such emergency;

Whereas, vessels in addition to those otherwise available are and will be necessary for transportation of foreign commerce of the United States or of commodities essential to the national defense and to the prosecution of the war; and

Whereas, pursuant to the aforesaid Proclamation and Executive Order of the President and the provisions of section 902 of the Merchant Marine Act, 1936, as amended, the Administrator, War Shipping Administration, has requisitioned and will from time to time requisition the use on a bareboat charter

<sup>1</sup> 6 F. R. 2617.

<sup>2</sup> 7 F. R. 837.

<sup>1</sup> 7 F. R. 3158, 3488, 3567, 3892, 4183, 4410, 4428, 4487, 4488.

<sup>2</sup> 7 F. R. 3153, 3330, 3666, 3990, 3991, 4339, 4487.

<sup>3</sup> 7 F. R. 3244, 4276.



basis of vessels owned by citizens of the United States or under construction within the United States,

Now, therefore, it is hereby ordered, That:

§ 301.1h Requisition bareboat charter for cargo and tank vessels. (a) Bareboat Charters entered into by the United States of America, acting by and through the Administrator, War Shipping Administration, for cargo and tank vessels, shall consist of two parts, designated respectively, Part I and Part II.

(b) The form of Part I for cargo and tank vessels requisitioned or chartered in lieu of requisition shall be as follows:

Form No. 103 5/29/42 Warshipdemise Contract No. \_\_\_\_\_

REQUISITION BAREBOAT CHARTER FOR CARGO AND TANK VESSELS

PART I

Bareboat Charter as of \_\_\_\_\_, 1942, between \_\_\_\_\_ Address \_\_\_\_\_ Owner of the SS/MS \_\_\_\_\_ Official No. \_\_\_\_\_ (herein called the "Vessel"), and United States of America, Charterer:

Owner agrees to let and Charterer agrees to hire the vessel, from time of delivery for trading subject to the following terms:

PART I

A. Period of charter. From the time of delivery to the time of expiration of the voyage current at the end of the emergency proclaimed by the President May 27, 1941: Provided, That after September 1, 1942 either party may sooner terminate this Charter (the Vessel to be redelivered as hereinafter provided) upon not less than 60 days' written or telegraphic notice.

B. Trading limits. World-wide.

C. Rate—Option I. A basic rate of \$ \_\_\_\_\_ per deadweight ton per month, subject to adjustment in accordance with any General Order adopted by the Charterer with respect to fair and reasonable maximum rates of charter hire for vessels chartered on a bareboat basis, said adjusted rate being subject to revision not more than once in every 120 days as in paragraph D below provided; or

Option II. 75 percentum of the rate payable in accordance with Option I above and such further sum, if any, adjudicated to be necessary to make up just compensation for the use of the Vessel and the services required in connection therewith under the terms of this Charter, pursuant to the provisions of Section 902 of the Merchant Marine Act, 1936, as amended.

D. Rate revision (Option I only). At any time after September 1, 1942, but not more often than once every 120 days, either party may request a redetermination of the rate of charter hire upon 30 days' written or telegraphic notice to the other. If a revised rate is determined and agreed upon within such 30-day period, it shall become effective as of the date specified in the determination and shall continue for the balance of the period of this Charter subject to further redetermination in accordance with the provisions of this paragraph. If a revised rate is not determined or agreed upon within such 30-day period, then the rate of hire in effect at the time of such notice shall apply only until noon (EWT) of the day after the end of such 30-day period, and charter hire for the balance of the period of this Charter shall be just compensation within the mean-

ing of Section 902 of the Merchant Marine Act, 1936, as amended, and shall be established and paid as therein provided. In such latter event, the use of the Vessel, if not theretofore requisitioned, shall be deemed to have been requisitioned pursuant to Section 902 as of noon (EWT) of the day after the end of such 30-day period. This paragraph shall not operate so as to terminate the period of or otherwise modify the provisions of this Charter, notwithstanding any such modifications, adjustments, or terminations of the charter hire provisions of this Charter by operation of this paragraph.

E. Total loss valuation—Option I. The sum of \$ \_\_\_\_\_ per deadweight ton computed in accordance with General Order No. 9 of the Charterer together with any premiums or adjustments, or any assumption of war risk, general average, collision or salvage risks or liabilities as may be provided for in said General Order and which are applicable to the Vessel by the terms of said General Order; Provided, That if said General Order No. 9 does not set forth a formula for ascertaining such valuation, then Option II below shall apply; or

Option II. Just compensation to be determined in accordance with Section 902 of the Merchant Marine Act, 1936, as amended, for any loss or damage due to the operation of a risk assumed by the Charterer under the terms of this Charter to the extent the person entitled thereto is not reimbursed therefor through policies of insurance against such loss or damage.

F. Port of delivery.

G. Port of redelivery. Not less favorable to either party than the port of delivery, unless otherwise agreed.

H. Notice of redelivery.

I. Uniform terms. This Charter consists of this Part I and Part II, the Uniform Bareboat Charter Terms and Conditions for Cargo and Tank Vessels, published in the FEDERAL REGISTER of June 23, 1942. Unless in this Part I otherwise expressly provided, all of the provisions of said Part II shall be part of this Charter as though fully incorporated herein.

J. Special provisions. 1. Unless the Owner otherwise indicates in the execution hereof, Rate Option I and Total Loss Valuation Option I shall apply and in such event, in consideration of the compensation provided and the other obligations assumed by the Charterer hereunder, the Owner accepts this Charter in full satisfaction of any and all claims he has or may have against the Charterer arising out of the requisition of the Vessel and accepts the compensation herein provided for as the compensation required by law. If the Owner in the execution hereof elects Rate Option I and Total Loss Valuation Option II, then the Owner shall accept this Charter and such hire in full satisfaction of any and all claims he has or may have against the Charterer arising out of the requisition of the Vessel and as the compensation required by law except as to any loss or damage due to the operation of a risk assumed by the Charterer under the terms of this Charter to the extent of the person entitled thereto is not reimbursed therefor through policies of insurance against such loss or damage.

In witness whereof, the parties hereto have executed this Agreement in triplicate the day and year first above written, and the Owner has elected Rate Option \_\_\_\_\_ and Total Loss Valuation Option \_\_\_\_\_.

By \_\_\_\_\_ UNITED STATES OF AMERICA, By E. S. LAND, Administrator, War Shipping Administration. By \_\_\_\_\_ For the Administrator.

As to execution for owner

Attest: \_\_\_\_\_

or if not incorporated

In the presence of: \_\_\_\_\_

Witness

and \_\_\_\_\_

Witness

I, \_\_\_\_\_, certify that I am the duly chosen qualified and acting Secretary of \_\_\_\_\_ a party to this Agreement, and, as such, I am the custodian of its official records and the minute books of its governing body; that \_\_\_\_\_ who signed this Agreement on behalf of said corporation, was then the duly qualified \_\_\_\_\_ of said corporation; that said officer affixed his manual signature to said Agreement in his official capacity as said officer for and on behalf of said corporation by authority and direction of its governing body duly made and taken; that said Agreement is within the scope of the corporate and lawful powers of this corporation.

Secretary.

[CORPORATE SEAL]

(c) The uniform terms and conditions designated Part II applicable to all cargo and tank vessels bareboat chartered by the War Shipping Administration, which shall be incorporated by reference in and need not be attached to Part I of the Charter, shall be as follows:

§ 301.1i Uniform bareboat charter terms and conditions for cargo and tank vessels.

Form No. 103 Warshipdemise 5/29/42

UNIFORM BAREBOAT CHARTER TERMS AND CONDITIONS FOR CARGO AND TANK VESSELS

(PART II)

1. The Vessel shall be delivered to the Charterer in the port of delivery at such safe place as the Charterer may designate. Unless otherwise noted on the delivery receipt or survey report, and subject to the provisions of this Clause 1, the Charterer shall accept the Vessel "as is", in whatever condition she may be at the time of delivery thereof, without any agreement, representation or warranty, expressed or implied, by the Owner as to its physical condition, equipment, seaworthiness, or fitness for any purposes whatsoever, except only that the Owner shall be responsible to make or pay for such repairs and renewals as may be required to remedy latent defects of hull or machinery. The Vessel, unless lost, shall be redelivered by the Charterer to the Owner after she has been restored by the Charterer to the same or equivalent condition as that in which accepted, ordinary wear and tear excepted.

If, at the time of delivery hereunder, the Vessel has outstanding classification requirements or has sustained unrepaired damage of an insurable nature, the cost of repairing such unrepaired damage or of satisfying the outstanding classification requirements shall be for the Owner's account and, if the Charterer is not reimbursed for such cost by the Owner, such cost shall be deducted by the Charterer from the charter hire due hereunder and, in either event, during the time required for such repairs, the Vessel shall be off-hire.

2. The Charterer shall be at liberty to install any equipment and make alterations



and additions to quarters and equipment incident to the service in which the Vessel is to be used, and to install any additional gear or equipment for loading or discharging cargo beyond that on board at the beginning of this Charter. Such work shall be done at the Charterer's expense and on its time, and shall not be such as to affect the seaworthiness of the Vessel. Such equipment, materials, and gear so fitted are to be considered Charterer's property; and, unless otherwise agreed, the Charterer shall remove the same at its expense before redelivery, and shall restore the Vessel to her condition prior to such changes (ordinary wear and tear excepted).

3. Structural changes may be made in the Vessel, her boilers, machinery or appurtenances without the prior written consent of the Owner. However, if any such structural changes are made, or if any changes are made in her boilers, machinery, appurtenances or spare parts, the Vessel upon redelivery may, or, if the Owner so requests, shall be restored to her original condition, ordinary wear and tear excepted.

4. The Charterer shall (except as otherwise expressly provided herein) pay hire for the use of the Vessel at the rate provided in Part I per calendar month and pro rata for any portion thereof, beginning with the time of her delivery, and continuing until the time of her redelivery in like good order and condition as at the time of her acceptance, ordinary wear and tear excepted, to the Owner at the port of redelivery, unless the parties hereto otherwise agree, or if the Vessel be lost, until the time of her loss, if known, otherwise to the time last heard from; or in the case of a constructive total loss, as provided in Clause 17 hereof, to the time of the casualty resulting in such constructive total loss, except that where two or more successive casualties contribute to such loss, the time of the casualty last occurring shall be the time when hire ceases. Such hire shall be due and payable on the first day of each calendar month for the preceding month or portion thereof.

5. If, pursuant to any applicable laws of the United States or any agreements entered into pursuant thereto, the Owner is required because of the operation of the Vessel as required under this Charter to make any payment to the United States by way of reimbursement of construction differential subsidy or payment of additional interest, then the Charterer shall pay to the Owner any amount so paid, in addition to the hire payable under this Charter.

6. The Charterer shall, at its own expense, maintain the Vessel, so far as possible, in at least as good condition, working order and repair as said Vessel was in at the time of her acceptance by the Charterer hereunder, ordinary wear and tear excepted. The Charterer shall drydock the Vessel and clean and paint her underwater parts every eight months, subject to postponement if such postponement is necessary in the prosecution of the war.

7. The Vessel shall be drydocked and surveyed jointly by representatives of the Charterer and the Owner before acceptance at the expense of the Charterer. Should the Charterer elect to waive drydocking before acceptance, any damage to the Vessel's bottom found on redelivery shall be presumed, in the absence of proof to the contrary to have occurred subsequent to the date of delivery, and all expenses in repairing such damages shall be for the account of the Charterer.

8. The Vessel shall be surveyed jointly by representatives of the Charterer and the Owner on redelivery, to determine its condition. Such survey shall include drydocking to determine the condition of the underwater

parts which shall be at the expense of the Owner, unless drydocking for cleaning and painting bottom is past due, or unless underwater damage is found or unless there is evidence that since the last drydocking the Vessel has been involved in a grounding and underwater contact, or a collision, in any of which events it shall be at the expense of the Charterer. If on the redelivery survey it shall appear that the Vessel is not in as good condition as on acceptance, ordinary wear and tear excepted, then the Charterer before redelivery shall make at its own expense all repairs, renewals, and replacements necessary to put the Vessel in at least as good condition as on acceptance, ordinary wear and tear excepted. In lieu of making such repairs, the Charterer (at its option) shall pay the Owner an amount to place the Vessel in such condition, which payment shall include: (a) an amount (payable month by month) equal to the hire herein fixed for use of the Vessel for the period of time necessary, the utmost diligence and despatch being used, for such repairing; and (b) any such further amount necessarily expended or to be expended by the Owner for insurance, wages and subsistence of master, officers and crew and other vessel expenses incurred during the period of time necessary, such diligence and despatch being used, for repairing the damage. "Ordinary wear and tear" as used in this Charter shall be deemed to mean only such ordinary wear and tear as the Vessel would be subject to in normal commercial trading.

9. The Charterer shall accept and pay for all unbroached consumable stores, fuel oil and fresh water on board at the time of delivery, in good order and condition and not in excess of the Vessel's normal requirements, and the Owner shall accept and pay for all unbroached consumable stores, fuel oil and fresh water (usable by the Owner) on board on redelivery in good order and condition and not in excess of the Vessel's normal requirements at the current market prices at the ports of delivery and of redelivery, respectively, on the respective dates of the delivery and redelivery thereof. "Consumable stores" within the meaning of this paragraph are all consumable and subsistence stores (but not radio supplies, expendable equipment, scrap and junk) listed in United States Maritime Commission Voyage Stores Reports, Forms 7915A, 7916A, 7918A and 7919A (Revised Forms 1939).

10. A complete inventory of the Vessel's entire outfit, equipment, furniture, furnishings, appliances, spare and replacement parts, and of all consumable stores, fuel oil and fresh water on board as of the time of the Vessel's delivery shall be jointly taken by representatives of the Charterer and the Owner, and mutually agreed upon by them as to items and as to price with respect to all consumable stores, fuel and fresh water (but if it is impracticable to make such inventory, then the Charterer will accept the Owner's inventory or reasonable estimates as to items and as to reasonable prices where pricing is required) at the time of delivery, or as soon thereafter as may be possible, and a similar inventory shall be so jointly taken and mutually agreed upon immediately after redelivery.

11. The Charterer shall have the use of all outfit, equipment, furniture, furnishings, appliances, spare and replacement parts on board the Vessel from the time of delivery without extra cost (with the exception of the leased equipment), and the same or their substantial equivalent shall be returned to the Owner on redelivery in the same good order and condition as when received, ordinary wear and tear excepted, any such items lost, destroyed, damaged, or so worn in service as to be unfit for use to be replaced or

made good by the Charterer in kind or value at redelivery. The Charterer shall also have the benefit of all apparatus and appliances and spare repair replacement parts on shore, at prices to be mutually agreed upon, and the Owner shall furnish the Charterer forthwith a list of such parts and equipment.

12. The Owner may, and upon demand of the Charterer shall, prior to the first departure of the Vessel from its port of delivery, and thereafter at any reasonable time, remove such equipment on board as is not required for the intended employment of the Vessel.

13. The Charterer shall assume the obligations of the Owner under any contracts in connection with leased equipment on board and all expenses connected therewith after delivery, either by direct payment to the lessor thereof or by reimbursing the Owner for the rental and any other expenses under the Owner's contracts for such equipment during the period of this Charter, at the Owner's option, except that the Charterer, at the beginning of the charter period may substitute any other form of agreement as to such services mutually satisfactory to the Charterer and these contractors.

14. During the period hereof, the Charterer shall at its own expense, or by its own procurement, man, victual, navigate, operate, supply, fuel, and repair the Vessel and pay all charges and expenses of every kind and nature whatsoever incident thereto. The Charterer and not the Owner shall have exclusive possession, control and command of said vessel during the entire period of this Charter.

15. (a) From the time of delivery of the Vessel under this Charter, the Owner shall not be required to carry any insurance whatsoever, but (unless the Charterer shall otherwise request and the Owner shall accede thereto) the Owner shall, as promptly as may be practicable, effect the cancellation of existing policies of insurance, and the pro rata premium payable with respect to the period between the time of delivery under this Charter and the effective time of such cancellation, shall be payable by the Charterer if the Charterer's interests are covered by such insurance. Except with respect to risks covered by policies of insurance which have not been cancelled as aforesaid, the Charterer shall, effective with the time of delivery of the Vessel under this Charter, assume or insure war, marine and all other risks or liabilities of whatsoever nature or kind, including without limitation, all risks or liabilities for breach of statute or contract or for damage to property including cargo and other vessels, or for personal injuries or death of any persons whatsoever, and shall indemnify and save harmless the Owner and the Vessel against and from any and all loss, liability, damage, and expense (including costs of court and reasonable attorneys' fees) on account of such risks or liabilities arising out of any matter occurring during the currency of this Charter.

