

FEDERAL REGISTER

VOLUME 8

1934
OF THE UNITED STATES

NUMBER 130

Washington, Friday, July 2, 1943

The President

EXECUTIVE ORDER 9357

TRANSFERRING THE FUNCTIONS OF THE PUBLIC WORKS ADMINISTRATION TO THE FEDERAL WORKS ADMINISTRATOR

By virtue of the authority vested in me by Title I of the First War Powers Act, 1941, approved December 18, 1941 (55 Stat. 838), and as President of the United States, it is ordered as follows:

1. All functions, powers, and duties of the Public Works Administration and of the Commissioner of Public Works, in the Federal Works Agency, together with all records, property (including office equipment, contracts, and other assets), and personnel of the Public Works Administration, and the unexpended balances of the appropriations, allocations, or other funds available or to be made available for the exercise and performance of the said functions, powers, and duties, are hereby transferred to the office of the Federal Works Administrator, and such functions, powers, and duties shall be administered by or under the direction and supervision of the Federal Works Administrator: *Provided*, that any personnel found by the Federal Works Administrator to be in excess of the personnel necessary for the administration of such functions, powers, and duties shall be retransferred under existing law to other positions in the Government or separated from the service.

2. This order shall become effective on July 1, 1943.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
June 30, 1943.

[F. R. Doc. 43-10601; Filed, July 1, 1943;
11:59 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration

[FDO 49, Amdt. 2]

PART 1405—FRUITS AND VEGETABLES

RESTRICTIONS RELATIVE TO IRISH POTATOES

Food Distribution Order No. 49, as amended (8 F.R. 4859, 5700), § 1405.4,

issued under authority of the War Food Administrator on April 13, 1943, is amended by deleting the provisions in (c) thereof and inserting, in lieu thereof, the following:

(c) *Territorial scope.* This order is applicable to any shipment of Irish potatoes from any State or portion thereof specified by the Director.

With respect to any violations of said Food Distribution Order No. 49, as amended, rights accrued, or liabilities incurred prior to the effective date of this amendment, said Food Distribution Order No. 49, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

This order shall become effective as of 12:01 a. m., e. w. t., July 1, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 30th day of June 1943.

PAUL A. PORTER,
Acting War Food Administrator.

[F. R. Doc. 43-10613; Filed, July 1, 1943;
11:59 a. m.]

[FDO 27-2, Amdt. 1]

PART 1410—LIVESTOCK AND MEATS

BEEF AND PORK QUOTAS

Pursuant to the provisions of Food Distribution Order No. 27 (8 F.R. 2785, 4227, 5700, 7739, 8795) and to effectuate the purposes of such order, Food Distribution Order No. 27-2 (8 F.R. 7185) is amended as follows:

1. By amending § 1410.10 (b) thereof to read as follows:

(b) *Swine quotas.* The swine quota for each local slaughterer for each month shall be 85 percent of (1) the total live weight of swine which he slaughtered in the corresponding month of 1941, or (2) any other quota base for swine established for such slaughterer for such period under the provisions of Food Distribution Order No. 27.

2. By adding the following new provision:

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NORTH CONTINENT UTILITIES CORP., ET AL.

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(e) *Quotas for butchers; beef quotas.* Notwithstanding any other quota base, permit to slaughter, temporary quota, increase or adjustment in quota or exception granted, the quota of cattle for each butcher for each month shall be (1) the number of cattle which he slaughtered in the corresponding month of 1941, or (2) if he did not slaughter cattle during the corresponding month in 1941, 50 percent of his average monthly slaughter of cattle during the months in which he slaughtered from January 1, 1942, to September 30, 1942. No provision of this paragraph (e) shall be construed to increase any quota previously granted to any person under any provision of Food Distribution Order No. 27, as amended.

This order shall become effective at 12:01 a. m. e. w. t., July 1, 1943.

With respect to violations, rights accrued, or liabilities incurred prior to the effective date of this amendment, all provisions of Food Distribution Order No. 27-2 in effect prior to this amendment shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; FDO 27, 8 F.R. 2785, 4227, 5700, 7739, 8795)

Issued this 30th day of June 1943.

ROY F. HENDRICKSON,
Director of Food Distribution.

[F. R. Doc. 43-10607; Filed, July 1, 1943; 11:58 a. m.]

[FDO 39-1]

PART 1460—FATS AND OILS

TUNG OIL

Pursuant to the authority vested in me by Food Distribution Order 39, dated March 19, 1943 (8 F.R. 3482), and to effectuate the purposes of such order: *It is hereby ordered*, As follows:

§ 1480.21 Applications for acceptance of delivery, use, or processing of tung oil.

(a) Every person required by § 1460.5 (e) (1) of Food Distribution Order 39, to file War Production Board Form PD-600, shall file, in lieu thereof, three copies of Form FDA-478 ("Consumers' Application for Delivery and Use"). Every person filing such form shall attach to the three copies thereof one properly prepared copy of Form FDA-477 ("Suppliers' Authorization to Deliver") for each supplier named on Form FDA-478.