(b) Subject to the foregoing provisions of this Clause with respect to the continuance of existing insurance, the Charterer will provide insurance with respect to that portion of the value of the Vessel which relates to the interest of the United States of America as mortgagee to the extent that the risks assumed by the Charterer hereunder are of such a nature that they can be insured under customary forms of marine insurance policy. If the Charterer shall insure the Vessel, in its own Insurance Fund, the Charterer shall not, either as Charterer or insurer, have any right of subrogation against the Owner on account of loss or damage to the Vessel or its machinery or appurtenances, or on account of payments made to discharge claims against or liabilities of the Vessel or the



Owner covered by insurance underwritten by the Charterer. Such insurance shall not in any way limit, diminish or prejudice the Charterer's obligation to the Owner under this Charter.

16. In the event of total loss of the Vessel, the Charterer shall pay the Owner the Agreed Total Loss Valuation stated in Part I of this Charter, together with interest thereon to the date of payment at the rate of 3½ per cent per annum beginning one hundred twenty days from the date of the Vessel's loss, if known, otherwise beginning one hundred twenty days from the date she was last heard from. If such Agreed Total Loss Valuation is not applicable to this Charter, then the Charterer shall pay just compensation to be determined in accordance with Section 902 of the Merchant Marine Act, 1936, as amended, for any loss or damage due to the operation of a risk assumed by the Charterer under the terms of this Charter to the extent the person entitled thereto is not reimbursed therefor through policies of insurance against such loss or damage.

17. In case of serious damage or injury to the Vessel during the period of this Charter, to the extent that the Charterer shall consider her to be a constructive total loss, the Charterer shall have the option of declaring her a constructive total loss by so notifying the Owner in writing. In the event of such a declaration by the Charterer, the Charterer shall forthwith pay the Owner as though the Vessel were an actual total loss. Against such payment the Owner will give the Charterer such releases and instruments granting the Vessel or the property of her remaining as the Charterer may require.

18. The Owner shall forever indemnify, hold harmless and defend the Charterer against any liens, claims, demands, or liabilities of whatsoever nature by whomsoever asserted (including costs and reasonable attorneys' fees paid or incurred in defending such lien, claim or demand, whether or not it shall be found to be valid) upon the Vessel at the time of her delivery hereunder, or arising out of the use or operation of the Vessel prior to her delivery hereunder. The Charterer shall forever indemnify, hold harmless and defend the Owner against any liens of whatsoever nature by whomsoever asserted and against any claim of lien (including costs and reasonable attorneys' fees paid or incurred in defending any such claim, whether or not the claim be found to be valid whenever and by whomsoever asserted, upon the Vessel at the time of its redelivery hereunder. The Charterer shall also indemnify, hold harmless and defend the Owner and the Vessel against any claims, demands, or liabilities against them or either of them (including costs and reasonable attorneys' fees in defending such claim or demand, whether or not the claim or demand be found to be valid) arising out of the use or operation of the Vessel by the Charterer or any subcharterer, or out of any act or neglect of the Charterer or any subcharterer in relation to the Vessel, or out of any obligation or liability incurred by the Charterer or any subcharterer. The Charterer in its use and operation of the Vessel, shall abide by, and comply with, all applicable laws and governmental rules and regulations and the terms of any governmental preferred mortgage on said Vessel and shall not use or operate the Vessel, or permit use of operation of the Vessel except in full compliance with all such laws, rules and regulations, and shall indemnify the Vessel and the Owner against any loss, claim liability, damage or expense on account of any such violation of law, rule, or regulation.

19. The Charterer shall at all times have the right to subcharter the Vessel as it may

see fit without prejudice to this Charter, but the Charterer shall always remain responsible for the due fulfillment of this Charter in all its terms and conditions.

20. No member or delegate to the Congress, nor Resident Commissioner, shall be admitted to any share or part of this Agreement, or to any benefit that may arise therefrom, except as provided in Section 116 of the Act approved March 4, 1909 (35 Stat. 1109).

21. This Charter consists of this Part II and of Part I which incorporates this Part II therein by reference. In the event of conflict between the provisions of this Part II and those of Part I, the provisions of Part I shall govern to the extent of such conflict.

By Order of the War Shipping Administration.

[SEAL]

W. C. PEET, Jr.,  
Secretary.

JUNE 18, 1942

[F. R. Doc. 42-5773; Filed, June 19, 1942;  
4:51 p. m.]

[General Order No. 9,<sup>1</sup> Sup. 2]

**PART 301—REGULATIONS AFFECTING MARITIME CARRIERS**

**INSURANCE VALUATIONS FOR CERTAIN TANK VESSELS**

§ 301.8b *Insurance valuations for tank vessels over 3,000 gross tons, owned by American nationals or corporations.* The provisions of §§ 301.8 and 301.8a are hereby extended to tank vessels over 3,000 gross tons owned by American nationals or corporations, ninety-five percent of the stock of which is owned by American nationals. With respect to all such tank vessels, chartered or requisitioned on or after April 20, 1942, such rates shall become effective on the effective date of such requisitions or charters. With respect to all other charters, such rates shall become effective on safe arrival at the first port of call after June 9, 1942. (Merchant Marine Act, 1936, as amended sec. 902)

By order of the War Shipping Administration.

[SEAL]

W. C. PEET, Jr.,  
Secretary.

JUNE 18, 1942.

[F. R. Doc. 42-5772; Filed, June 19, 1942;  
4:51 p. m.]

**TITLE 47—TELECOMMUNICATION**

**Chapter I—Federal Communications Commission**

[Order No. 101]

**SPECIAL REGULATION**

**CERTAIN ACTION REQUIRED OF HOLDERS OF AMATEUR LICENSES, ETC.**

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 19th day of June, 1942;

<sup>1</sup> 7 F. R. 3670, 4594.

Pursuant to the authority conferred upon it by Order No. 4,<sup>1</sup> dated April 16, 1942, of the Defense Communications Board;

*It is ordered,* That (a) every holder of an amateur radio station license in possession of a radio transmitter and (b) every other person or organization in possession of a radio transmitter which is owned by a holder of an amateur radio station license apply for registration of such transmitter with the Commission (if such transmitter is not registered under FCC Order No. 99<sup>2</sup>) in accordance with the following provisions:

(1) "Radio transmitter" as herein used means a device designed for transmission of communications by radio frequency energy. This Order is not intended to include phonograph oscillators, test oscillators, signal generators and wired radio systems.

(2) Every person now in possession of a transmitter required to be registered under this Order shall apply for such registration not later than August 25, 1942. Every person who, at any time after the date of this Order, comes into possession of a transmitter which is required to be registered hereunder, shall apply to the Commission for a Certificate of Registration within 15 days after obtaining such possession, or by August 25, whichever is the later date.

(3) Application for registration shall be made on forms furnished by the Commission and such forms shall be obtained from the Federal Communications Commission in Washington, D. C., or from any of its field offices.

(4) Individual application must be made for each transmitter to be registered and each transmitter must be separately registered. All requests for application forms should state the number of transmitters to be registered.

(5) All application forms should be returned to the Secretary, Federal Communications Commission, Washington, D. C. (*not to any field office*).

(6) If, upon receipt of an application for registration, the Commission finds that sufficient and reliable information has been furnished, it will issue to the applicant a nontransferable certificate of registration for each transmitter.

(7) The registrant shall be responsible for having the certificate of registration conspicuously affixed to the transmitter for which it is issued. No certificate shall be destroyed, obliterated or altered in any way without the authority of the Commission.

(8) If a transmitter for which a certificate of registration has been issued is transferred, sold, assigned, leased, loaned, stolen, dismantled, destroyed or in any way removed from the possession of the registrant (holder of a certificate of registration), he shall notify the Commission thereof within five days thereafter, furnishing a statement as to such loss, disposal or disappearance and furnishing the name of the recipient of the transmitter if such person is known to the

<sup>1</sup> 7 F. R. 2903.

<sup>2</sup> 7 F. R. 4345.



registrant. In such case it shall be the duty of the registrant to return the certificate of registration to the Commission unless it has been stolen or destroyed.

(9) The registrant shall notify the Commission, within five days, or by August 25, 1942, whichever is the later date, whenever the transmitter registered is moved from its registered location to another location.

(10) Any transmitter required to be registered under this Order and for which there is no valid registration certificate outstanding shall be subject to closure and removal by the Commission.

(11) The following transmitters shall not be subject to the registration provisions of this Order: Transmitters, the operation of which is authorized under a Commission station license other than an amateur radio station license; transmitters in the possession of the United States Government, its officers or agents, or which are under contract for delivery to the United States.

*It is further ordered,* That every holder of an amateur radio station license who neither owns nor has a radio transmitter in his possession shall so report to the Commission, in writing, and shall notify the Commission of his present address not later than August 25, 1942; and further, he shall notify the Commission, in writing, within five days of any change of address.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 42-5842; Filed, June 22, 1942;  
11:57 a. m.]

**TITLE 49—TRANSPORTATION AND RAILROADS**

**Chapter I—Interstate Commerce Commission**

**PART 10—STEAM ROADS: UNIFORM SYSTEM OF ACCOUNTS**

An order of the Interstate Commerce Commission modifying the Classification of Operating Revenues and Operating Expenses for Steam Roads, dated June 8, 1942, effective January 1, 1943, was filed with the Division of the Federal Register, June 22, 1942, at 11:18 a. m., F.R. Doc. No. 42-5828. Request for copies may be addressed to the Interstate Commerce Commission.

**PART 10—STEAM ROADS: UNIFORM SYSTEM OF ACCOUNTS**

An order of the Interstate Commerce Commission modifying the Classification of Investment in Road and Equipment for Steam Roads, dated June 8, 1942, effective January 1, 1943, was filed with the Division of the Federal Register, June 22, 1942, at 11:18 a. m., F.R. Doc. No. 42-5829. Request for copies may be ad-

ressed to the Interstate Commerce Commission.

**PART 10—STEAM ROADS: UNIFORM SYSTEM OF ACCOUNTS**

An order of the Interstate Commerce Commission modifying Accounting Bulletin No. 15, Interpretations of Accounting Classifications for Steam Roads, dated June 8, 1942, effective January 1, 1943, was filed with the Division of the Federal Register, June 22, 1942, at 11:18 a. m., F.R. Doc. No. 42-5830. Request for copies may be addressed to the Interstate Commerce Commission.

**PART 10—STEAM ROADS: UNIFORM SYSTEM OF ACCOUNTS**

An order of the Interstate Commerce Commission modifying the Classification of Income, Profit and Loss, and General Balance Sheet Accounts for Steam Roads, dated June 8, 1942, effective January 1, 1943, was filed with the Division of the Federal Register, June 22, 1942, at 11:19 a. m., F.R. Doc. No. 42-5827. Request for copies may be addressed to the Interstate Commerce Commission.

**Notices**

**DEPARTMENT OF THE INTERIOR**

**Bituminous Coal Division.**

[Docket No. 1702-FD]

**DUNDEE COAL COMPANY, CODE MEMBER  
CODE MEMBERSHIP CANCELLED, ETC.**

Order approving and adopting, with modifications the proposed findings of fact, proposed conclusions of law, and recommendations of the Examiner, and revoking and cancelling code membership.

This proceeding having been instituted by the Bituminous Coal Division pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 by District Board 4 alleging that Dundee Coal Company, a code member in District 4, wilfully violated the Bituminous Coal Code or rules and regulations thereunder by selling for shipment by truck during the period from November 1, 1940 to March 31, 1941 approximately 12,310 tons of 2" nut and slack coal and approximately 620 tons of 3/4" slack coal produced at code member's Dundee Mine (Mine Index No. 1725) located in Tuscarawas County, Ohio, and delivering the same by truck at prices lower than the effective f. o. b. mine prices for such coal plus the actual cost of transporting the coal;

A hearing having been held before W. A. Cuff, a duly designated examiner of the Division at a hearing room thereof in Canton, Ohio, on October 3, 1941, at which all interested persons were afforded an opportunity to be present, adduce evidence, cross examine witnesses

and otherwise be heard, and at which code member appeared;

The Examiner having filed his report, Proposed Findings of Fact, Proposed Conclusions of Law and Recommendations in this matter on March 21, 1942 in which he found that code member had wilfully violated sections 4 II (e) and 4 II (g) of the Act and the Code by selling and delivering during the period from November 1, 1940 to March 31, 1941, 11,411.99 net tons of 2" nut and slack coal and 621.23 net tons of 3/4" slack coal to several named purchasers, at prices which were below the minima established therefor in the Schedule of Effective Minimum Prices for District No. 4 for Truck Shipment, plus the actual cost of transporting said coals to the respective points of delivery; the Examiner having concluded that for such violations of the Code and price schedule the code membership of Dundee Coal Company should be revoked and cancelled and that as a condition to reinstatement to membership in the Code, code member be required to pay a tax to the United States as provided in section 5 (c) of the Act of \$8,892.38;

Code member having filed exceptions to the report of the Examiner and having requested oral argument thereon;

The undersigned having considered the matter and having rendered a Memorandum Opinion which is filed herewith;<sup>1</sup>

*Now, therefore, it is ordered,* That the request for oral argument herein be denied.

*It is further ordered,* That the exceptions of code member to the Proposed Findings of Fact, Proposed Conclusions of Law and Recommendations of the Examiner be severally overruled except, however, that the statement of the Examiner set forth in the margin be eliminated,<sup>2</sup> and as so modified, the Proposed Findings of Fact and Proposed Conclusions of Law of the Examiner, are approved and adopted as the Findings of Fact and Conclusions of Law of the undersigned.

*It is further ordered,* That the code membership of Dundee Coal Company be, and the same hereby is, revoked and cancelled, effective fifteen (15) days from the date of this order.

*It is further ordered,* That prior to the reinstatement of Dundee Coal Company to membership in the Code, there shall be paid to the United States a tax in the amount of \$8,892.38, as provided in section 5 (c) of the Act.

Dated: June 19, 1942.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-5832; Filed, June 22, 1942;  
11:49 a. m.]

<sup>1</sup> "The code member operates a strip mine in practically the same manner as competing mines in the territory, all of which mines could probably increase or decrease their production within certain limitations as circumstances demand, as is the case with most strip mines, in order to meet the demand for coal and to meet competition."

<sup>2</sup> Not filed with the Division of the Federal Register.



[Docket No. 1648-FD]

## RIDER COAL COMPANY, DEFENDANT

## MEMORANDUM OPINION CONCERNING EXCEPTIONS TO EXAMINER'S REPORT AND CEASE AND DESIST ORDER

This proceeding was instituted upon a complaint filed with the Bituminous Coal Division ("Division") on March 27, 1941, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, by District Board 2, the complainant, alleging that Rider Coal Company, a code member in District 2, the defendant, had wilfully violated the provisions of the Bituminous Coal Code or rules and regulations thereunder and prays that the Division either cancel and revoke the defendant's code membership or in its discretion direct the defendant to cease and desist from violations of the Code and the rules and regulations thereunder.

Pursuant to Orders of the Director and after due notice to interested persons, a hearing in this matter was held before Charles O. Fowler, a duly designated Examiner of the Division, at Uniontown, Pennsylvania, on June 17, 1941, at which appearances were entered for the complainant and the defendant. The parties did not waive the preparation and filing of a report by the Examiner, and the matter was thereupon submitted to the Examiner, who, on November 8, 1941, submitted his Report, Proposed Findings of Fact, Conclusions of Law, and Recommendations ("Examiner's Report") in which it was recommended that there be entered an Order revoking and cancelling the defendant's code membership and directing that, prior to any reinstatement of the defendant to membership in the Code, there should be paid to the United States a tax in the amount of \$1,350.12, as provided in section 5 (c) of the Act. No exceptions to this report were filed. The Acting Director, on December 31, 1941, entered an Order Approving and Adopting the Proposed Findings of Fact and Proposed Conclusions of Law of the Examiner, and Revoking and Cancelling the defendant's code membership. On January 19, 1942, a motion for reconsideration was denied.

Pursuant to a "Supplemental Petition" filed by the defendant on January 26, 1942, in which it was alleged that defendant had "additional and new evidence" pertaining to the violation, an Order was entered by the Acting Director suspending (without prejudice to the right of reinstatement) the Order of Revocation and reopening the hearing for the purpose of taking additional evidence concerning the violations of the defendant or relative to the penalties attendant thereon, and to show why the Order of the Acting Director of December 31, 1941, revoking the defendant's code membership, should be modified. Accordingly, upon due notice, the reopened hearing was held before Charles O. Fowler, Examiner of the Division, at Uniontown and Pittsburgh, Pennsylvania, on February 9, and 10, 1942, respectively. All persons were given an

opportunity to be present, adduce evidence, cross-examine witnesses and otherwise be heard. Appearances were entered by the complainant, District Board 2, and the defendant.