(b) Every producer desiring authorization to deliver a specified maximum quantity of tung oil in any month, pursuant to the provisions of § 1460.5 (d) of Food Distribution Order 39, shall file an application for such authorization on Form FDA-478, on or before the 15th day of the preceding month.

(c) Every producer of tung oil required by § 1460.5 of Food Distribution Order 39, to file War Production Board Form PD-601 shall file, in lieu thereof, one copy of Form FDA-478.

(d) The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) All reports required hereunder and all requests for report forms shall, unless otherwise directed, be addressed to: Chief, Fats and Oils Branch, Food Distribution Administration, War Food Administration, Washington, D. C., Ref.: FD-39.

(f) This order shall become effective on the 1st day of July, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; FDO 39, 8 F.R. 3482)

Issued this 30th day of June 1943.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 43-10608; Filed, July 1, 1943;
11:58 a. m.]

[FDO 32-1]

PART 1460—FATS AND OILS

CASTOR OIL

Pursuant to the authority vested in me by Food Distribution Order No. 32, dated March 19, 1943 (8 F.R. 3473), and to effectuate the purposes of such order; *It is hereby ordered*, As follows:

§ 1460.22 Applications for delivery, acceptance of delivery, use, blending, or processing of castor oil. (a) Every person required by § 1460.4 (e) (1) of Food Distribution Order No. 32 to file War Production Board Form PD-600, shall file, in lieu thereof, three copies of Form FDA-478 ("Consumers' Application for Delivery and Use"). Every person filing such form shall attach to the three copies thereof one properly prepared copy of Form FDA-477 ("Suppliers' Authorization to Deliver") for each supplier named on Form FDA-478.

(b) Every producer desiring authorization to deliver a specified maximum quantity of castor oil in any month, pursuant to the provisions of § 1460.4 (d) of

Food Distribution Order No. 32, shall file on or before the 15th day of the preceding month an application for such authorization on Form FDA-478, with respect to the following:

(i) Delivery of 40 pounds or less of castor oil to any one consumer.

(ii) Delivery to any person for use or resale for use as castor oil for medicinal purposes.

(c) Every producer of castor oil required by § 1460.4 (e) (2) or Food Distribution Order No. 32 to file War Production Board Form PD-601 shall file, in lieu thereof, one copy of Form FDA-476. Every such producer shall show in item 3 of Form FDA-476 the quantity delivered during the preceding month for use or resale for use as castor oil for medicinal purposes, separately from the quantity delivered in lots of 40 pounds or less for uses other than medicinal.

(d) The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) All reports required hereunder and all requests for report forms shall, unless otherwise directed, be addressed to: Chief, Fats and Oils Branch, Food Distribution Administration, War Food Administration, Washington, D. C., Ref.: FD-32.

(f) This order shall become effective on the 1st day of July 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; FDO 32, 8 F.R. 3473)

Issued this 30th day of June 1943.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 43-10606; Filed, July 1, 1943;
11:58 a. m.]

[FDO 36-1]

PART 1460—FATS AND OILS

CASHEW NUT SHELL LIQUID

Pursuant to the authority vested in me by Food Distribution Order 36, dated March 19, 1943 (8 F.R. 3480), and to effectuate the purposes of such order; *It is hereby ordered*, As follows:

§ 1460.24 Applications for acceptance of delivery, or use of cashew nut shell liquid. (a) Every person required by § 1460.12 (b) of Food Distribution Order 36, to file War Production Board Form PD-271 shall file, in lieu thereof, three copies of Form FDA-478 ("Consumers' Application for Delivery and Use"). Every person filing such form shall attach to the three copies thereof one properly prepared copy of Form FDA-477 ("Suppliers' Authorization to Deliver") for each supplier named on Form FDA-478.

(b) The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(c) All reports required hereunder and all requests for report forms shall, unless otherwise directed, be addressed

to: Chief, Fats and Oils Branch, Food Distribution Administration, War Food Administration, Washington, D. C., Ref.: FD-36.

(d) This order shall become effective on the 1st day of July 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; FDO 36, 8 F.R. 3480)

Issued this 30th day of June 1943.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 43-10610; Filed, July 1, 1943;
11:58 a. m.]

[FDO 31-1]

PART 1460—FATS AND OILS

OITICICA OIL

Pursuant to the authority vested in me by Food Distribution Order No. 31, dated March 19, 1943 (8 F.R. 3471), and to effectuate the purposes of such order; *It is hereby ordered*, As follows:

§ 1460.23 Applications for delivery, acceptance of delivery, use, or processing of oiticica oil. (a) Every person required by § 1460.6 (e) (1) of Food Distribution Order No. 31 to file War Production Board Form PD-600, shall file, in lieu thereof, three copies of Form FDA-478 ("Consumers' Application for Delivery and Use"). Every person filing such form shall attach to the three copies thereof one properly prepared copy of Form FDA-477 ("Suppliers' Authorization to Deliver") for each supplier named on Form FDA-478.

(b) Every producer desiring authorization to deliver a specified maximum quantity of oiticica oil in any month, pursuant to the provisions of § 1460.6 (d) of Food Distribution Order No. 31, shall file an application for such authorization on Form FDA-478, on or before the 15th day of the preceding month.

(c) Every producer of oiticica oil required by § 1460.6 (e) (2) of Food Distribution Order No. 31 to file War Production Board Form PD-601 shall file, in lieu thereof, one copy of Form FDA-476.

(d) Reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) All reports required hereunder and all requests for report forms shall, unless otherwise directed, be addressed to: Chief, Fats and Oils Branch, Food Distribution Administration, War Food Administration, Washington, D. C., Ref.: FD-31.

(f) This order shall become effective on the 1st day of July, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; FDO 31, 8 F.R. 3471)

Issued this 30th day of June 1943.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 43-10609; Filed, July 1, 1943;
11:58 a. m.]

FEDERAL REGISTER, Friday, July 2, 1943

TITLE 13—BUSINESS CREDIT

Chapter I—Reconstruction Finance Corporation

CHARTER OF PETROLEUM RESERVES CORPORATION

Reconstruction Finance Corporation hereby declares:

First, that pursuant to the authority contained in section 5d of the Reconstruction Finance Corporation Act, as amended, at the request of the Secretary of Commerce, with the approval of the President, there has been created a corporation under the name of Petroleum Reserves Corporation (hereinafter referred to as the "Corporation").

Second, that the location of the principal office of the Corporation shall be in the City of Washington, District of Columbia.

Third, that the objects and purposes of the Corporation shall be to buy or otherwise acquire reserves of crude petroleum from sources outside the United States, including the purchase or acquisition of stock in corporations owning such reserves or interests therein, and to store, transport, produce, process, manufacture, sell, market, and otherwise dispose of such crude petroleum and the products derived therefrom; and the Corporation shall have the power and authority to do and perform all acts and things whatsoever necessary thereto, including, but without limitation, the power to borrow money and issue its secured or unsecured obligations therefor; to adopt and use a corporate seal; to make contracts; to sue and be sued; and to construct and operate outside the United States such refineries, pipe lines, storage tanks and other facilities as are necessary in connection with carrying out the objects and purposes of the Corporation as above stated.

Fourth, that the Corporation, including its franchise, its capital, reserves, surplus, income and assets shall be exempt from all taxation now or hereafter imposed by the United States, or any dependency or possession thereof, or by any state, county, municipality or local taxing authority except that any real property owned by the Corporation shall be subject to state, county, municipal or local taxation to the same extent according to its value as other real property is taxed.

Fifth, that the Corporation shall be an instrumentality of the United States Government, shall be entitled to the free use of the United States mails, and shall in all other respects be possessed of the privileges and immunities that are conferred upon the Reconstruction Finance Corporation under the Reconstruction Finance Corporation Act, as amended.

Sixth, that the total authorized capital stock of the Corporation shall be one million dollars (\$1,000,000). Such stock shall be of one class, shall have a par value of \$100 per share, and shall be issued for cash only.

Seventh, That the Corporation shall have existence until dissolved by Reconstruction Finance Corporation or by Act of Congress.

Eighth, That the stockholder shall not be liable for the debts, contracts, or engagements of the Corporation except to the extent of unpaid stock subscriptions.

Ninth, That the affairs and business of the Corporation shall be managed by a board of directors who shall be appointed by Reconstruction Finance Corporation pursuant to the provisions of this Charter and the By-Laws of the Corporation.

Tenth, That this Charter and the By-Laws may be amended at any time by Reconstruction Finance Corporation.

In witness whereof, Reconstruction Finance Corporation has caused this Charter to be signed by its executive officer, Vice-Chairman of its Board of Directors, attested by its Secretary, and has caused its seal to be hereunto affixed this 30th day of June 1943.

[SEAL] RECONSTRUCTION FINANCE CORPORATION,
By H. A. MULLIGAN,
Vice-Chairman.

Attest:

A. J. HOBSON,
Secretary.

[F. R. Doc. 43-10559: Filed, June 30, 1943;
2:33 p. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T.D. 50886]

PART 1—CUSTOMS DISTRICTS AND PORTS

PORTS AT WHICH MARINE DOCUMENTS MAY BE ISSUED

JUNE 29, 1943.

Section 1.1 of the Customs Regulations of 1943 (19 C. F. R. 1.1) is hereby amended as follows:

§ 1.1 *Customs collection districts and ports.* * * *

The port of Hyder, in the district of Alaska (No. 31), and the port of Provincetown, in the district of Massachusetts (No. 4), are not ports at which marine documents may be issued, and the asterisk preceding the name of each is hereby deleted.

The following ports are ports at which marine documents may be issued and an asterisk is hereby inserted before the name of each:

Dist. No. and name of dist.:	Ports of entry
23 Laredo	Brownsville.
4 Massachusetts	Plymouth.
7 St. Lawrence	Cape Vincent.
30 Washington	Port Townsend.
37 Wisconsin	Milwaukee.