The Examiner, in his Report dated April 10, 1942, found that Simon W. Rider, a code member in District No. 2, operating the Rider No. 2 Mine (Mine Index No. 1720), in Washington County, Pennsylvania, wilfully violated the Bituminous Coal Code and the rules and regulations thereunder by selling and delivering by truck, during the period December 1940 and January 1941, run of mine coal produced at the Rider No. 2 Mine, to the Federal Foundry Supply Company, at Charleroi, Pennsylvania, at an f. o. b. mine price of \$2.10 per net ton, plus 15 cents per ton for delivery, when the effective minimum price f. o. b. the mine established for such coal was \$2.45 per ton, to which was required to be added the actual cost of transportation from the mine to said point of delivery. The violation was accomplished by trucking mine run coal to the purchaser's Charleroi plant where it was crushed to 2" x 0 slack in the purchaser's crusher without charge to the defendant.

The Examiner was of the opinion that the evidence at the reopened hearing served to confirm his Proposed Findings of Fact and Proposed Conclusions of Law, contained in his Report dated November 8, 1941, that the defendant had wilfully violated the Act and rules and regulations thereunder in connection with the sale of 1,413 tons of mine run coal to the Federal Foundry Supply Company at a price of \$2.10 per ton. Accordingly, the Examiner, in his Report dated April 10, 1942, recommended that the defendant's code membership should be revoked and cancelled and that the Acting Director's Order dated December 31, 1941, revoking the defendant's code membership, should be reinstated, and his Order of January 28, 1942, suspending that Order, should be terminated.

On April 28, 1942, the defendant filed exceptions to the Examiner's Report, Proposed Findings of Fact, Conclusions and Recommendations dated April 10, 1942. On June 12, 1942, defendant filed a brief in support of the exceptions.<sup>1</sup>

The exceptions taken pertain only to the conclusions reached by the Examiner that the defendant wilfully violated section 4 II (e) of the Act. No objections have been entered with regard to the factual findings. It is the defendant's contention that the "Findings of Fact" found by the Examiner did not justify nor support a conclusion that the sales to the Federal Foundry Supply Company were consummated in a spirit of wilfulness, but, on the contrary, plainly indicate that the sales were wholly unknown and unintentional departures from the Bituminous Coal Code. In support of his position, the defendant quotes excerpts from the Examiner's Report as follows:

<sup>1</sup> Defendant also requested oral argument but I do not believe that oral argument is necessary and the request is therefore denied.

(1) "During this period the defendant contacted one Bowie, a member of District Board 2, and Abe Fortas, then General Counsel for the Division, and asked whether it would be permissible to crush his mine run coal down to 2" x 0 slack and sell it at \$2.10 per ton plus 15 cents per ton transportation charges. He was advised that this would be permissible." (p. 3, par. 2)

The defendant further contends that the facts show that neither Mr. Bowie nor Abe Fortas definitely informed the defendant the importance attached to the location of the crusher and for this reason the alleged violation inadvertently was brought about.

(2) "On February 10, 1941, the defendant voluntarily contacted G. E. Johnston, Jr., Compliance Agent of the Division's Pittsburgh Field Office, concerning delinquent statistical reports. During the course of this discussion, the defendant mentioned his practice of using the Foundry Company's crusher. Johnson, after consultation with the Manager of the Pittsburgh Office, advised the defendant that this practice constituted a violation of the Code and that it should be discontinued. The defendant thereupon informed the Foundry Company that he would be unable to continue furnishing coal under the existing agreement, and again resorted to crushing the coal overcharging shots and the use of sledges. Since about March 16, 1941, the Foundry Company has been paying the defendant the established minimum price for run of mine coal of \$2.45 f. o. b. mine plus 10 cents for hauling to the Foundry Company's plant." (Italics supplied by defendant.) (p. 4, par. 2)

The defendant further contends that the Examiner did not give sufficient weight to the recommendation by the District Board that the circumstances of the case merited the issuance of a cease and desist order. Also, that due and proper consideration was not given to the statement of the District Board that the "defendant's practice did not result in his getting a competitive advantage over other producers."

After a reconsideration of the evidence, the Proposed Findings of Fact, Proposed Conclusions of Law and Recommendations of the Examiner, and the exceptions thereto, I find that substantial evidence supports the Proposed Findings of Fact and Proposed Conclusions of Law of the Examiner. However, I feel the circumstances in this case are not of such a nature as to warrant a revocation of Rider's code membership, and for this reason I find that a cease and desist order should be entered.

I find that the Proposed Findings of Fact and Proposed Conclusions of Law of the Examiner herein should, as modified above, be approved and adopted as the Findings of Fact and Conclusions of Law of the undersigned.

Now, therefore, it is ordered, That the Proposed Findings of Fact and the Proposed Conclusions of Law of the Examiner, as modified, be and they hereby are approved and adopted as the Find-



ings of Fact and Conclusions of Law of the undersigned.

*It is further ordered*, That Simon W. Rider (Rider Coal Company), a code member, his agents, employees, attorneys, and successors or assigns, be and they hereby are directed to cease and desist from violating section 4 II (e) of the Act by selling coal at prices below the applicable minimum price therefor or from otherwise violating the Act, the Code, the Marketing Rules and Regulations and the Schedule of Effective Minimum Prices for District No. 2 for Truck Shipments.

*It is further ordered*, That in the event defendant shall neglect or fail to comply with this Order, the Division may apply to the appropriate federal court for the enforcement thereof or take other appropriate action.

Dated: June 19, 1942.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-5833; Filed, June 22, 1942; 11:50 a. m.]

[Docket No. A-1444]

DISTRICT BOARD 15

ORDER POSTPONING HEARING

In the matter of the Petition of District Board No. 15 for establishment of price classifications and minimum prices for all shipments except truck for the coals of certain mines in Production Group No. 9 of District No. 15.

A hearing in the above-entitled matter having been scheduled to be held on June 22, 1942, at a hearing room of the Bituminous Coal Division in Washington, D. C.; and

District Board No. 15 having requested that such hearing be postponed to a date between July 6 and July 10, 1942; and no opposition having been interposed in this matter; and good cause having been shown why such request should be granted;

*Now, therefore, it is ordered*, That the hearing in the above-entitled matter be, and it hereby is, postponed from 10 o'clock in the forenoon of June 22, 1942, until 10 o'clock in the forenoon of July 7, 1942.

The time for filing petitions of intervention in this matter is hereby extended until July 2, 1942.

In all other respects the Notice of and Order for Hearing entered in this matter on May 15, 1942, shall remain in full force and effect.

Dated: June 19, 1942.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-5834; Filed, June 22, 1942; 11:50 a. m.]

[Docket No. B-267]

R. & W. COAL COMPANY

NOTICE OF AND ORDER FOR HEARING

In the matter of G. H. Ware and C. M. Reese, individually and as copartners,

doing business under the name and style of R. & W. Coal Company, a partnership, Code Member.

A complaint, dated May 23, 1942, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on May 28, 1942, by Bituminous Coal Producers Board for District No. 4, a district board, complainant, with the Bituminous Coal Division (the "Division"), alleging wilful violation by G. H. Ware and C. M. Reese, individually and as copartners, doing business under the name and style of R. & W. Coal Company, code member (the "code member"), of the Bituminous Coal Code (the "Code") or rules and regulations thereunder;

*It is ordered*, That a hearing in respect to the subject matter of such complaint be held on July 31, 1942, at 10 a. m. at a hearing room of the Bituminous Coal Division at the Post Office Building, Barnesville, Ohio.

*It is further ordered*, That Charles S. Mitchell or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said code member and to all other parties herein and to all persons and entities having an interest in such proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed within the Division at its Washington Office or with any one of the statistical bureaus of the

Division within twenty (20) days after date of service thereof on the code member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the code member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the code member in the Code or directing the code member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

The matter concerned herewith is in regard to the complaint filed by said complainant, alleging wilful violations by the above-named code member whose address is Wellston, Ohio, and whose code membership became effective as of July 1, 1938, operating the R. & W. Mine, Mine Index No. 1080, located in Vinton County, Ohio, District No. 4 as follows:

- (1) By selling during the period October 1, 1940, to December 31, 1941, both dates inclusive, approximately 625.35 net tons of forked coal (Size Group No. 5) produced at the above-named mine, to various purchasers, at a price of \$2.25 per net ton f. o. b. the mine, for truck shipment, whereas the effective minimum price for said coal was \$2.45 per net ton f. o. b. the mine, as set forth in the Schedule of Effective Minimum Prices for District No. 4 for Truck Shipments, resulting in violations of Section 4 II (e) of the Act and Part II (e) of the Code; and
- (2) By selling and delivering by truck, approximately 6771.05 net tons of run of mine coal (Size Group No. 6) produced at the above-named mine, to the City of Wellston, Ohio, subsequent to September 30, 1940, tabulated below:

Date of sale	Destination	Tonnage	Size group	Delivered price per ton	Effective minimum price per ton	Cost of hauling per ton (cents)
Oct. 1, 1940, to June 4, 1941....	Electric plant and waterworks.	3,848.25	6	\$2.15	\$1.95	40
July 1, 1941, to Dec. 31, 1941....	Electric plant and waterworks.	2,560.68	6	2.10	1.95	40
Oct. 1, 1940, to Jan. 31, 1941....	Relief clients' residences.....	222.09	6	1.85	1.95	60
July 18, 1941, to Dec. 31, 1941....	Relief clients' residences.....	140.03	6	2.30	1.95	60

without adding to the effective minimum price for said coal, as set forth in said Schedule, the cost of handling, transporting, and other incidental charges, from the mine to the points from which all such costs were assumed and directly paid by the purchaser as required by Price Instruction No. 6 as amended and contained in Supplement No. 1 to said

Schedule, resulting in violations of section 4 Part II (e) and (g) of the Act and Part II (e) and (g) of the Code.

Dated: June 19, 1942.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-5835; Filed, June 22, 1942; 11:50 a. m.]



[Docket No. D-20]

## PEABODY COAL COMPANY

## ORDER POSTPONING HEARING

In the matter of the application of Peabody Coal Company for permission to receive sales agents' commissions on coal sold to Crerar Clinch Coal Company; Hawthorn Fuel Company; Hawthorn Coal Company; Cook County Coal and Ice Company, and its subsidiaries, Everett Coal and Coke Company, Davis Coal and Coke Company and Suburban Ice and Fuel Company; and John P. Collins Fuel Company.

A Notice of and Order for Hearing having been issued in this matter on June 3, 1942, providing that a hearing be held on July 8, 1942; and

The applicant having requested that the hearing be postponed to a more convenient date; and

The Acting Director finding that a reasonable showing of necessity for postponement has been made by the applicant;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be, and it hereby is postponed from July 8, 1942, at 10 a. m. until July 9, 1942, at 10 a. m. at the place and before the Examiner heretofore designated.

Dated: June 19, 1942.

[SEAL]

DAN H. WHEELER,  
Acting Director.[F. R. Doc. 42-5836; Filed, June 22, 1942;  
11:50 a. m.]

[Docket No. B-180]

## R. H. BLYSTONE, CODE MEMBER

## CEASE AND DESIST ORDER

A complaint having been filed with the Bituminous Coal Division, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937, by District Board No. 1, alleging that R. H. Blystone, a code member in District No. 1, has willfully violated the Bituminous Coal Act of 1937, the Code and the Schedule of Effective Minimum Prices for District No. 1 for Truck Shipments as follows:

By selling to various purchasers from October 11, 1940, to December 3, 1940, inclusive,<sup>1</sup> approximately 97.6 tons of run-of-mine coal (Size Group 3) produced at the code member's mine (Mine Index No. 1118), at a price of approximately \$2.12 per net ton f. o. b. the mine, whereas the effective minimum price set forth for such coal in the Schedule of Effective Minimum Prices for District No. 1 for Truck Shipments is \$2.15 per net ton f. o. b. the mine;

<sup>1</sup> At the hearing the evidence indicated that the sales occurred during the period from October 7, 1940 to December 12, 1940. Complainant moved to amend the complaint to conform to the evidence. There was no objection and the Examiner granted the motion to amend.

By selling to various purchasers, on or about July 1, 1941, approximately 7.6 tons of 1¼" forked nut and slack coal (Size Group 4) produced at the code member's mine at a price of approximately \$1.25 per net ton f. o. b. the mine, whereas the effective minimum price set forth for such coal in the Schedule of Effective Minimum Prices for District No. 1 for Truck Shipments is \$1.95 per net ton f. o. b. the mine;

Pursuant to an Order of the Acting Director and after due notice to all interested persons, a hearing in this matter having been held on February 26-27, 1942, before W. A. Cuff, a duly designated Examiner of the Division, at a hearing room thereof in Kittanning, Pennsylvania, at which all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard;

The complainant and the code member having appeared at the hearing, the preparation and filing of a report by the Examiner having been waived, and the record of the proceeding thereupon having been submitted to the undersigned;

The undersigned having made Findings of Fact and Conclusions of Law and having rendered an Opinion in this matter, which are filed herewith:

Now, therefore, it is ordered, That code member, R. H. Blystone, his representatives, agents, servants, employees, attorneys, successors or assigns, and all persons acting or claiming to act in his behalf or interest, cease and desist, and they hereby are permanently enjoined and restrained from selling or offering to sell coal produced by them at prices below the applicable effective minimum prices established therefor in the Schedule of Effective Minimum Prices for District No. 1 for Truck Shipments, or otherwise violating the Bituminous Coal Act of 1937, the Code, and rules and regulations thereunder.

It is further ordered, That code member be notified that if code member fails or refuses to comply with this Order, the Division may forthwith apply to a Circuit Court of Appeals of the United States, or take other appropriate action for the enforcement of this Order.

Dated: June 20, 1942.

[SEAL]

DAN H. WHEELER,  
Acting Director.[F.R. Doc. 42-5837; Filed, June 22, 1942;  
11:50 a. m.]

[Docket No. 1835-FD]

DEBEVOISE-ANDERSON COMPANY, INC.,  
RESPONDENTORDER SUSPENDING REGISTRATION OF  
DISTRIBUTOR

This proceeding having been instituted by the Bituminous Coal Division pursuant to section 4 II (h) of the Bituminous Coal Act of 1937 and § 304.14 of the Rules and Regulations for the Registra-

tion of Distributors to determine whether Debevoise-Anderson Company, Inc., a registered distributor (Registration No. 2193), 114 Liberty Street, New York, New York, has violated the Act, the Rules and Regulations for the Registration of Distributors, the Marketing Rules and Regulations Incidental to the Sale and Distribution of Coal and the Agreement by Registered Distributor, by accepting and retaining discounts in excess of the maximum allowable discounts and by purchasing and selling coal for which a price or classification had not been established.

Pursuant to a Notice of and Order for Hearing, dated September 3, 1941, a hearing in this matter having been held on September 29, 1941, before W. A. Cuff, a duly designated Examiner of the Division, at a hearing room thereof, in Altoona, Pennsylvania, at which all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses and otherwise be heard, and at which respondent appeared;

The preparation and filing of a report by the Examiner having been waived by the parties and the record in the proceeding having thereupon been submitted to the undersigned;

The undersigned having made Findings of Fact and Conclusions of Law and having rendered an Opinion in this matter, which are filed herewith;

Now, therefore, it is ordered, That the registration of the respondent, Debevoise-Anderson Company, Inc., a registered distributor, Registration No. 2193, be and it hereby is suspended for a period of thirty (30) days from the date of this Order.

It is further ordered, That the respondent shall not evade the effect of such suspension directly or indirectly by the use of any device such as a sales agency agreement or any other device and that such suspension shall not excuse the respondent from all duties and functions imposed upon it by the Act or the rules and regulations thereunder.

It is further ordered, That, if respondent shall not have complied with the provisions of § 304.15 of the Rules and Regulations for the Registration of Distributors at least five (5) days prior to the expiration of said suspension period, said suspension shall continue in full force and effect until five (5) days after the affidavit required by said § 304.15 shall have been filed with the Division;

It is further ordered, That respondent shall return to the Beccaria Coal Mining Company, code member in District No. 1, all improperly collected discounts amounting to \$58.31, and shall state in the aforesaid affidavits that such refunds have been made.

Dated: June 20, 1942.

[SEAL]

DAN H. WHEELER,  
Acting Director.[F. R. Doc. 42-5838; Filed, June 22, 1942;  
11:51 a. m.]



## DEPARTMENT OF AGRICULTURE.

## Agricultural Marketing Administration.

## TOLEDO, OHIO, MARKETING AREA

DETERMINATION WITH RESPECT TO THE ISSUANCE OF THE ORDER, AS AMENDED,<sup>1</sup> REGULATING THE HANDLING OF MILK

Pursuant to the powers conferred upon the Secretary of Agriculture of the United States by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 et seq.), there was issued on September 16, 1941, effective September 21, 1941, Order No. 30, as amended,<sup>2</sup> regulating the handling of milk in the Toledo, Ohio, marketing area.

A marketing agreement, as amended, regulating the handling of milk in the Toledo, Ohio, marketing area was tentatively approved on August 6, 1941.