The foregoing amendment to the Customs Regulations of 1943 (filed with the

Division of the Federal Register, May 27, 1943), shall be effective on July 1, 1943.

(R.S. 161; 5 U.S.C. 22)

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: June 29, 1943.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 43-10519; Filed, June 30, 1943;
12:33 p. m.]

TITLE 31—MONEY AND FINANCE:
TREASURY

Chapter II—Fiscal Service

Subchapter A—Bureau of Accounts

[1943 Dept. Circ. 714¹]

PART 212—PAYMENT THROUGH DEPOSITORY BANKS OF FUNDS WITHHELD AS TAXES IN ACCORDANCE WITH THE PROVISIONS OF THE CURRENT TAX PAYMENT ACT OF 1943

Pursuant to section 10 of the Act of June 11, 1942 (56 Stat. 356; 12 U.S.C., Sup. 2, 265) and section 1631 of the Internal Revenue Code, as added by the Current Tax Payment Act of 1943 (Public Law 68, approved June 9, 1943), the following regulations governing the payment through depository banks of funds withheld as taxes are hereby prescribed:

Sec.	
212.1	Instructions of Commissioner of Internal Revenue relative to payment of taxes.
212.2	Authority to use insured banks as depositories of public money.
212.3	Authority to use Government depositories in connection with payment of taxes.
212.4	Designation of Government depositories in connection with payment of taxes.
212.5	Qualification of Government depositories in connection with payment of taxes.
212.6	Accounts, forms and procedure of depositories for withheld taxes.
212.7	Provision for offsetting costs of depositories for withheld taxes.
212.8	Termination of the qualification of a depository for withheld taxes.
212.9	Treatment by collectors of internal revenue of withheld taxes received by depositories.
212.10	Functions of Federal Reserve Banks, regarding withheld taxes.
212.11	Amendment of regulations.

AUTHORITY: §§ 212.1 to 212.11, inclusive, issued under 56 Stat. 356; 12 U.S.C. 265; Pub. Law 68, 78th Cong.

§ 212.1 *Instructions of Commissioner of Internal Revenue relative to payment of taxes.* The Commissioner of Internal Revenue has issued Circular WT, dated June 1943,² with reference to the collection of income tax at source on wages, in which employer's duties under the provisions of the Current Tax Payment

¹ Sections 212.1 to 212.11, inclusive, correspond respectively with sections 2 to 12, inclusive, of Treasury Department Circular No. 714, dated June 25, 1943.

² Copies may be obtained by addressing the nearest Collector of Internal Revenue, requesting Circular WT.

Act of 1943 are explained. The circular contains, in part, the following information:

19. *Payment of tax.* It will be the duty of every employer who withheld more than \$100 during the month to pay, within 10 days after the close of each calendar month, to a depositary and financial agent authorized by the Secretary of the Treasury to receive deposits of withheld taxes, pursuant to section 1631 of the Internal Revenue Code as added by the Current Tax Payment Act of 1943, all funds withheld as taxes during that calendar month. (All banks insured by the Federal Deposit Insurance Corporation are eligible to qualify as depositaries and financial agents.) On or before the last day of the month following the close of each quarter of each calendar year, every employer shall make a return on Form W-1 to the collector of his district, covering the aggregate amount of taxes withheld during that quarter, and attach to such return, as payment for the taxes shown thereon, receipts in the form approved by the Secretary of the Treasury, issued by the authorized depositary and financial agent evidencing the payment of funds withheld as taxes: *Provided, however,* That for taxes withheld during the last month of the quarter the employer may, at his election, in lieu of this method of payment, include with his return direct remittance to the collector for the amount of the taxes withheld during such last month of the quarter. The employer may obtain from his local bank the names and locations of the nearby depositaries and financial agents authorized to receive deposits of withheld taxes. A list of the depositaries and financial agents will be furnished each bank by the Federal Reserve Bank of the District.

§ 212.2 *Authority to use insured banks as depositaries of public money.* Section 10 of the Act approved June 11, 1942 (56 Stat. 356; 12 U.S.C., Sup. II, 265), provides in part as follows:

All insured banks designated for that purpose by the Secretary of the Treasury shall be depositaries of public money of the United States * * * and the Secretary is hereby authorized to deposit public money in such depositaries, under such regulations as may be prescribed by the Secretary; and they may also be employed as financial agents of the Government; and they shall perform all such reasonable duties, as depositaries of public money and financial agents of the Government as may be required of them * * *.

§ 212.3 *Authority to use Government depositaries in connection with payment of taxes.* Section 1631 of the Internal Revenue Code as added by the Current Tax Payment Act of 1943 provides as follows:

The Secretary may authorize incorporated banks or trust companies which are depositaries or financial agents of the United States to receive any taxes under this chapter in such manner, at such times, and under such conditions as he may prescribe; and he shall prescribe the manner, times and conditions under which the receipt of such taxes by such depositaries and financial agents is to be treated as payment of such taxes to the collectors.

§ 212.4 *Designation of Government depositaries in connection with payment of taxes.* All incorporated insured banks, within the meaning of section 10 of the Act of June 11, 1942, referred to in

§ 212.2 of this part, are hereby designated, subject to the provisions of this part, as depositaries and financial agents of the Government for receiving from employers or other persons, hereinafter referred to as employers, funds withheld as taxes pursuant to the Current Tax Payment Act of 1943; *Provided,* That no insured bank shall perform any of the acts covered by this designation until it has qualified so to act in the manner herein prescribed.

Banking institutions which have heretofore been designated as depositaries and financial agents of the Government for the performance of certain classes of fiscal duties will be required to qualify under the terms of this part in order to act as Depositaries for Withheld Taxes.

Incorporated banks or trust companies located in the territories and insular possessions of the United States, which are not insured banks within the meaning of section 10 of the Act approved June 11, 1942, but which are otherwise eligible for designation as depositaries or financial agents of the United States, may be specifically designated by the Secretary of the Treasury under other applicable statutes governing depositaries outside of the continental United States, to act as depositaries for withheld taxes upon qualification substantially in accordance with the provisions of § 212.5 hereof. Applications for such designation should be transmitted to the Federal Reserve bank of the district through which clearances and settlements for the account of the Treasurer of the United States are customarily made.

§ 212.5 *Qualification of Government depositaries in connection with payment of taxes.* Any designated bank which desires to qualify, under the terms of this part, for receiving from employers funds withheld as taxes pursuant to the Current Tax Payment Act of 1943, should apply for qualification through the Federal Reserve bank of the district in which the insured bank is located. Such application shall be made on Application-Agreement, Depositary for Withheld Taxes (Form No. 411) shown as Exhibit A of this part.¹ Copies of this form and instructions regarding the application may be obtained from the Federal Reserve bank. No designated bank which has made application for qualification shall act as a Government depositary and financial agent under the terms of this part until it receives from the Federal Reserve bank notice of approval of the application. Upon receipt of such notice each designated bank is hereby authorized to receive funds withheld as taxes pursuant to section 1622 of the Internal Revenue Code, as added by the Current Tax Payment Act of 1943. Depositaries and financial agents qualified pursuant to the terms of this part will be known as "Depositaries for Withheld Taxes" and will hereinafter be referred to as depositaries.

¹ Filed as part of the original document.

§ 212.6 *Accounts, forms, and procedure of depositaries for withheld taxes.* Each depositary shall open and maintain on its books a special account entitled "Withheld Taxes" in the name of the Federal Reserve bank of the district in which the depositary is located, as fiscal agent of the United States. Such Federal Reserve bank will hereinafter be referred to as the Federal Reserve bank. To this special account on the books of the depositary shall be credited all withheld taxes received by the depositary from employers.

Deposits in the special account will be permitted to accumulate until a balance of \$5,000 is reached, at which time the depositary must remit, not later than the following business day, the entire balance to the Federal Reserve bank for credit to the account of the Treasurer of the United States. Remittances to the Federal Reserve bank, however, are not required to be made more frequently than once each day. The entire balance in the special account on the last business day in each month, regardless of the size of the balance, must be remitted to the Federal Reserve bank not later than the following business day. Each remittance to the Federal Reserve bank must be accompanied by the first carbon copies of the depositary receipts for withheld taxes, issued by the depositary as hereinafter provided, with regard to the funds constituting the remittance. When a remittance to the Federal Reserve bank is made, it is essential that the accompanying depositary receipts be in the exact aggregate amount of such remittance and that they relate exclusively to the withheld taxes thus remitted. All remittances must be made in funds immediately available at the Federal Reserve bank point.

The depositaries will receive through the Federal Reserve Banks more detailed information regarding the procedure to be followed in connection with the remittance of, and accounting for, withheld taxes received by the depositaries under the provisions of this part.

The depositary shall issue to each employer for each payment of withheld taxes received by the depositary from such employer a Depositary Receipt for Withheld Taxes (Form No. 410), hereinafter referred to as the depositary receipt. The prescribed form of depositary receipt is shown as Exhibit B of this part. All depositary receipts issued must be in this form and no other. Each depositary receipt will be executed by the depositary in triplicate and disposition of the original and copies shall be made by the depositary as follows:

Original: delivered to the employer to evidence the payment of withheld taxes to the depositary;

First copy: forwarded to the Federal Reserve bank at the time the funds represented by the receipt are remitted to the Federal Reserve bank;

Second copy: retained by the depositary, as its record of the payment of the withheld taxes by the employer to the depositary.

Supplies of the printed form of depositary receipt will be furnished to, or procured by, each depositary, and will be controlled, under instructions issued through the Federal Reserve bank.