There being reason to believe that the issuance of an amendment to said tentatively approved marketing agreement, as amended, and to said order, as amended, would tend to effectuate the declared policy of the act, notice was given of a hearing which was held in Toledo, Ohio, on March 30, 1942, on proposals to amend the tentatively approved marketing agreement, as amended, and the order, as amended, regulating the handling of milk in the Toledo, Ohio, marketing area, at which time and place all interested parties were afforded an opportunity to be heard upon such proposals.

After such hearing, and after the tentative approval, on June 6, 1942, of a marketing agreement, as amended, regulating the handling of milk in the Toledo, Ohio, marketing area, handlers of more than 50 percent of the volume of milk covered by said order, as amended, which is marketed within the Toledo, Ohio, marketing area, refused or failed to sign such tentatively approved marketing agreement, as amended, relating to milk.

Pursuant to the powers conferred upon the Secretary of Agriculture by the above-mentioned act, it is hereby determined:

(1) That the refusal or failure of said handlers to sign such tentatively approved marketing agreement, as amended, tends to prevent the effectuation of the declared policy of the act;

(2) That the issuance of said Order No. 30, as amended, is the only practical means, pursuant to such policy, of advancing the interests of the producers of milk which is produced for sale in said area; and

(3) That the issuance of said Order No. 30, as amended, is approved or favored by over two-thirds of the producers who participated in a referendum conducted by the Secretary, and who, during the month of March 1942, said month having been determined to be a repre-

<sup>1</sup> See Regulations, Agricultural Marketing Administration, *supra*.

sentative period, were engaged in the production of milk for sale in said area.

Issued at Washington, D. C., on this 17th day of June 1942. Witness my hand and the Seal of the United States Department of Agriculture.

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

Approved: June 18, 1942.

FRANKLIN D. ROOSEVELT,  
The President of the United States.

[F. R. Doc. 42-5782; Filed, June 20, 1942;  
11:49 a. m.]

## DEPARTMENT OF LABOR.

## Division of Public Contracts.

## EMPLOYMENT OF CERTAIN HANDICAPPED PERSONS

## NOTICE OF OPPORTUNITY TO SHOW CAUSE

In the matter of regulations for the employment of handicapped persons and handicapped clients in sheltered workshops at rates lower than the applicable prevailing minimum wage determination.

Whereas, it appears advisable to coordinate the administration of the Fair Labor Standards Act of 1938 and the Walsh-Healey Public Contracts Act by prescribing uniform standards and procedures under both Acts for the employment of handicapped workers at rates lower than the minimum rates applicable to such workers.

Now, therefore, notice is hereby given to all interested parties of opportunity to show cause on or before July 6, 1942, why the Secretary of Labor should not issue regulations under section 4 of the Walsh-Healey Public Contracts Act:

1. Applying the regulations issued by the Administrator of the Wage and Hour Division concerning the employment of handicapped workers either by commercial establishments or as handicapped clients in sheltered workshops (Title 29, Chapter V, Code of Federal Regulations, Parts 524 and 525, issued pursuant to section 14 of the Fair Labor Standards Act of 1938), to employees engaged in work on any Government contract awarded subject to a present or future prevailing minimum wage determination issued under section 1 (b) of the Walsh-Healey Public Contracts Act and,

2. Giving effect to any certificate issued by the Administrator of the Wage and Hour Division pursuant to such regulations, as authorization for the employment of handicapped workers under the Walsh-Healey Public Contracts Act in accordance with the terms of such certificate.

And providing that the Administrator of the Wage and Hour Division may issue certificates under the Walsh-Healey Public Contracts Act for handicapped workers not subject to the Fair Labor Standards Act or subject to different minimum rates of pay under both Acts, pursuant to authority vested in him by

order of the Secretary to issue certificates in such cases at appropriate rates of compensation and in accordance with the procedure prescribed by the Wage and Hour Division regulations.

All objections or protests should be addressed to the Administrator, Division of Public Contracts, U. S. Department of Labor, Washington, D. C. An original and four copies must be filed.

Signed at New York this 17th day of June 1942.

L. METCALFE WALLING,  
Acting Administrator.

[F. R. Doc. 42-5844; Filed, June 22, 1942;  
11:53 a. m.]

## Wage and Hour Division.

## SPECIAL CERTIFICATES FOR THE EMPLOYMENT OF LEARNERS

Notice of issuance of Special Certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Men's Single Pants, Shirts and Allied Garments and Women's Apparel Industries, September 23, 1941 (6 F.R. 4839).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 29, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective June 22,



1942. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

*Apparel*

Artex Products, 1427 Vine St., Philadelphia, Pennsylvania; Belts; 5 learners (T); June 22, 1943.

Atlantic Garment Co., 2406 Island Ave., Atlantic City, New Jersey; Ski suits, khaki overalls; 5 learners (T); June 22, 1943.

Berck Neckwear Co., 730 South Los Angeles St., Los Angeles, California; Sportswear; 5 learners (T); June 22, 1943.

Calvin Clothing Co., Inc., 90 Hatch St., New Bedford, Massachusetts; Boys clothing; 5 percent (T); June 22, 1943.

Derby Underwear Co., Inc., Church St., Bowling Green, Kentucky; Men's woven underwear; 65 learners (T); December 22, 1942.

Evans Sportswear Co., 97 Prince St., New York, New York; Men's sportswear; 5 learners (T); June 22, 1943.

Garfield Boys Suit Co., 568 River Drive, Garfield, New Jersey; Cotton-woolen suits; 5 percent (T); June 22, 1943.

Leather Products Co., Inc., 2 Norman St., Bridgeport, Connecticut; Leather jackets and cloth jackets; 5 learners (T); June 22, 1943.

S. Liebovitz & Sons, Inc., South Center St. (Lebanon County), Fredericksburg, Pennsylvania; Men's and boys' sport jackets; 5 percent (T); June 22, 1943.

Meadow Ave. Shirt Co., Meadow Ave., Cambridge, Maryland; Government shorts; 10 learners (E); December 22, 1942.

Phoenix Mfg. Co., 1109 Chandler Ave., Roselle, New Jersey; Wool and leather sportswear; 5 learners (T); June 22, 1943.

Rainbow Sportswear Co., 317 Dwight St., Springfield, Massachusetts; Raincoats, jackets; 3 learners (T); June 22, 1943.

Robitshek-Schneider Co., 23 North 4th St., Minneapolis, Minnesota; Sheep lined coats, mackinaws, parkas, finger tip coats, jackets, leather garments; 5 learners (T); June 22, 1943.

Royal Pants Co., 110 Oak St., Buffalo, New York; Pants, lumber jackets; 12 learners (E); December 22, 1942.

St. Joseph Hat and Cap Co., 310 South 7th St., St. Joseph, Missouri; Summer & sport caps, corduroy caps; 5 learners (T); December 22, 1942.

South Jersey Mfg. Co., Inc., 30 Front St., Hammonton, New Jersey; Waterproof clothing & sportswear; 5 learners (T); June 22, 1943.

I. Spiewak & Sons, 3939 Hudson Boulevard, North Bergen, New Jersey; Leather jackets; 5 percent (T); June 22, 1943.

Topkis Brothers Co., 217 French St., Wilmington, Delaware; Underwear; 25 learners (E); December 22, 1942.

*Single Pants, Shirts and Allied Garments and Women's Apparel Industries*

Abbeville Shirt Co., Inc., Abbeville, South Carolina; Men's dress and sport shirts; 10 percent (T); June 22, 1943.

J. Bernard, 1490 Haddon Ave., Camden, New Jersey; Dresses; 4 learners (T); June 22, 1943.

Bertelle Mfg. Co., Inc., 122 King St., Herkimer, New York; Dresses; 10 learners (E); December 22, 1942.

Consolidated Pants Co., 30 Front St., Hammonton, New Jersey; Single pants; 5 learners (T); June 22, 1943.

Cornbleet Bros., McLeansboro, Illinois; Cotton wash dresses; 25 learners (T); December 22, 1942.

Cornbleet Bros., 120 Water St., Henderson, Kentucky; Cotton wash dresses; 25 learners (E); December 22, 1942.

Dorice Blouse and Dress Co., 149 North 12th St., Philadelphia, Pennsylvania; Contract blouse and sportwear; 10 learners (T); June 22, 1943.

Economy Blouse Co., 94 Sawyer St., New Bedford, Massachusetts; Boys' shirts and blouses; 12 learners (T); June 22, 1943.

Elder Mfg. Co., McLeansboro, Illinois; Men's shirts; 10 percent (T); June 22, 1943.

Elder Mfg. Co., Dexter, Missouri; Men's & Boys' shirts and In and Outers; 10 percent (T); June 22, 1943.

Esskay Mfg. Co., 1335 Buena Vista St., San Antonio, Texas; Shirts, pants; 10 percent (T); June 22, 1943.

Minna & Harry Finkelstein, 210 North Broadway, South Amboy, New Jersey; Ladies underwear; 10 percent (T); June 22, 1943.

Frackville Mfg. Co., Inc., East Oak St., Frackville, Pennsylvania; Night shirts, pajamas; 30 learners (E); December 22, 1942.

Geist Sportswear Co., Inc., 300 Monroe St., Hoboken, New Jersey; Blouses & sportwear; 10 percent (T); June 22, 1943.

Albert Given Mfg. Co., 4859 Melville Ave., East Chicago, Indiana; Men's trousers, sport shirts; 60 learners (E); December 22, 1942.

Great Western Garment Co., 501 Travis St., Wichita Falls, Texas; Single pants, overalls, and jackets, work shirts; 75 learners (E); December 22, 1942.

Jimmy Mfg. Co., Blackwood, New Jersey; Children's cotton dresses; 3 learners (T); June 22, 1943.

Harry Katz, 320 West Front St., Plainfield, New Jersey; Ladies' underwear; 10 percent (T); June 22, 1943.

Lynn Brassiere Co., 37 Huyler St., Hackensack, New Jersey; Brassieres; 40 learners (E); December 22, 1942.

S. Marks, 320 Cherry St., Philadelphia, Pennsylvania; Dresses; 10 learners (T); June 22, 1943.

Maryland Sportswear Co., 2nd Floor, Water St., Baltimore, Maryland; Sport shirts; 10 learners (T); June 22, 1943.

Mi-ron Dress Co., Third & Chew Streets, Allentown, Pennsylvania; Ladies & Children's dresses; 8 learners (T); June 22, 1943.

Mutual Garmet Co., 1727 Locust St., St. Louis, Missouri; Ladies slips, night

gowns, pajamas; 10 percent (T); June 22, 1943.

Ozone Novelty Co., 101-05 103rd Ave., Ozone Park, New York; Slacks, shorts, washable shirts (boys); 10 learners (T); December 22, 1942.

Poultney Shirt Co., Beaman St., Poultney, Vermont; Men's dress shirts; 10 percent (T); June 22, 1943.

Powellville Shirt Co., Powellville, Maryland; Work shirts, dungarees; 10 percent (T); June 22, 1943.

Prime Shirt & Sportwear Co., 82 White St., Brooklyn, New York; Men's & boys sport shirts and jackets; 10 learners (T); December 22, 1942.

Regent Pants Co., Inc., Maine & Vine Streets, Hatfield, Pennsylvania; Men's trousers; 5 percent (T); June 22, 1943.

Joseph Reisner, 802 Main St., Dickson City, Pennsylvania; Ladies & children's cotton dresses; 10 learners (T); June 22, 1943.

Rice Stix Factory #1, 417 North 10th St., St. Louis, Missouri; Men's & boys work pants, and wash pants, sport shirts, jackets, windbreakers, men's bath robes; 10 percent (T); June 22, 1943.

M. C. Ross Mfg. Co., Inc., 232 Creek Road, Keansburg, New Jersey; Children's dresses; 2 learners (T); June 22, 1943.

Sherwin & Jaller, Harrington, Delaware; Men's and boys sport and dress shirts; 10 percent (T); June 22, 1943.

Shupenko Clothing Co., 495-511 East 22nd St., Paterson, New Jersey; Jackets, overalls, snowsuits, children's wash goods; 10 percent (T); June 22, 1943.

E. H. South Co., 117 West Plane St., Bethel, Ohio; Men's and boys pants; 6 learners (T); June 22, 1943.

Strutwear Knitting Co., 1015 6th St. South, Minneapolis, Minnesota; Woven underwear; 10 learners (T); June 22, 1943.

Super Togs Corp., Cherry St., Slatington, Pennsylvania; Ladies sportswear; 10 learners (T); June 22, 1943.

Trio Mfg. Co., 540 West Mason Ave., York, Pennsylvania; Stitching men's dress shirts; 5 learners (T); June 22, 1943.

U. P. Dress Mfg. Co., 119 Baraga Ave., Marquette, Michigan; Women's cotton dresses; 15 learners (E); December 22, 1942.

Victory Dress Co., 520 North George St., York, Pennsylvania; Ladies dresses; 12 learners (E); December 22, 1942.

Wilko Uniform Co., 14th & Kemper Streets, Lynchburg, Virginia; Nurses & maids uniforms; 10 percent (T); June 22, 1943.

Willards Shirt Company, Willards, Maryland; Work Shirts; 10 percent (T); June 22, 1943.

Arthur Winer, Inc., 743 Washington St., Gary, Indiana; Trousers; 10 learners (T); June 22, 1943.

Wolens Trouser Co., 4th & Water Sts., Kankakee, Illinois; Single trousers; 25 learners (E); December 22, 1942.

Yorktowne Mfg. Co., Inc., Park Ave. & Locust St., Ephrata, Pennsylvania; Ladies blouses; 10 learners (T); June 22, 1943.



*Gloves*

The Enoch Mfg. Co., North Queen St., Mount Sterling, Kentucky; Work gloves; 5 learners (T); June 22, 1943.

Springfield Knitting Mills Co., 36 New Dwight St., Springfield, Massachusetts; Knit wool gloves; 10 percent (T); June 22, 1943.

*Hosiery*

Gilman's Hosiery, West Bow St., Franklin, New Hampshire; Seamless hosiery; 1 learner (T); June 22, 1943.

Marion Hosiery Mills, 117 West Court, Marion, North Carolina; Seamless hosiery; 10 percent (T); June 22, 1943.

Moers Mills, Inc., Watertown, Tennessee; Seamless hosiery; 25 learners (T); June 22, 1943.

*Knitted Wear*

Keystone Mills, Inc., 2nd Ave. & Mifflin St., Lebanon, Pennsylvania; Knitted underwear and knitted outerwear; 22 learners (E); December 22, 1942.

Little Falls Mfg. Co., 515 East Mill St., Little Falls, New York; Manufacturer of knitted underwear; 5 percent (T); June 22, 1943.

Utica Knitting Co. Mill No. 9, Anniston, Alabama; Knitted underwear; 30 learners (T); December 22, 1942.

*Textile*

The Baer Co., Main St., Turbotville, Pennsylvania; Silk & Rayon; 3 learners (T); June 22, 1943.

The Bethlehem Silk Co., 238 W. Goepf St., Bethlehem, Pennsylvania; Commission silk throwsters; 3 percent (T); June 22, 1943.

Blue Bird Silk Mfg. Co., Inc., 12th & Manor Sts., Columbia, Pennsylvania; Tie Silk, 3 learners (T); June 22, 1943.

The Carpenter Mfg. Co., 76 Mechanic St., Norwich, Connecticut; Fancy ribbons and cords; 3 learners (T); June 22, 1943.

Classe Ribbon Works, Inc., 2100 McCoy Ave., Anniston, Alabama; Cotton, rayon, silk, nylon; 3 percent (T); June 22, 1943.

The Conrad Mfg. Co., 217 Conant St., Pawtucket, Rhode Island; Braided narrow fabrics; 3 learners (T); June 22, 1943.

Covington Mills, Covington, Georgia; Woven cotton fabrics; 3 percent (T); June 22, 1943.

Cross Cotton Mills Co., Marion, North Carolina; Cotton, knitting yarn; 3 percent (T); June 22, 1943.

The Daisie Ribbon Co., Front & Saucan Sts., Hellertown, Pennsylvania; Narrow fabrics; 3 learners (T); June 22, 1943.

Erickson Textile Co., 626 N. Locust St., Momence, Illinois; Woven cotton minnow seines and textile specialties; 3 learners (T); June 22, 1943.

Morton Feldman, Inc., Holeman St., Mount Holly, New Jersey; Cotton, silk, nylon, rayon; 3 learners (T); June 22, 1943.

Fibre Cloth Co., 327 36th St., Brooklyn, New York; Paper twine; 3 learners (T); June 22, 1943.

Fullerton Textile Co., Fullerton, Pennsylvania; Dress and tie goods; 3 learners (T); June 22, 1943.

Morris Gordon, 21 Market St., Paterson, New Jersey; Rayon, cotton fabrics; 2 learners (T); June 22, 1943.

Hall Line Corp., Park Ave., Highland Mills, New York; Cotton, silk, rayon, flax; 6 learners (E); December 22, 1942.