The depositary will not be required to accept from employers, as payment of withheld taxes, funds which are not immediately available to the depositary at the time of such payment. Treasury Notes, Tax Series, or other public debt securities of the United States, will not be accepted by depositaries from employers as payment of withheld taxes under this part. Each depositary receipt will be dated as of the day the funds are credited in the special account "Withheld Taxes" in the name of the Federal Reserve bank as fiscal agent of the United States.

The original and Federal Reserve bank copy of each depositary receipt must be signed by a duly authorized officer or employee acting on behalf of the depositary. This signature may be in any one of the following forms: (1) a manual signature of a duly authorized officer or employee followed by the title of such officer or employee; (2) a rubber stamp impression containing the name of the depositary supported by the manual initial of the receiving officer or employee and followed by his title; (3) facsimile or rubber stamp impression signature of a duly authorized officer over his official title, supported by the manual initial of such officer or the employee receiving the deposit; or (4) a facsimile or rubber stamp impression signature of a duly authorized employee over his official title, supported by the manual initial of such employee. All initials or manual signatures should be in ink.

In the event the original of a depositary receipt is lost, stolen, or destroyed before it is forwarded to a collector of internal revenue, the employer concerned will be issued a duplicate receipt upon proper application and the submission of required evidence to the Federal Reserve bank of the district in which the depositary which issued the original receipt is located. Such issuance of duplicate receipts will be governed by requirements and procedure to be prescribed by the Secretary of the Treasury.

§ 212.7 Provision for offsetting costs of depositaries for withheld taxes. For the purpose of offsetting additional costs incurred by depositaries in receiving from employers payments of withheld taxes and remitting the funds thus collected to Federal Reserve banks as required herein, two alternative methods are provided by which a depositary may purchase 2% depositary bonds issued pursuant to Department Circular No. 660, First Supplement.

Under one method, the depositary will be permitted to purchase 2% depositary bonds with its own funds. Such bonds will be issued in the name of the Federal Reserve bank as fiscal agent of the United States in trust for the depositary, and will be required to be held by such

Federal Reserve bank, in safekeeping while the depositary is qualified for receiving payments of withheld taxes.

Under the other method, the Treasury will agree to place with the depositary a balance to the credit of the Treasurer of the United States, provided that such balance will be used by the depositary for the purchase of an equal amount of 2% depositary bonds. Such bonds will be issued in the name of the Federal Reserve bank as fiscal agent of the United States, in trust for the depositary, and will be held as collateral security for such deposit balance.

The amount of 2% depositary bonds which the depositary will be permitted to purchase under either of the alternative methods will be in proportion to the business transacted under this part, as set forth in the attached schedule of 2% depositary bond allotments and Treasury balances (Exhibit C).⁴

In case an insured bank qualifies as a depositary for withheld taxes on or before July 31, 1943, its initial 2% depositary bond allotment or Treasury balance under the method elected by the depositary will be calculated on the basis of the business transacted under this part by the depositary during the month of August 1943. The same general rule will be applied in the case of insured banks qualifying during each month after July 1943. For example, in the case of an insured bank qualifying as a depositary during the month of August 1943, the initial 2% depositary bond allotment or Treasury balance will be based upon the business such depositary transacts under this part during the month of September 1943.

Appropriate adjustments in 2% depositary bond allotments or Treasury balances will be considered periodically on the basis of fluctuations in the business transacted after the initial allotments or Treasury balances are established. The first of such adjustments will be made at the close of the three-month period of operations of a depositary after its initial allotment or Treasury balance is established. Thereafter, appropriate adjustments will be made at the close of each six-month period ending on June 30 and December 31. The adjustments will be considered on the basis of the average business transacted monthly during the period under review, in relation to the schedule of 2% depositary bond allotments and Treasury balances then in effect. A depositary will be permitted to change from one alternative method to the other on the adjustment dates of June 30 and December 31.

Matters concerning the allotment of 2% depositary bonds under the terms of this part will be handled by the Treasury Department through the Federal Reserve banks.

§ 212.8 Termination of the qualification of a depositary for withheld taxes.

The Secretary of the Treasury, upon notification through the Federal Reserve banks, may terminate at any time the qualification of any depositary for withheld taxes. Likewise, any depositary for withheld taxes may terminate its qualification upon 30 days' notice to the Secretary of the Treasury, through the Federal Reserve bank. Upon termination of the qualification of a depositary the amount of 2% depositary bonds purchased by it pursuant to these regulations will be redeemed on not less than 30 days' or more than 60 days' notice by the Secretary of the Treasury.

§ 212.9 Treatment by collectors of internal revenue of withheld taxes received by depositaries. The receipt of withheld taxes by depositaries shall be treated as payment of such taxes to collectors of internal revenue upon the filing of the return for the withheld taxes and the presentation therewith to such collectors of properly executed depositary receipts. Collectors of internal revenue will promptly deposit all such depositary receipts as internal revenue collections with the Federal Reserve bank of the district in which the collector's head office is located. Each such deposit shall be accompanied by an appropriate certificate of deposit which shall not include any other class of remittances.