Jordon Mills, Inc., 2702-12th Ave., Columbus, Georgia; Natural & colored yarns, cotton hosiery set-up paper boxes; 3 percent (T); June 22, 1943.

Kutztown Textile Mills, Inc., Kutztown, Pennsylvania; Cotton; 3 percent (T); June 22, 1943.

Lynn Textile Mills, Inc., 770 Main St., West Warwick, Rhode Island; Weaving of rayon fabric; 3 learners (T); June 22, 1943.

Macon Textiles, Inc., Lake St., Macon, Georgia; Cotton, rayon and wool yarns; 3 percent (T); June 22, 1943.

Manetta Mills, Lando, South Carolina; Cotton and wool; 12 learners (T); June 22, 1943.

Marietta Silk Co., Inc., 533 Broad St., Waverly, New York; Rayon broadcloth section; 6 learners (T); June 22, 1943.

National Shipping Supply Co., 1828 Main St., Kansas City, Missouri; Mailing bags; 3 learners (T); June 22, 1943.

Frederick Neuburger & Co., Inc., 165 Ward St., Paterson, New Jersey; Terry cloth; 2 learners (T); June 22, 1943.

Park Silk Co., Inc., 235 N. 9th St., Lebanon, Pennsylvania; Cotton and rayon; 6 percent (T); June 22, 1943.

Perkasie Silk Mills, Inc., Ninth St., Perkasie, Pennsylvania; Processing of nylon and rayon yarns for hosiery; 6 learners (T); June 22, 1943.

Piedmont Silk Mills, Inc., Bruce St. & Oakland Ave., Greensboro, North Carolina; Rayon for hosiery; 5 learners (T); June 22, 1943.

Rhyne-Houser Mfg. Co., Cherryville, North Carolina; Combed cotton yarns; 3 percent (T); June 22, 1943.

Santee Mills #1, 97 S. Blvd., Orangeburg, South Carolina; Cotton sheetings; 10 learners (E); December 22, 1942.

A. Schottland, Inc., South Grace St., Rocky Mount, North Carolina; Rayon and acetate fabrics; 3 percent (T); June 22, 1943.

Woodside Cotton Mills Co., Fountain Inn, South Carolina; Cotton fabrics; 5 learners (T); December 22, 1942.

Woodside Cotton Mills Co., Simpsonville, South Carolina; Cotton and rayon fabrics; 3 percent (T); June 22, 1943.

*Woolen*

Macon Textiles, Inc., 46 Lake St., Macon, Georgia; Cotton and worsted cloth and yarn; 2 learners (T); June 22, 1943.

Utica Knitting Co., Mill No. 7, Clayville, New York; Wool and part wool knitted overcoatings and linings; 15 learners (E); December 22, 1942.

Signed at New York, N. Y., this 20th day of June 1942.

MERLE D. VINCENT,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 42-5808; Filed, June 22, 1942; 10:54 a. m.]

## RAILROAD CARRIER INDUSTRY

HEARING ON MINIMUM WAGE  
RECOMMENDATION

Notice of hearing on the minimum wage recommendation of Industry Committee No. 44 for the Railroad Carrier Industry; to be held July 15, 1942.

Whereas the Administrator of the Wage and Hour Division of the United States Department of Labor, acting pursuant to section 5 (b) of the Fair Labor Standards Act of 1938, on April 4, 1942, by Administrative Order No. 147, appointed Industry Committee No. 44 for the Railroad Carrier Industry, composed of an equal number of representatives of the public, employers in the industry and employees in the industry, such representatives having been appointed with due regard to the geographical regions in which the industry is carried on; and

Whereas Industry Committee No. 44, on April 29, 1942, recommended a minimum wage rate for the Railroad Carrier Industry and duly adopted a report containing such recommendation and reasons therefor and filed such report with the Administrator on April 29, 1942, pursuant to section 8 (d) of the Act and section 511.19 of the regulations issued under the Act; and

Whereas the Administrator is required by section 8 (d) of the Act, after due notice to interested persons and giving them an opportunity to be heard, to approve and carry into effect by order the recommendation of Industry Committee No. 44 if he finds that the recommendation is made in accordance with law and is supported by the evidence adduced at the hearing before him, and taking into consideration the same factors as are required to be considered by the Industry Committee, will carry out the purposes of section 8 of the Act; and, if he finds otherwise, to disapprove such recommendation;

Now, therefore, notice is hereby given that:

I. The recommendation of Industry Committee No. 44 is that a minimum of 40 cents an hour shall be established for the Railroad Carrier Industry as defined in Administrative Order No. 147.

II. The definition of the Railroad Carrier Industry as set forth in Administrative Order No. 147, issued April 4, 1942, is as follows:

For the purpose of this order, the term "Railroad Carrier Industry" means: "The industry carried on by any express company, sleeping car company or carrier by railroad, subject to Part I of the Interstate Commerce Act, and by any company which is directly or indirectly owned or controlled by one or more such carriers or under common control therewith, and which operates any equipment or facility or performs any service (except trucking service, casual service and the casual operation of equipment or facilities) in connection with the transportation of passengers or property by railroad, or the receipt, delivery, elevation, transfer in transit, refrigeration or icing, storage, or handling of property transported by railroad, and by any receiver, trustee, or other individual or body, judicial or otherwise, when in the possession of the property or operating all or any part of the business of any such company or carrier by railroad: *Provided, how-*



ever, That the term 'railroad carrier industry' shall not include the industry carried on by any street, interurban, or suburban electric railway, unless such railway is operating as a part of a general steam-railroad system of transportation, but shall not exclude any part of the general steam-railroad system of transportation now or hereafter operated by any other motive power."

III. The full text of the report and recommendation of Industry Committee No. 44 is and will be available for inspection by any person between the hours of 9:00 A. M. and 4:30 P. M. at the following offices of the United States Department of Labor, Wage and Hour Division:

Boston, Massachusetts, Old South Building, 294 Washington Street.

New York, N. Y., 341 Ninth Avenue.

Newark, New Jersey, Essex Building, 31 Clinton Street.

Philadelphia, Pennsylvania, 1216 Widener Building, Chestnut and Juniper Streets.

Pittsburgh, Pennsylvania, 219 Old Post Office Building, Fourth and Smithfield Streets.

Richmond, Virginia, 215 Richmond Trust Building, 627 East Main Street.

Baltimore, Maryland, 201 North Calvert Street.

Raleigh, North Carolina, North Carolina Department of Labor, Salisbury and Edenton Streets.

Columbia, South Carolina, Federal Land Bank Building, Hampton and Marion Streets.

Atlanta, Georgia, Fifth Floor, Witt Building, 249 Peachtree Street, N. E.

Jacksonville, Florida, 456 New Post Office Building.

Birmingham, Alabama, 1908 Comer Building, 2nd Avenue and 21st Street.

New Orleans, Louisiana, 916 Union Building.

Jackson, Mississippi, 402 Deposit Guaranty Bank Building, 102 Lamar Street.

Nashville, Tennessee, 509 Medical Arts Building, 115 Seventh Avenue, N.

Cleveland, Ohio, Main Post Office, W. 3rd and Prospect Avenue.

Cincinnati, Ohio, 1312 Traction Building, 5th and Walnut Streets.

Detroit, Michigan, David Stott Building, 1150 Griswold Street.

Chicago, Illinois, 1200 Merchandise Mart, 222 W. North Bank Drive.

Minneapolis, Minnesota, 406 Pence Building, 730 Hennepin Avenue.

Kansas City, Missouri, 504 Title & Trust Building, 10th & Walnut Streets.

St. Louis, Missouri, 100 Old Federal Building.

Denver, Colorado, 300 Chamber of Commerce Building, 1726 Champa Street.

Dallas, Texas, Rio Grande National Building, 1100 Main Street.

San Francisco, California, Room 500, Humboldt Bank Building, 785 Market Street.

Los Angeles, California, 417 H. W. Hellman Building.

Seattle, Washington, 305 Post Office Building, 3rd Avenue and Union Street.

San Juan, Puerto Rico, Post Office Box 112.

Washington, District of Columbia, Department of Labor, 4th Floor.

New York, New York, 165 West 46th Street.

Copies of the Committee's report and recommendation may be obtained by any person upon request addressed to the Administrator of the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York.

IV. A public hearing will be held on July 15, 1942, before Major Robert N. Campbell, Presiding Officer, at 10:00 A. M. at the offices of the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, for the purpose of taking evidence on the following question:

Whether the recommendation of Industry Committee No. 44 shall be approved or disapproved.

V. Any interested person, supporting or opposing the recommendation of Industry Committee No. 44, may appear at the aforesaid hearing to offer evidence, either on his behalf or on behalf of any other person: *Provided*, That not later than July 10, 1942, such person shall file with the Administrator at New York, New York, a notice of his intent to appear which shall contain the following information:

1. The name and address of the person appearing.

2. If such person is appearing in a representative capacity, the name and address of the person or persons whom he is representing.

3. Whether such person proposes to appear for or against the recommendation of Industry Committee No. 44.

4. The approximate length of time requested for his presentation. Such notice may be mailed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, and shall be deemed filed upon receipt thereof.

VI. Any person interested in supporting or opposing the recommendation of Industry Committee No. 44 may secure further information concerning the aforesaid hearing by inquiry directed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, or by consulting with attorneys representing the Administrator who will be available for that purpose at the Office of the Solicitor, United States Department of Labor, in Washington, D. C., and New York, New York.

VII. Copies of the following document relating to the Railroad Carrier Industry will be made available upon request for inspection by any interested person who intends to appear at the aforesaid hearing:

Report entitled, *A Memorandum of Recent Economic Developments in the Railroad Carrier Industry*, prepared by the Research and Statistics Branch, Wage and Hour Division, United States Department of Labor, dated April 1942.

VIII. The hearing will be conducted in accordance with the following rules, sub-

ject, however, to such subsequent modifications by the Administrator or the Presiding Officer as are deemed appropriate:

1. The hearing shall be stenographically reported and a transcript made which will be available to any person at prescribed rates upon request addressed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York.

2. In order to maintain orderly and expeditious procedure, each person filing a Notice to Appear shall be notified, if practicable, of the approximate day and the place at which he may offer evidence at the hearing. If such person does not appear at the time set in the notice he will not be permitted to offer evidence at any other time except by special permission of the presiding officer.

3. At the discretion of the presiding officer the hearing may be continued from day to day, or adjourned to a later date, or to a different place, by announcement thereof at the hearing by the presiding officer, or by other appropriate notice.

4. At any stage of the hearing, the presiding officer may call for further evidence upon any matter. After the presiding officer has closed the hearing before him, no further evidence shall be taken, except at the request of the Administrator, unless provision has been made at the hearing for the later receipt of such evidence. In the event that the Administrator shall cause the hearing to be reopened for the purpose of receiving further evidence, due and reasonable notice of the time and place fixed for such taking of testimony shall be given to all persons who have filed a notice of intention to appear at the hearing.

5. All evidence must be presented under oath or affirmation.

6. Written documents or exhibits, except as otherwise permitted by the presiding officer, must be offered in evidence by a person who is prepared to testify as to the authenticity and trustworthiness thereof, and who shall, at the time of offering the documentary exhibit, make a brief statement as to the contents and manner of preparation thereof.

7. Written documents and exhibits shall be tendered in duplicate and the persons preparing the same shall be prepared to supply additional copies if such are ordered by the presiding officer. When evidence is embraced in a document containing matter not intended to be put in evidence, such a document will not be received, but the person offering the same may present to the presiding officer the original document together with two copies of those portions of the document intended to be put in evidence. Upon presentation of such copies in proper form the copies will be received in evidence.

8. Subpoenas requiring the attendance of witnesses or the presentation of a document from any place in the United States at any designated place of hearing may be issued by the Administrator at his discretion, and any person appearing



in the proceeding may apply in writing for the issuance by the Administrator of the subpoena. Such application shall be timely and shall identify exactly the witness or document and state fully the nature of the evidence proposed to be secured.

9. Witnesses summoned by the Administrator shall be paid the same fees and mileage as are paid witnesses in the courts of the United States. Witness fees and mileage shall be paid by the party at whose instance witnesses appear, and the Administrator before issuing subpoena may require a deposit of an amount adequate to cover the fees and mileage involved.

10. The rules of evidence prevailing in the courts of law or equity shall not be controlling.

11. The presiding officer may, at his discretion, permit any person appearing in the proceeding to cross-examine any witness offered by another person in so far as is practicable, and to object to the admission or exclusion of evidence by the presiding officer. Requests for permission to cross-examine a witness offered by another person and objections to the admission or exclusion of evidence shall be stated briefly with the reasons for such request or the ground of objection relied on. Such requests or objections shall become a part of the record, but this record shall not include argument thereon except as ordered by the presiding officer. Objections to the approval of the Committee's recommendation and to the promulgation of a wage order based upon such approval must be made at the hearing before the presiding officer.

12. Before the close of the hearing, the presiding officer shall receive written requests from persons appearing in the proceeding for permission to make oral arguments before the Administrator upon the matter in issue. These requests will be forwarded to the Administrator by the presiding officer with the record of the proceedings. If the Administrator, in his discretion, allows the request, he shall give such notice thereof as he deems suitable to all persons appearing in the proceedings, and shall designate the time and place at which the oral arguments shall be heard. If such requests are allowed, all persons appearing at the hearing will be given opportunity to present oral argument.

13. Briefs (12 copies) may be submitted to the Administrator following the close of the hearing, by any persons appearing therein. Notice of the final dates for filing such briefs shall be given by the Administrator in such manner as shall be deemed suitable by him.

14. On the close of the hearing the presiding officer shall forthwith file a complete record of the proceedings with the Administrator. The presiding officer shall not file an intermediate report unless so directed by the Administrator. If a report is filed, it shall be advisory only and have no binding effect upon the Administrator.

15. No order issued as a result of the hearing will take effect until after due

notice is given of the issuance thereof by publication in the FEDERAL REGISTER.

Signed at New York, New York, this 20th day of June 1942.

L. METCALFE WALLING,  
Administrator.

[F. R. Doc. 42-5843; Filed, June 22, 1942;  
11:53 a. m.]

#### CIVIL AERONAUTICS BOARD.

[Docket No. SA-68]

#### INVESTIGATION OF MISSOURI ACCIDENT NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States Registry NC 38038 and NC 38282, which occurred near Kansas City, Missouri, on June 12, 1942.

Notice is hereby given that a public hearing in the above-entitled matter will be held on Wednesday, June 24, 1942, at 9:30 a. m. (C. W. T.) at Hotel Muehlebach, Kansas City, Missouri.

Dated Washington, D. C., June 22, 1942.

[SEAL] G. NATHAN CALKINS, Jr.,  
Examiner.

[F. R. Doc. 42-5826; Filed, June 22, 1942;  
11:43 a. m.]

#### FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6329]

#### NEW YORK TELEPHONE COMPANY ACCOUNTING

#### ORDER INSTITUTING INVESTIGATION

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of June 1942;

It appearing that on November 1, 1925, September 1, 1926, and December 31, 1928, New York Telephone Company acquired certain telephone property from the Long Lines Department of American Telephone and Telegraph Company, its parent company; and that the amounts paid to American Telephone and Telegraph Company by New York Telephone Company for such property were \$1,659,551.91 in excess of the book cost, as retired, less the related depreciation and amortization reserves, as reflected on the books of the Long Lines Department of American Telephone and Telegraph Company;

It further appearing that on December 31, 1927, the New York Telephone Company acquired certain telephone instruments (receivers, transmitters, and induction coils) from American Telephone and Telegraph Company; and that the amount paid to American Telephone and Telegraph Company by New York Telephone Company for such instruments was \$2,506,958.66 in excess of the book cost less the related depreciation reserve,

as reflected on the books of American Telephone and Telegraph Company; and

It further appearing that as a result of the accounting performed by New York Telephone Company at the time of and since the respective dates of the acquisitions of telephone property, referred to above, an insufficient amount is included in its Account 100.4, "Telephone plant acquisition adjustment"; and that since the effective date, January 1, 1937, of the Commission's Uniform System of Accounts for Class A and Class B Telephone Companies, New York Telephone Company has made, and is continuing to make, charges to operating expense accounts for the purpose of amortizing or otherwise disposing of amounts included in its Account 100.4, without prior direction, authorization, or approval by this Commission;

It is ordered, That an investigation be, and the same is hereby, instituted into the accounting performed and the accounts, records, and memoranda kept by New York Telephone Company at the time of and during the period since its several acquisitions of telephone property, with respect to and as a result of such acquisitions;

It is further ordered, That New York Telephone Company be, and it is hereby, made respondent to this proceeding; and that said respondent shall show cause, under oath, why the total amount of \$4,166,510.57, representing amounts paid to American Telephone and Telegraph Company by the respondent for telephone property acquired from American Telephone and Telegraph Company on November 1, 1925, September 1, 1926, December 31, 1927, and December 31, 1928, in excess of book cost less the related depreciation and amortization reserves, as reflected on the books of American Telephone and Telegraph Company and its Long Lines Department, should not be charged to New York Telephone Company's Account 413, "Miscellaneous debits to surplus", with concurrent entries to such accounts as may be appropriate in the light of the accounting performed at the time of and since the respective dates of the acquisitions of such telephone property;

It is further ordered, That all charges to operating expense accounts which have been made by the respondent on and after January 1, 1942 for the purpose of, or in conjunction with, amortizing or otherwise disposing of amounts included in its Account 100.4 be, and they are hereby, suspended pending submission of proof by the respondent of the propriety and reasonableness of such charges; and that the respondent shall cease and desist from making any such charges to operating expense accounts, pending submission of such proof, unless otherwise specifically directed by the Commission;

It is further ordered, That an investigation be, and the same is hereby, instituted to determine whether the respondent company or any of its officers and directors have violated the provisions of Account 100.4, subsection (C) (section 31.100.4, Rules and Regulations),



and of Account 614 (section 31.614, Rules and Regulations), of the Commission's Uniform System of Accounts for Class A and Class B Telephone Companies; Commission Order No. 60, adopted July 12, 1939; and section 220(g) of the Communications Act of 1934;

*It is further ordered*, That a hearing on the above matters be held in the office of the Public Service Commission of New York, State Office Building, 80 Centre Street, New York, New York, beginning at 10:00 a. m., on the 30th day of July, 1942, and that on or before fifteen days from the date of service of this order, the respondent and each of its officers and directors shall file with the Commission its and their respective verified answers to this order;

*It is further ordered*, That the hearing provided for by this order shall be conducted jointly with any hearings involving similar matters which may be ordered for the same time and place by the Public Service Commission of New York and the Connecticut Public Utilities Commission; and that copies of this order shall be served upon the respondent and each of its officers and directors, the Public Service Commission of New York, the Connecticut Public Utilities Commission, the Massachusetts Department of Public Utilities, the Vermont Public Service Commission, the Pennsylvania Public Utility Commission, the New Jersey Board of Public Utility Commissioners, and the National Association of Railroad and Utilities Commissioners.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 42-5807; Filed, June 22, 1942;  
10:12 a. m.]

#### FEDERAL TRADE COMMISSION.

[Docket No. 4507]

REED DRUG CO., INC.

#### ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

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

In the matter of Reed Drug Company, Inc., a corporation.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41).

*It is ordered*, That James A. Purcell, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

*It is further ordered*, That the taking of testimony in this proceeding begin on Thursday, June 25, 1942, at ten o'clock in the forenoon of that day (Central

Standard Time) in Hotel Sherman, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 42-5798; Filed, June 20, 1942;  
12:05 p. m.]

#### INTERSTATE COMMERCE COMMISSION.

[Service Order No. 78-A]

CANADIAN NATIONAL AND GRAND TRUNK RAILWAYS

EMERGENCY RE-ROUTING OF TRAFFIC ORDER VACATED

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 20th day of June, A. D. 1942.

Good cause appearing therefor:

*It is ordered*, That Service Order No. 78, made and entered June 15, 1942, be, and the same is hereby, vacated and set aside effective at once.

*It is further ordered*, That copies of this order be served upon the Canadian National Railways and Grand Trunk Railway and upon the Car Service Division, Association of American Railroads, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and that notice of this order be given to the general public by depositing a copy of this order in the office of the Secretary of the Commission at Washington, D. C., and by publication in the FEDERAL REGISTER.

By the Commission, division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 42-5820; Filed, June 22, 1942;  
11:17 a. m.]

#### OFFICE OF PRICE ADMINISTRATION.

(Docket No. 3120-59)

WEST VIRGINIA COAL AND COKE CORPORATION

PERMISSION TO ADJUST PRICES

Order No. 11 under Maximum Price Regulation No. 120<sup>2</sup>—Bituminous Coal Delivered From Mine or Preparation Plant.

Granting permission to West Virginia Coal and Coke Corporation to agree to adjust prices upon deliveries made dur-

<sup>1</sup> 7 F. R. 4549.

<sup>2</sup> 7 F. R. 3168, 3447, 3901, 4336, 4342, 4404.

ing the pendency of the petition in accordance with the disposition thereof.

On April 30, 1942, West Virginia Coal and Coke Corporation, 705 Atlas Bank Building, Cincinnati, Ohio, filed a protest against Maximum Price Regulation No. 120, pursuant to the provisions of the Emergency Price Control Act of 1942. On June 4, 1942, said protest was withdrawn and refiled as a petition for adjustment or exception, pursuant to § 1340.207 of Maximum Price Regulation No. 120. Pending consideration of this petition and for the reasons set forth in an Opinion which has been issued simultaneously herewith and has been filed with the Division of the Federal Register, it has been determined to allow petitioner to enter into adjustable pricing contracts. For the reasons set forth in the Opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and, in accordance with Procedural Regulation No. 1,<sup>3</sup> issued by the Office of Price Administration, it is hereby ordered:

(a) On and after May 18, 1942, West Virginia Coal and Coke Corporation may enter into agreements with the purchasers of bituminous coal produced at its Norton Mine (Mine Index No. 112) located at Norton, West Virginia, to adjust prices upon deliveries made during the pendency of its petition for adjustment or exception in accordance with the disposition of said petition.

(b) This Order No. 11 may be revoked or amended by the Price Administrator at any time, and, in any event, is to be effective only to the date upon which said petition is finally disposed of.

(c) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(d) This Order No. 11 shall become effective the 20th day of June 1942.

Issued this 19th day of June 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-5759; Filed, June 19, 1942;  
3:21 p. m.]

[Docket No. 3120-86]

PARKER HYGRADE COAL COMPANY

ORDER GRANTING EXCEPTION

Order No. 13 under Maximum Price Regulation No. 120<sup>2</sup>—Bituminous Coal Delivered From Mine or Preparation Plant.

On May 19, 1942, Melvin Reed, doing business as the Parker Hygrade Coal Company, Barre, West Virginia, hereinafter called the petitioner, filed a protest against § 1340.212 (b) of Maximum Price Regulation No. 120. On June 12, 1942, this protest was withdrawn and refiled as a petition for

<sup>3</sup> 7 F. R. 971.



adjustment or exception pursuant to § 1340.207 (a) of this Regulation. Due consideration has been given the petition and an opinion in support of this Order No. 13 has been issued simultaneously herewith, and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,<sup>2</sup> issued by the Office of Price Administration, it is hereby ordered:

(a) Melvin Reed, doing business as the Parker Hygrade Coal Company, may sell and deliver, offer, solicit and attempt to sell and deliver, the kinds and grades of bituminous coal set forth in paragraph (b) at prices not in excess of those stated therein. Any person may buy and receive, agree, offer, solicit and attempt to buy and receive, such kinds and grades of bituminous coal at such prices from the Parker Hygrade Coal Company;

(b) Mine run coal produced at the Parker Mine (Mine Index No. 1935), located at Barrelville, Maryland, in District No. 1, may be sold at not more than \$3.90 per net ton f. o. b. the mine for shipment by truck or wagon.

(c) This Order No. 13 may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

(e) This Order No. 13 shall become effective June 22, 1942. (Pub. Law 421, 77th Cong.)

Issued this 20th day of June 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-5804; Filed, June 20, 1942;  
12:42 p. m.]

#### SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 70-549, 70-551, 70-563]

ASSOCIATED ELECTRIC COMPANY, ET AL.

#### NOTICE OF FILING AND ORDER FOR HEARING AND ORDER FOR CONSOLIDATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 17th day of June, A. D. 1942.

In the matters of Associated Electric Company, File No. 70-549; NY PA NJ Utilities Company, File No. 70-551; and Pennsylvania Electric Company, Keystone Public Service Company, Penelec Water Company, and Associated Electric Company, File No. 70-563; (Public Utility Holding Company Act of 1935).

The Commission, on May 25, 1942, having issued its Notice of Filing and Order for Hearing and Order for Consolidation, in the matter of Associated Electric Company, File No. 70-549, and in the matter of NY PA NJ Utilities Company,

File No. 70-551, in regard to certain applications and declarations concerning the proposal of NY PA NJ Utilities Company, a registered holding company and a subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company, to exchange its present holdings of Keystone Public Service Company with Associated Electric Company, a registered holding company, and also a subsidiary of the Trustees of Associated Gas and Electric Corporation, for certain securities of NY PA NJ Utilities Company now held by Associated Electric Company; and

The Commission having ordered a hearing on the consolidated matters and the date of such hearing having been postponed at the request of applicants-declarants to June 24, 1942; and

Pennsylvania Electric Company, a subsidiary of Associated Electric Company, Keystone Public Service Company, Penelec Water Company, a subsidiary of Associated Electric Company, and Associated Electric Company having filed applications and declarations regarding transactions supplementary to the transactions which are the subjects of the declarations and applications filed in File Nos. 70-549 and 70-551, such supplementary transactions consisting of the following:

1. Associated Electric Company proposes to acquire for cash from Keystone Public Service Company \$856,000 principal amount of NY PA NJ Utilities Company 5% Debentures, due January 15, 1952, for a sum of \$727,600, plus accrued interest;

2. Associated Electric Company proposes to acquire for cash from Keystone Public Service Company the investment of Keystone Public Service Company in Citizens Transit Company, for \$50,670.87;

3. Associated Electric Company proposes to donate to Keystone Public Service Company as a capital contribution 1,572 shares of the preferred stock of Keystone Public Service Company;

4. Keystone Public Service Company proposes to call for redemption, at the redemption price of \$52.50 per share, the 10,367 shares of preferred stock of Keystone Public Service Company then outstanding;

5. Pennsylvania Electric Company proposes to acquire the assets of Keystone Public Service Company and assume all liabilities, the cash consideration to be paid by Pennsylvania Electric Company to be based on the estimated original cost of the fixed assets of Keystone Public Service Company (exclusive of amounts includable in accounts 100.5 and 107) plus current and other assets less liabilities (including the liability on the call of the preferred stock of Keystone Public Service Company, and reserve for retirements applicable to the original cost of fixed assets);

6. Pennsylvania Electric Company proposes to issue and sell at private sale \$500,000 principal amount of notes maturing serially, the proceeds to be derived from the sale of said notes to be

used by Pennsylvania Electric Company together with other funds to redeem the preferred stock of Keystone Public Service Company;

7. Keystone Public Service Company proposes then to dissolve and to transfer to Associated Electric Company the net cash proceeds received by it from Pennsylvania Electric Company in consideration for its assets transferred to Pennsylvania Electric Company;

8. Pennsylvania Electric Company proposes to acquire for cash that portion of the property of Penelec Water Company used to supply water to the Seward generating plant of Pennsylvania Electric Company, the consideration to be paid by Pennsylvania Electric Company to be based on the estimated original cost of the property to be acquired, less provision for retirements applicable thereto, such estimate amounting to \$311,308.55, at March 31, 1942.

The applicants and declarants consider sections 6 (a), 6 (b), 9 (a), 9 (b) (1), 10, 12 (c) and 12 (f) of the Act and Rules U-42, U-43 and U-45 of the General Rules and Regulations as being applicable to the proposed transactions.

It appearing that it is appropriate and in the public interest and the interests of investors and consumers that a hearing be held with respect to said declarations and applications, filed with this Commission under File No. 70-563, and that said declarations shall not become effective nor said applications be granted except pursuant to further order of the Commission and that at said hearing there be considered among other things the various matters hereinafter set forth;

It further appearing that the foregoing matters filed under File No. 70-563 are related to and that evidence offered in respect to each of such matters may have a bearing upon the matters consolidated by the order of the Commission, dated May 25, 1942, and that substantial savings in time, effort and expense will result if the matters are further consolidated:

It is hereby ordered, That said proceedings (File No. 70-563) be and hereby are consolidated with the proceeds consolidated by order of the Commission dated May 25, 1942 (File Nos. 70-549 and 70-551).

It is further ordered, That the hearing on said matters so consolidated be held on June 24, 1942, at 10 a. m. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing cause shall be shown why such declarations shall become effective and such applications shall be granted.

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers

<sup>2</sup> 7 F.R. 971, 3663.



granted to the Commission under section 18 (c) of the Public Utility Holding Company Act of 1935 and to a trial examiner under the Commission's Rules of Practice.

*It is further ordered.* That without limiting the scope of the issues presented by the applications and declarations of Pennsylvania Electric Company, Keystone Public Service Company, Penelec Water Company, and Associated Electric Company, nor the scope of the issues presented in the Commission's order dated May 25, 1942, particular attention will be directed at said hearing to the following matters and questions, in addition to those specified heretofore:

5. Whether the consideration to be paid by Associated Electric Company for the debentures of NY PA NJ Utilities Company to Keystone Public Service Company is reasonable;

6. Whether the consideration to be paid by Associated Electric Company for the investment of Keystone Public Service Company in Citizens Transit Company is reasonable;

7. Whether the consideration to be paid by Pennsylvania Electric Company for the portion of the property of Penelec Water Company used to supply water to the Seward generating plant of Pennsylvania Electric Company is reasonable;

8. Whether the acquisition by Associated Electric Company of the investment in Citizens Transit Company is in the public interest and in the interest of investors of Associated Electric Company;

9. Whether terms and conditions are necessary to be imposed upon various transactions which are subjects of the declarations and applications filed in File No. 70-563 to insure compliance with the requirements of the Public Utility Holding Company Act of 1935 or any rules, regulations or orders promulgated thereunder.

Notice of such hearing is hereby given to such declarants and applicants and to any other person whose participation in such proceeding may be in the public interest and for the protection of investors or consumers. It is requested that any person desiring to be heard and to be admitted as a party to such proceeding shall file with the Secretary of the Commission on or before June 23, 1942, his request for application therefor as provided by Rule XVII of the Rules of Practice of the Commission.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 42-5768; Filed, June 19, 1942;  
8:31 p. m.]

[File No. 59-47]

REPUBLIC SERVICE CORPORATION AND ITS  
SUBSIDIARY COMPANIES, RESPONDENTS

SUPPLEMENTAL NOTICE OF AND ORDER FOR  
HEARING INCLUDING CERTAIN PARTIES AS  
RESPONDENTS

At a regular session of the Securities and Exchange Commission held at its

office in the City of Philadelphia, Pa., on the 17th day of June 1942.

The Commission, by order dated May 8, 1942, having issued a Notice of and Order for Hearing pursuant to sections 11 (b) (1) and 11 (b) (2) of the Public Utility Holding Company Act of 1935 in the above-entitled matter; and having thereafter by order dated May 22, 1942, at the request of the respondent, Republic Service Corporation, extended the time for the filing of an answer by the said respondent, Republic Service Corporation, until June 15, 1942, and continuing the date for hearing until July 15, 1942; and

It appearing to the Commission that the subsidiaries of Republic Service Corporation, as set forth in the said Notice of and Order for Hearing, namely, Republic Service Management Company; Abington Electric Company; Brockway Light, Heat & Power Company; Fulton Electric Light, Heat & Power Company; Greencastle Light, Heat, Fuel & Power Company; Mauch Chunk Heat, Power & Electric Light Company; Mercersburg, Lehigh & Markes Electric Company; Renovo Edison Light, Heat & Power Company; Holston River Power Company; Madison Power Company; Massanutten Power Corporation; Page Power Company; Renovo Heating Company; Lehigh Ice Company; Susquehanna Ice Company; and Massanutten Water Corporation, are properly parties to the said proceeding, in that the carrying out of sections 11 (b) (1) and 11 (b) (2) of the Act may directly or indirectly affect them thereby, and that accordingly, said subsidiary companies should be named respondents therein;

*It is ordered.* That said Republic Service Management Company; Abington Electric Company; Brockway Light, Heat & Power Company; Fulton Electric Light, Heat & Power Company; Greencastle Light, Heat, Fuel & Power Company; Mauch Chunk Heat, Power & Electric Light Company; Mercersburg, Lehigh & Markes Electric Company; Renovo Edison Light, Heat & Power Company; Holston River Power Company; Madison Power Company; Massanutten Power Corporation; Page Power Company; Renovo Heating Company; Lehigh Ice Company; Susquehanna Ice Company; and Massanutten Water Corporation are hereby made Respondents to the aforesaid proceeding and shall file with the Secretary of the Commission, on or before July 8, 1942, their joint or several answers, admitting, denying, or otherwise explaining their respective positions as to the allegations set forth in the said Notice of and Order for Hearing, and that the title of the said proceeding is hereby amended to read "In the Matter of Republic Service Corporation and its Subsidiary Companies, Respondents."

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 42-5769; Filed, June 19, 1942;  
8:31 p. m.]

[File No. 31-510]

MASSACHUSETTS MUTUAL LIFE INSURANCE  
COMPANY

SUPPLEMENTAL ORDER EXTENDING EXEMPTION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 17th day of June, A. D. 1942.