In any case in which a depositary receipt is received by a Federal Reserve bank and it is determined that the employer failed to pay to the depositary the amount stated therein, the Federal Reserve banks may return such item to the collector of internal revenue, under procedure prescribed by the Secretary of the Treasury.

§ 212.10 Functions of Federal Reserve Banks regarding withheld taxes. In accordance with instructions from the Secretary of the Treasury, the Federal Reserve banks, as fiscal agents of the United States, will perform the following functions:

The Federal Reserve banks will receive from depositaries remittances of withheld taxes and from collectors of internal revenue depositary receipts for appropriate credit and clearance in the account of the Treasurer of the United States.

The Federal Reserve banks will maintain such records and perform such other functions as may be necessary for the purpose of: (a) Determining that the required copies of depositary receipts are received from the depositaries in support of all remittances by such depositaries of withheld taxes; and (b) properly balancing or matching the depositary receipts deposited by the collectors of internal revenue with the corresponding copies of the depositary receipts received from the depositaries, in order to prove or reconcile credits allowed employers by the collectors of internal revenue with the depositaries' remittances of withheld taxes.

⁴ Filed as part of the original document.

The Federal Reserve banks will perform such additional functions relating to withheld taxes, including the rendition of reports, as may be required by the Secretary of the Treasury.

The Federal Reserve banks are authorized to utilize the facilities of their branches in performing the functions required under this part.

§ 212.11 *Amendment of regulations.* The Secretary of the Treasury may withdraw or amend at any time or from time to time any or all provisions of this part.

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

[F. R. Doc. 43-10593; Filed, July 1, 1943,
10:35 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice Chairman

AUTHORITY: Regulations in this subchapter issued under 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 88 and 507, 77th Cong.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-357]

S. & J. PALDER

S. & J. Palder is a partnership which operates a service station at 1207 Columbus Avenue, Boston, Massachusetts. During the months of April, May and June, 1942, and while its regular supplier was delivering its full quota, S. & J. Palder accepted the delivery of approximately 27,000 gallons of motor fuel in excess of the amount it was permitted to accept by the provisions of Limitation Order L-70. S. & J. Palder received these excessive amounts from another supplier, although it knew that its regular supplier was delivering motor fuel to it pursuant to an L-70 quota and that in all probability its purchases from the other supplier were improper. These excess receipts of motor fuel were made under such circumstances as to constitute wilful violations of the order.

These violations have hampered and impeded the war effort of the United States by diverting motor fuel in a manner unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered, That:*

§ 1010.357 *Suspension Order No. S-357.* (a) During each of the months of July, August, September and October, 1943, S. & J. Palder, its successors or assigns, shall not accept from any source the delivery of more than 5000 gallons of motor fuel, as defined in Limitation Order L-70, at its said service station.

(b) Nothing contained in this order shall be deemed to relieve S. & J. Palder, its successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except in

so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect July 1, 1943.

Issued this 30th day of June 1943.

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

[F. R. Doc. 43-10558; Filed, June 30, 1943;
2:23 p. m.]

PART 951—MATERIAL AND EQUIPMENT ENTERING INTO THE CONSTRUCTION OF SHIPWAYS

[Amendment of Revocation of Preference Rating Order P-14-a]

The order of revocation of Preference Rating Order P-14-a, issued June 25, 1943, is hereby amended to read as follows:

Section 951.1 *Preference Rating Order P-14-a*, is hereby revoked, as follows:

a. No new copy of Preference Rating Order P-14-a shall hereafter be issued or addressed to any shipyard or accepted by any shipyard.

b. On or before August 1, 1943, every shipyard and rated subcontractor to which copies of Preference Rating Order P-14-a have been issued or extended shall return all such copies of Preference Rating Order P-14-a to War Production Board, Shipbuilding Division, Washington, D. C.

c. After August 1, 1943, no shipyard to which a copy of Preference Rating Order P-14-a was issued shall apply or extend any preference rating which was assigned thereby or any rerating thereof. Rated subcontractors and suppliers, however, may continue to extend such ratings in the manner and subject to the conditions provided in Priorities Regulation No. 3.

Issued this 30th day of June 1943.

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

[F. R. Doc. 43-10574; Filed, June 30, 1943;
5:09 p. m.]

PART 951—MATERIAL AND EQUIPMENT ENTERING INTO THE CONSTRUCTION OF SHIPWAYS

[Amendment of Revocation of Preference Rating Order P-14-b]

The order of revocation of Preference Rating Order P-14-b, issued June 25, 1943, is hereby amended to read as follows:

Section 951.2 *Preference Rating Order P-14-b*, is hereby revoked, as follows:

a. No new copy of Preference Rating Order P-14-b shall hereafter be issued or addressed to any shipyard or accepted by any shipyard.

b. On or before August 1, 1943, every shipyard and rated subcontractor to which copies of Preference Rating Order P-14-b have been issued or extended shall return all such copies of Preference Rating Order P-14-b to War Production Board, Shipbuilding Division, Washington, D. C.

c. After August 1, 1943, no shipyard to which a copy of Preference Rating Order P-14-b was issued shall apply or extend any preference rating which was assigned thereby or any rerating thereof. Rated subcontractors and suppliers, however, may continue to extend such ratings in the manner and subject to the conditions provided in Priorities Regulation No. 3.