In the matter of Massachusetts Mutual Life Insurance Company.

The Commission having heretofore on the 26th day of December 1941 granted the Massachusetts Mutual Life Insurance Company an extension of its exemption as a holding company from the provisions of the Public Utility Holding Company Act of 1935 until the 27th day of June 1942 with respect to its ownership of 10 per centum or more of the voting securities of Indiana Gas & Chemical Corporation, an exempt holding company; and

Said Massachusetts Mutual Life Insurance Company having now requested an extension of said exemption for an indefinite period and having represented that it intends to dispose of its holdings of the voting securities of Indiana Gas & Chemical Corporation whenever it can secure therefor a cash price equal to or in excess of the figure at which said holdings are currently valued by the Insurance Commissioner of Massachusetts or will report to this Commission any change in its intentions regarding the disposition of said holdings; and having agreed to file with this Commission periodic reports setting forth all offers received for said holdings and its reasons for the rejection of such offers; and

The Commission having considered such request and the accompanying representations and agreements and finding with respect thereto that the circumstances under which the order of exemption was originally issued still exist and that an extension of the exemption for an indefinite period subject to the conditions hereinafter specified will not be detrimental to the public interest or the interest of investors or consumers;

*It is hereby ordered.* That the Massachusetts Mutual Life Insurance Company be and it hereby is exempted for an indefinite period from the date hereof from all of the provisions of said Act applicable to holding companies or to registered holding companies by reason of its ownership of ten per centum or more of the voting securities of Indiana Gas & Chemical Corporation; subject, however, to the following conditions:

(1) Said Company shall be subject to all of the provisions of said Act applicable to "any person" or to "an affiliate;"

(2) Said company shall forthwith advise this Commission in the event it changes its present intention with respect to the disposition of its holdings of the voting securities of Indiana Gas & Chemical Corporation which is to dispose of the same whenever it can secure therefor a cash price equal to or in excess of the figure at which said securities are currently valued by the Insurance Commissioner of Massachusetts;



(3) Said company shall file an annual report with this Commission beginning one year from the date of this order setting forth all offers received for said securities during the period covered by such report and its reasons for rejecting such offers;

(4) If it appears to the Commission at any time hereafter that any question exists as to whether the continued exemption of said company may be detrimental to the public interest or the interest of investors or consumers, the Commission may so notify said company by mail and sixty days after such notification such exemption shall terminate; without prejudice, however, to the right of said company to file an appropriate application for an order further extending such exemption.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 42-5767; Filed, June 19, 1942;  
3:31 p. m.]

**THE LACLEDE GAS LIGHT CO. AND OGDEN CORP.**

**NOTICE OF FILING OF AMENDMENT AND ORDER RECONVENING HEARING**

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 18th day of June 1942.

Notice is hereby given that an amendment to a declaration or application has been filed with the Commission under the Public Utility Holding Company Act of 1935 by Ogden Corporation ("Ogden"), a registered holding company. All interested parties are referred to said document, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

By order dated March 6, 1942, this Commission, after a public hearing, granted an application filed by The Laclede Gas Light Company ("Laclede"), a subsidiary of Ogden, for exemption from the provisions of section 6 (a) of the Act regarding offers proposed to be made by it to the holders of its outstanding and unpledged Refunding and Extension Mortgage 5% Gold Bonds, in the principal amount of \$10,000,000, to extend such bonds to April 1, 1945. The Commission also granted, subject to certain conditions, an application of Ogden regarding the acquisition by it of such portion of those bonds of Laclede not extended by other holders thereof. Jurisdiction was reserved by the Commission in said order with respect to (1) its proposal to borrow not in excess of \$2,250,000 for the purpose of purchasing the said bonds, and (2) its proposal to resell such bonds as might be acquired by it.

The aforementioned amendment filed by Ogden seeks approval of the Commission to sales by Ogden to an insurance company of the said bonds acquired and to be acquired by it, in the principal amount of not more than \$2,500,000, and at the price of 99% of the principal

amount of such bonds plus accrued interest from April 1, 1942, to the respective dates of sale and delivery of such bonds so sold. Ogden states that in the event the said sales are approved by the Commission, it will in all probability not be necessary for Ogden to borrow any of the said \$2,250,000. The amendment also requests an exemption from Rule U-50 of the Rules and Regulations promulgated under the Act, with respect to the said sales of bonds.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that the hearing be reconvened in order that all interested parties may be heard with respect to the matters contained in said amendment;

*It is ordered*, That a hearing on such matters under the applicable provisions of said Act and Rules of the Commission thereunder be held on June 29, 1942, at 10:00 A. M. E. W. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. Notice is hereby given of said hearing to Ogden Corporation, The Laclede Gas Light Company, and to all interested persons, said notice to be given to said declarant or applicant by registered mail, and to all other interested persons by publication in the FEDERAL REGISTER.

*It is further ordered*, That William W. Swift or any other officer, or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 42-5779; Filed, June 20, 1942;  
10:07 a. m.]

[File Nos. 70-561, 70-564]

**THE UNITED TELEPHONE CO. OF PENNSYLVANIA AND UNITED UTILITIES, INC.**

**NOTICE REGARDING FILING AND ORDER DIRECTING CONSOLIDATION**

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 19th day of June, A. D. 1942.

Notice is hereby given that declarations or applications (or both) have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by United Utilities, Incorporated, a registered holding company, and its subsidiary company, The United Telephone Company of Pennsylvania.

Notice is further given that any interested person may, not later than July 2, 1942 at 5:30 p. m., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature

of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such declarations or applications, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania.

All interested persons are referred to said declarations or applications, which are on file in the office of said Commission, for a statement of the transactions therein proposed, which may be summarized as follows:

The United Telephone Company of Pennsylvania proposes to issue and sell \$146,000 principal amount of First Mortgage Bonds, Series A, 3½%, due September 1, 1965, at 103 to the John Hancock Mutual Life Insurance Company of Boston, Massachusetts, and 1,500 shares of Common Capital Stock at \$50 per share, the par value thereof, to United Utilities, Incorporated (which now owns 75% of its outstanding common stock). United Utilities, Incorporated proposes in turn to buy the aforesaid Common Capital Stock at \$50 per share.

The United Telephone Company of Pennsylvania further proposes to use the proceeds derived from the sale of said bonds and common stock (a) to retire its total note indebtedness in the principal amount of \$160,000, (b) to reduce by \$50,000 its open account indebtedness owed the parent company, and (c) to increase its working capital with the balance of the proceeds.

The United Telephone Company of Pennsylvania states in its declaration or application that the proposed transaction will result in replacing a short term financing arrangement with a long-term one and in an addition to working capital which the company needs to carry on its business in view of the depletion of the working capital for additions and betterments. It is further stated that the estimated expenses will be \$3,073.10, that there will be no commissions or underwriting spreads with respect to the issue and sale of the aforementioned bonds and stocks, and that the Bell Telephone Company of Pennsylvania, the only other holder of The United Telephone Company of Pennsylvania Common Capital Stock, has waived its right to purchase a pro rata share of the proposed issue of additional common stock.

United Utilities, Incorporated states in its application or declaration that it will receive a fair return on the common stock investment and that the proposed purchase is necessary to finance properly its subsidiary.

It appearing to the Commission that the proceedings with respect to the above-specified applications or declarations involve common questions of fact and law and are closely related;

*It is ordered*, That the proceedings on the applications or declarations (or



both) of The United Telephone Company of Pennsylvania and United Utilities, Incorporated, hereinabove described, be and hereby are consolidated.

By the Commission.

[SEAL] ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 42-5780; Filed, June 20, 1942;  
10:07 a. m.]

[File Nos. 54-40, 59-40, 54-53, 59-49]

CONSOLIDATED ELECTRIC AND GAS COMPANY,  
ET AL.

NOTICE OF AND ORDER RECONVENING HEARING,  
INSTITUTING PROCEEDINGS, SETTING DATE  
FOR HEARING, AND CONSOLIDATING PRO-  
CEEDINGS FOR PURPOSES OF HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 15th day of June 1942.

In the matters of Consolidated Electric and Gas Company, applicant, File No. 54-40; Central Public Utility Corporation and Consolidated Electric and Gas Company, respondents, File No. 59-40; Christopher H. Coughlin, W. T. Crawford, and Rawleigh Warner, voting trustees under voting trust agreement dated August 1, 1932, relating to common stock of Central Public Utility Corporation, applicants, File No. 54-53; and Christopher H. Coughlin, W. T. Crawford, and Rawleigh Warner, voting trustees under voting trust agreement dated August 1, 1932, relating to common stock of Central Public Utility Corporation, respondents, File No. 59-49.

I

1. The Commission having issued on December 27, 1941 a notice of and order for hearing on the plan of Consolidated Electric and Gas Company filed under the provisions of section 11 (e) of the Public Utility Holding Company Act of 1935, which plan provides:

(a) Consolidated Electric and Gas Company will reclassify its outstanding Preferred Stock into such number of shares of new Common Stock as shall be convenient for distribution to the holders of the presently outstanding Preferred Stock.

(b) Consolidated Electric and Gas Company will proceed to cancel and retire all of its presently outstanding Class A Stock and Common Stock without any consideration to the holders of such Class A and Common Stock.

(c) The capitalization of Consolidated Electric and Gas Company will then consist of presently outstanding long-term debt and one class of capital stock, the new Common Stock distributed to the holders of the presently outstanding Preferred Stock.

(d) Consolidated Electric and Gas Company will pursue a program of liquidation and actively endeavor to sell or exchange the securities or assets of its subsidiaries at fair prices and, to the extent required, apply the proceeds received therefrom to the retirement of its debt securities and, upon the extinguish-

ment of such debt securities, to distribute the remaining assets to the holders of the new Common Stock.

2. The Commission having issued on December 27, 1941 a Notice of and Order instituting proceedings with respect to Central Public Utility Corporation and its subsidiary company, Consolidated Electric and Gas Company, under sections 11 (b) (1) and 11 (b) (2) of said Act and setting a date for hearing with regard thereto, in which Notice and Order it was alleged by the Commission that there were reasonable grounds to believe that:

(a) The Preferred Stock of Central Public Utility Corporation has 18% and its Common Stock has 82% of the total voting power of Central Public Utility Corporation.

(b) Central Public Utility Corporation's assets are insufficient to satisfy the claims of its Twenty-Year 5½% Income Bonds.

(c) Voting power is unfairly and inequitably distributed among the security holders of Central Public Utility Corporation.

(d) The corporate structure and continued existence of Central Public Utility Corporation unduly and unnecessarily complicates the structure of the holding-company system, of which it is a part.

(e) The continued existence of the Voting Trustees holding the Common Stock of Central Public Utility Corporation unduly and unnecessarily complicates the structure of the holding-company system, of which they are a part.

(f) The Voting Trustees holding the Common Stock of Central Public Utility Corporation, and Central Public Utility Corporation have subsidiary companies which themselves have subsidiary companies which are holding companies, in contravention of provisions of section 11 (b) (2) of the Act.

(g) The Common Stock of Consolidated Electric and Gas Company has 85% and the Preferred Stock 15% of the total voting power of Consolidated Electric and Gas Company.

(h) After allowing for the claims of the holders of the issued and assumed bonds of Consolidated Electric and Gas Company, the Preferred Stock represents a claim upon all of Consolidated Electric and Gas Company's remaining assets.

(i) Voting power is unfairly and inequitably distributed among the security holders of Consolidated Electric and Gas Company.

(j) The corporate structure of Consolidated Electric and Gas Company is such as not to justify more than a single class of stock.

(k) The corporate structure of Consolidated Electric and Gas Company unduly and unnecessarily complicates the structure of the holding-company system, of which it is a part.

3. The Commission having issued on December 27, 1941, an order consolidating the proceedings mentioned in paragraphs 1 and 2 of section I hereof for the purposes of hearing and so that all evidence adduced in each proceeding

may stand as evidence in the other proceedings for all purposes;

4. The hearing with respect to the plan of Consolidated Electric and Gas Company under the provisions of section 11 (e) of said Act and with respect to the proceedings instituted with regard to Consolidated Electric and Gas Company and Central Public Utility Corporation under sections 11 (b) (1) and 11 (b) (2) of said Act having been duly convened on February 2, 1942 and having been continued on February 26, 1942 subject to the call of the Trial Examiner;

II

An application or declaration (or both) having been filed with this Commission pursuant to said Act, particularly sections 12 (d) and 11 (e) thereof and Rule U-44 promulgated thereunder, by Christopher H. Coughlin, W. T. Crawford, and Rawleigh Warner, Voting Trustees under Voting Trust Agreement, dated August 1, 1932, relating to the Common Stock of Central Public Utility Corporation, seeking authorization of the delivery of the Common Stock of Central Public Utility Corporation to the record holders of voting trust certificates or, if such authorization should be denied, for approval of a plan pursuant to section 11 (e) of said Act which provides that said Voting Trustees shall:

(1) Surrender for cancellation to Central Public Utility Corporation all of its outstanding Common Stock,

(2) Remove the Agent and Depositary under said Voting Trust Agreement, and

(3) Terminate said Voting Trust Agreement.

III

It appearing to the Commission from the record of the proceedings referred to in paragraphs 1 and 2 of section I hereof and from the application or declaration described in section II hereof that there is evidence tending to show, among other things, that:

1. Christopher H. Coughlin, William T. Crawford and Rawleigh Warner hold all of the common stock of Central Public Utility Corporation as Voting Trustees under a Voting Trust Agreement, dated August 1, 1932;

2. Said Voting Trustees constitute a public-utility holding company within the meaning of the Public Utility Holding Company Act of 1935 and are a registered holding company;

3. Said Voting Trustees have a subsidiary company, Central Public Utility Corporation, which itself has a subsidiary company, Consolidated Electric and Gas Company, which itself is a holding company;

4. The principal executive office of said Voting Trustees is 26 Exchange Place, Jersey City, New Jersey;

5. Said Voting Trustees do not own or hold any securities or property other than the outstanding Common Stock of Central Public Utility Corporation, and the only business done by said Voting Trustees is the performance of said Voting Trust Agreement;

6. Said Voting Trust Agreement provides that it shall continue in effect until



August 1, 1942 and that upon its termination, said Voting Trustees, in exchange for and upon surrender of any trust certificates then outstanding, in accordance with the terms thereof, and out of the stock certificates held by said Voting Trustees thereunder, and after payment, if said Voting Trustees so require, of any lawful taxes in respect of the transfer or delivery of certain certificates by the persons entitled to receive such certificates, shall deliver such stock certificates to the record holders of voting trust certificates upon the surrender thereof, properly endorsed;

7. Said Voting Trust Agreement provides that said Voting Trustees shall not take any action to dissolve Central Public Utility Corporation without the consent of the holders of voting trust certificates representing not less than two-thirds the amount of outstanding Common Stock of Central Public Utility Corporation;

8. Central Public Utility Corporation has outstanding as of December 31, 1941, the following:

a. \$42,101,202 principal amount of Twenty-Year 5½% Income Bonds dated August 1, 1932, due August 1, 1952, the accrued and unpaid interest thereon amounting to approximately \$20,623,000 as of December 31, 1941.

b. 320,372-29/100 shares of \$4 Non-Cumulative Preferred Stock, no par value, with a stated value of \$10 per share (preference in liquidation, \$65 per share) and accrued dividends.

c. 1,719,816 3/80 shares of Class A Stock, \$1 par value (in liquidation entitled to a preferential amount of \$30 per share) and accrued dividends.

d. 1,305,020 shares of Common Stock, \$1 par value.

Of the foregoing, only the Preferred Stock and the Common Stock have voting rights, each having one vote per share;

9. A condensed corporate balance sheet of Central Public Utility Corporation as of December 31, 1941, was as follows:

ASSETS	
Investments—subsidiaries:	
Central Securities Transfer Co., common stock	\$1,000
Consolidated Electric & Gas Co., common stock, \$1 par, 1,000,000 shares	1,000,000
\$6 preferred, no par, 68,856 shares	48,279,970
Class A, \$1 par, 1,480,000 shares	
Collateral trust bonds	87,534
Accrued interest on collateral trust bonds	4,395
Other assets	15,660
	49,388,559

LIABILITIES	
5½% income bonds, due 8/1/52	\$42,101,202
Other liabilities	17,664
Capital stock:	
\$4 non-cumulative preferred, no par, 320,398.18 shares	3,203,982
Class A, \$1 par, 1,720,209 65/80 shares	1,720,210
Common, \$1 par, 1,305,020 shares	1,305,020
Surplus:	
Capital	1,063,457
Earned	(22,976)
	49,388,559

	1937	1938	1939	1940	1941
Income (interest)	\$13,866	\$13,285	\$12,532	\$11,494	\$12,047
Expenses	18,522	16,105	19,342	19,120	26,340
Net loss	(4,656)	(2,820)	(6,810)	(7,626)	(14,293)
Profit (loss) on sale of securities	74	(230)	809	2,005	5,991
Deficit for year	(4,582)	(3,050)	(6,001)	(5,621)	(8,302)

13. The annual interest requirements on the Twenty Year 5½% Income Bonds, dated August 1, 1932 of Central Public Utility Corporation, based on the amount outstanding at December 31, 1941, \$42,101,202.44, amounts to approximately \$2,315,600;

14. Consolidated Electric and Gas Company has outstanding as of December 31, 1941, the following:

a. Bonds assumed by Consolidated Electric & Gas Co.:

- (1) Central Gas & Electric Co. first collateral trust sinking fund bonds:
  - (a) 6% series of 1926, due Mar. 1, 1946 \$3,306,600
  - (b) 5½% series of 1926, due Dec. 1, 1946 5,414,300
- (2) Federated Utilities, Inc., first collateral trust 5½% bonds, due Mar. 1, 1957 5,128,000
- (3) Southern Cities Utilities Co. 30-year 5% first lien collateral trust bonds, series A, due Apr. 1, 1958 7,096,000

b. Collateral trust bonds of Consolidated Electric & Gas Co.:

- (1) 6% series, due Aug. 1, 1957 4,201,500
- (2) 3%-6% series A, due Aug. 1, 1962 (convertible) 14,833,000
- (3) 3%-6% series B, due Aug. 1, 1962 (convertible) 1,711,000

Total bonds outstanding—issued and assumed 41,690,400

c. 183,008 shares of \$6.00 Cumulative Preferred Stock, no par value, stated value \$100 per share.

d. 1,480,000 shares of Class A non-cumulative stock, \$1 par value, liquidating value \$25 per share.

e. 1,000,000 shares Common Stock \$1 par value.

10. As of December 31, 1941 there was accumulated and unpaid interest on the Twenty-Year 5½% Income Bonds, dated August 1, 1932, of Central Public Utility Corporation of approximately \$20,623,000, which, if not paid by the maturity of said bonds, will then become due;

11. No dividends have been paid on any of the classes of stock of Central Public Utility Corporation since their issuance in 1932;

12. A comparative condensed income statement of Central Public Utility Corporation for the five calendar years 1937-1941, inclusive, is as follows:

There are dividend arrearages on the \$6 Preferred Stock totalling \$10,220,974.60 as of December 31, 1941.

Of the foregoing, only the Preferred Stock and the Common Stock have voting rights, each having one vote per share.

15. A condensed corporate and consolidated balance sheet of Consolidated Electric and Gas Company as at December 31, 1941 is as follows:

	Corporate	Consolidated
ASSETS		
Investments	\$79,181,002	\$12,826,054
Property (net)		88,867,059
Excess of carrying value of investments over underlying book value at dates of acquisition		19,866,023
Reserves for Revaluations and Retirements	(16,286,941)	(22,765,208)
Other Assets	269,944	10,596,976
	63,164,005	109,390,904
LIABILITIES		
Subsidiary Companies:		
Funded Debt		33,283,859
Purchase Obligations		2,500,000
Minority Interest		
Preferred Stock		2,088,700
Consolidated:		
Funded Debt	41,690,400	41,690,400
\$6 Preferred Stock, no par, stated at	18,300,600	18,297,300
Class A Stock, \$1 par	1,480,000	1,480,000
Common Stock, \$1 par	1,000,000	1,000,000
Other Liabilities	693,005	9,050,645
	\$63,164,005	\$109,390,904

IV

It appearing to the Commission upon the basis of the allegations contained in the foregoing section III that there are reasonable grounds to believe that:



1. The Common Stock of Central Public Utility Corporation has no value;

2. Voting power is unfairly and inequitably distributed among the security holders of Central Public Utility Corporation and of the holding company system of which it is a part;

3. The continuance of said Voting Trustees results in an unfair and inequitable distribution of voting power among the security holders in the holding company system of which said Voting Trustees are a part;

4. The continued existence of said Voting Trustees unduly and unnecessarily complicates the structure of the holding company system of which they are a part;

5. Said Voting Trustees have a subsidiary company, which itself has a subsidiary company which is a holding company, in contravention of provisions of section 11 (b) (2) of the Act.

#### V

1. It appearing appropriate to the Commission that notice be given and a hearing be held for the purpose of determining what action should be taken under section 11 (b) (2) of said Act by said Voting Trustees, and whether the declaration or application filed by said Voting Trustees pursuant to section 12 (d) of said Act should be permitted to become effective or be granted or the proposed plan filed by said Voting Trustees under section 11 (e) of said Act should be approved;

2. It further appearing to the Commission that the hearings on the proceedings regarding the proposed plan filed by Consolidated Electric and Gas Company under section 11 (e) of said Act and on the proceedings heretofore instituted under sections 11 (b) (1) and 11 (b) (2) with respect to Consolidated Electric and Gas Company Central Public Utility Corporation should be reconvened for the purpose of affording all parties to such proceedings, if any of them so desire, the opportunity of adducing further or additional evidence, with respect to the issues in said proceedings, and in order that the record with respect to the issues in said proceedings may be completed and closed;

3. It further appearing to the Commission that the proceedings hereinabove described are related and involve common questions of law and fact and that evidence offered in each of said proceedings may have a bearing on the matters at issue in each of the other of said proceedings, and that substantial savings in time, effort, and expense, and substantial progress toward the steady and effective carrying out of the purposes of the Act and of the applicable provisions thereof will result if the hearings in said proceedings are consolidated so that they may be heard as one proceeding and that all evidence adduced in each of said proceedings may stand as evidence in any or all of the other of said proceedings for all purposes;

*It is ordered*, That proceedings under section 11 (b) (2) of said Act be and

hereby are instituted with respect to said Voting Trustees.

*It is further ordered*, That said Voting Trustees, respondents herein, file with the Secretary of the Commission on or before June 27, 1942, their respective answers, admitting or denying, or otherwise explaining the allegations of sections III and IV hereof.

*It is further ordered*, That the proceedings (a) with respect to the plan of Consolidated Electric and Gas Company under section 11 (e) of said Act, (b) under sections 11 (b) (1) and 11 (b) (2) regarding Central Public Utilities Corporation and Consolidated Electric and Gas Company, (c) with respect to the application or declaration of said Voting Trustees regarding the transfer of the common stock of Central Public Utility Corporation, (d) the plan of said Voting Trustees under section 11 (e) of said Act, and (e) under section 11 (b) (2) regarding said Voting Trustees be and hereby are consolidated.

*It is further ordered*, That the hearings on the proceedings consolidated hereinabove by this order be held commencing on June 29, 1942 at 10:00 o'clock, A. M., E. W. T., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. At such time the hearing-room clerk in Room 318 will advise as to the room where such hearing will be held.

*It is further ordered*, That, without limiting the scope of the issues presented by said declaration or application (or both) filed by said Voting Trustees or by the proceedings herein instituted by the Commission with respect to said Voting Trustees under section 11 (b) (2) of said Act otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the allegations of sections III and IV hereof are true and accurate.

(2) Whether the proposed transfer by said Voting Trustees of the Common Stock of Central Public Utility Corporation is detrimental to the public interest or the interest of investors or consumers or permits the circumvention of the provisions of said Act and the rules, regulations, or orders of the Commission thereunder.

(3) Whether the proposed plan of said Voting Trustees filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 is necessary and appropriate to effectuate the provisions of subsection (b) of section 11 of said Act.

(4) Whether such proposed plan of said Voting Trustees is fair and equitable to the persons affected thereby.

(5) Whether the said Voting Trust should be dissolved and terminated and the Common Stock of Central Public Utility Corporation held by said Voting Trustees surrendered and canceled.

(6) What order, if any, should be entered pursuant to section 11 (b) (2) of the Act, requiring said Voting Trustees to take such steps as the Commission shall find necessary to insure that the con-

tinued existence of said Voting Trustees in the holding-company system of which they are a part does not unduly nor unnecessarily complicate the structure of such holding-company system or such action as the Commission shall find necessary in order that said Voting Trustees shall cease to be a holding company with respect to its subsidiary company which itself has a subsidiary company which is a holding company.

*It is further ordered*, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing herein ordered. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

*It is further ordered*, That the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing a copy of this order by registered mail to said Voting Trustees, Central Public Utility Corporation and Consolidated Electric and Gas Company; and that notice of the entry of this order and of said hearing is hereby given to all Voting Trust certificate holders of said Voting Trustees, to all security holders of Central Public Utility Corporation and Consolidated Electric and Gas Company, to all State commissions, State securities commissions and all agencies, authorities or instrumentalities of one or more States, municipalities or other political subdivisions having jurisdiction over said Voting Trustees, Central Public Utility Corporation, or Consolidated Electric and Gas Company, and to all other persons, such notice to be given by a general release of the Commission distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935, and by publication of this order in the FEDERAL REGISTER.

*It is further ordered*, That jurisdiction be and is hereby reserved, if at any time it may appear conducive to an orderly and economical disposition of any one or all of the matters here involved, to order a separate hearing concerning any matter or matters, to close the record with respect to any such matter or matters, or to take appropriate action on any such matter or matters, prior to closing the record on any other matter or matters.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 42-5781; Filed, June 20, 1942;  
10:08 a. m.]

[File No. 1-1343]

RUDOLPH WURLITZER CO.

ORDER SETTING HEARING ON APPLICATION TO  
WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its



office in the City of Philadelphia, Pa., on the 19th day of June, A. D. 1942.

In the matter of Rudolph Wurlitzer Company; \$10 par common stock and \$100 par 7% cumulative preferred.

The Rudolph Wurlitzer Company pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its \$10 Par Common Stock and \$100 Par 7% Cumulative Preferred Stock from listing and registration on the Cincinnati Stock Exchange; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10 a. m. on Thursday, July 16, 1942, at the office of the Securities and Exchange Commission, 1370 Ontario Street, Cleveland, Ohio, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That C. J. Odenweller, Jr., an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F.R. Doc. 42-5782; Filed, June 20, 1942;  
10:07 a. m.]

[File Nos. 54-50, 59-39, 59-10]

NORTH AMERICAN LIGHT & POWER  
COMPANY, ET AL.

NOTICE OF FILING OF APPLICATIONS AND  
ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of June, A. D. 1942.

In the matter of North American Light & Power Company, File No. 54-50; North American Light & Power Company Holding-Company System and The North American Company, File No. 59-39; and The North American Company, et al., File No. 59-10.

Notice is hereby given that North American Light & Power Company has filed Application No. 3 and Application No. 4 in the above entitled consolidated proceedings heretofore held pursuant to sections 11 (b), 15 (f) and 20 (a) of the Public Utility Holding Company Act of 1935. Application No. 3 may be summarized as follows:

North American Light & Power Company a registered holding company, pro-

poses to sell to The Kansas Power and Light Company, a subsidiary of North American Light & Power Company, all the property, except cash, of The McPherson Oil & Gas Development Company, a wholly owned subsidiary of North American Light & Power Company engaged solely in the production of natural gas in the State of Kansas, for a cash consideration of \$38,394.83, less depletion on account of gas sold after March 31, 1942 to the date of transfer of said property, at the rate of 3½ cents per MCF. said property to be delivered in same condition at date of transfer as it was on March 31, 1942, ordinary wear and tear excepted.

All of the gas produced by The McPherson Oil & Gas Development Company is sold to The Kansas Power and Light Company, which owns and operates gas utility properties for the sale of gas at retail in Kansas; the properties of the former being operated in conjunction with the gas properties of the latter.

The basis for determining the cash consideration to be paid by The Kansas Power and Light Company is an appraisal made by an independent gas engineer.

Upon the consummation of the proposed sale, it is proposed to transfer all of the then assets of The McPherson Oil & Gas Development Company to North American Light & Power Company and dissolve the former company.

Application No. 4 may be summarized as follows:

North American Light & Power Company proposes to sell to The Kansas Power and Light Company 1,250 shares of no par capital stock (stated value \$68) of The Blue River Power Company, which is an electric utility company owning and operating a hydro-electric generating plant in the State of Kansas in an area served by the electric utility facilities owned and operated by The Kansas Power and Light Company. The outstanding capitalization of The Blue River Power Company consists of 2,500 shares of said capital stock, the remaining 1,250 shares being owned by the Larabee Milling Company.

All the electrical energy produced by The Blue River Power Company is sold to The Kansas Power and Light Company and the properties of the former are operated in conjunction with those of the latter.

The proposed consideration for the sale of said common stock is \$30,500, said price being based on an appraisal made by an independent engineering firm and is deemed by the parties to be the fair and reasonable value of said stock.

Notice is Further Given that said Applications state that the transactions proposed therein are steps in a contemplated general plan for the ultimate liquidation of North American Light & Power Company and termination of its existence pursuant to the Commission's order of December 30, 1941, requiring the liquidation of North American Light & Power.

Notice is Further Given that the parties to the transactions above described request the Commission to enter

an order or orders under sections 9, 10, and 12, of the Act, and the applicable rules and regulations thereunder, authorizing and approving the proposed transactions.

It appearing to the Commission that it is appropriate in the interest of the public and in the interest of investors and consumers that a hearing be held for the purpose of considering said Applications No. 3 and No. 4:

It is ordered, That a hearing be held at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, on the 9th day of July 1942, at 10:00 A. M. in such room as may be designated on such date by the hearing room clerk in Room 318. All interested persons are referred to said Applications which are on file in the office of said Commission for a full statement of the transactions therein proposed.

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing ordered herein. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of the issues presented by said applications, particular attention shall be directed to the following matters and questions:

(1) Whether the consideration proposed to be paid in each transaction is fair and reasonable;

(2) Whether the proposed acquisition by The Kansas Power and Light Company of the properties of The McPherson Oil & Gas Development Company and of the common stock of The Blue River Power Company, or each of them, meets the requirements of section 10 (b) and (c) of the Act;

(3) Whether the proposed transactions, or each of them, are in all other respects consistent with the provisions of sections 10, 11, 12, the rules and regulations thereunder, and the Commission's said order of December 30, 1941;

It is further ordered, That the Secretary of the Commission shall serve notice of this hearing by mailing a copy of this order by registered mail to North American Light & Power Company, The North American Company, The McPherson Oil & Gas Development Company, The Blue River Power Company, The Kansas Power and Light Company and the Kansas State Corporation Commission and that notice of said hearing is hereby given to all security holders of The North American Light & Power Company and The Kansas Power and Light Company and to all other interested persons, such notice to be given by general release of the Commission, distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935 and by publication in the FEDERAL REGISTER not later than



seven days prior to the date hereinbefore fixed as the date of the hearing.

*It is further ordered,* That all persons desiring to be heard or otherwise wishing to participate herein shall notify the Commission in the manner provided by the Commission's Rules of Practice, Rule XVII, on or before July 2, 1942.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 42-5783; Filed, June 20, 1942;  
10:08 a. m.]

[File No. 59-13]

STANDARD POWER AND LIGHT CORPORATION  
ORDER REQUIRING LIQUIDATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 19th day of June A. D. 1942.

The Commission having on June 5, 1940, issued its notice of and order for hearing instituting this proceeding pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935; and

Hearings having been held to determine whether the Commission should enter an order requiring the liquidation

and elimination of the Respondent from the Standard Power and Light Corporation holding company system; counsel for the Public Utilities Division of the Commission having submitted proposed findings; and counsel for the Respondent having waived a trial examiner's report and having waived such rights as they might have to adduce further evidence, request specific findings, make oral argument or file briefs; and

The Commission having examined the record herein and having this day made and filed its findings and opinion herein;

*It is ordered,* Pursuant to section 11 (b) (2) of said Act that Standard Power and Light Corporation shall be liquidated and its existence terminated.

*It is further ordered,* That said Standard Power and Light Corporation shall proceed with due diligence to submit to this Commission a plan for its prompt liquidation, and the termination of its existence, in a manner consistent with the provisions of said Act.

*It is further ordered,* That before Standard Power and Light Corporation takes any step or action for the divestment of its securities or other assets held by it for the purpose of enabling the said Standard Power and Light Corporation to comply with the provisions of section 11 of said Act or with the provi-

sions of this order, such step or action shall be the subject of an application or applications to this Commission for the entry of necessary or appropriate orders.

*It is further ordered,* That jurisdiction be, and the same hereby is, reserved to enter such further order or orders after hearing on appropriate notice as may be necessary or appropriate for the purpose of ensuring that the liquidation of Standard Power and Light Corporation is accomplished expeditiously and in a manner that is consistent with the provisions of the Act.

*It is further ordered,* That jurisdiction be, and the same hereby is, reserved to enter such further order or orders after hearing on appropriate notice for the purpose of determining what further steps should be taken by the respondent herein to bring about compliance with the requirements of section 11 (b) (2) of the Act.

*It is further ordered,* That nothing herein shall be deemed a waiver of the Commission's right to propose a plan of liquidation if it so determines.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 42-5784; Filed, June 20, 1942;  
10:08 a. m.]