Issued this 30th day of June 1943.

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

[F. R. Doc. 43-10575; Filed, June 30, 1943;
5:09 p. m.]

PART 3240—MATERIAL FOR FARMSTEAD WIRING

[Amdt. 1 and Ext. 1 of Preference Rating Order P-144]

Section 3240.1 *Preference Rating Order P-144*, is hereby amended as follows:

1. Paragraph (c) shall read:

(c) *Records.* (1) Except as provided in paragraph (c) (2) hereof, each supplier shall forward to the U. S. D. A. County War Board which certified the purchaser's eligibility, a copy, endorsed by such supplier, of each purchase order or contract to which the rating assigned hereby has been applied or extended. The U. S. D. A. County War Board shall retain such copy for a period of two years for inspection by representatives of the War Production Board. This requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) No supplier is required to forward such copy in the case of sales made to other suppliers.

2. Paragraph (e) shall read:

(e) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to War Food Administration, Washington, D. C., Ref.: P-144.

3. Paragraph (g) shall read:

(g) *Expiration date.* This order shall expire July 31, 1943.

Issued this 30th day of June 1943.

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

[F. R. Doc. 43-10573; Filed, June 30, 1943;
5:09 p. m.]

FEDERAL REGISTER, Friday, July 2, 1943

PART 1023—JEWEL BEARINGS

[Conservation Order M-50, as Amended
July 1, 1943]

Whereas, national defense requirements have created a shortage of jewel bearings (as hereafter defined) for the combined needs of defense and private account, and the supply of jewel bearings now is and will be insufficient for defense and essential civilian requirements, unless the supply of jewel bearings and jewel bearing material (as hereinafter defined) is conserved and their use in certain products manufactured for civilian use is curtailed; and it is necessary in the public interest to promote the defense of the United States, to conserve the supply and direct the distribution and use thereof.

Now, therefore, it is hereby ordered, That:

§ 1023.1 Conservation Order M-50—
(a) **Definitions.** For the purpose of this order:

(1) "Jewel bearing material" means any natural sapphire or ruby of industrial quality, any synthetic sapphire, ruby, or spinel, or any other material of similar chemical composition and physical properties. Natural spinel is not included.

(2) "Jewel bearing" means any jewel bearing material which has been processed in any manner for use where friction occurs, including vees, rings, cups, endstones, pallet stones, roller pins, needles, stylus, cutters, nozzles, supports, tool bits, and dies.

(3) "Substitute jewel bearing" means a metal, agate, garnet, glass, or other bearing designed to replace or to substitute for a large ring bearing or a vee bearing of sapphire, ruby, or synthetic spinel.

(4) "Large ring bearing" means any jewel bearing or substitute jewel bearing through which a hole has been pierced from one parallel face to the other which has the following dimensions:

Outside diameter	
greater than.....	0.050 inch (1.270 mm.)
Thickness greater	
than.....	0.012 inch (.305 mm.)
Hole diameter greater	
than.....	0.006 inch (.152 mm.)

(5) "Vee bearing" means any jewel bearing or substitute bearing which has a conically shaped cavity in one of the parallel faces.

(6) "Supplier" means any person who has engaged in the importation or processing of jewel bearings, substitute jewel bearings, or jewel bearing material, since January 14, 1942.

(7) "Consumer" means any person who uses jewel bearings or substitute jewel bearings in the manufacture of any article.

(8) "Processing" means manufacturing, fabricating, polishing, or modifying in any manner jewel bearing material or material designed to substitute therefor.

(9) "Blank" means prepartage, rondel, cylinder, or prism made from jewel bearing material for the purpose of fabrication of a jewel bearing but which has not been drilled or formed.

(10) "Use" of a jewel bearing or substitute jewel bearing means to mount the jewel bearing in a screw or other setting, or to incorporate physically the mounted or unmounted bearing in a device where its normal bearing surface may be subjected to friction from a moving part or object.

(11) "Semi-fabricated jewel bearing" means any jewel bearing processed beyond the blank stage but on which additional processing is necessary before it is ready to be used by a consumer.

(12) "Finished bearing" means any jewel bearing or substitute jewel bearing which has been processed to a point where it can immediately be used by a consumer.

(13) "Implements of war" means combat end products, complete for tactical operations (including, but not limited to, aircraft, ammunition, armament, weapons, ships, tanks, and military vehicles), and any parts, assemblies, and materials to be incorporated in any of the foregoing items. This term does not include facilities or equipment used to manufacture the foregoing items.

(b) **Restrictions on delivery, processing, use, and sale.** (1) On and after November 2, 1942, each supplier shall set aside his entire stock, receipts, and production of finished jewel bearings, jewel bearing material, semi-fabricated jewel bearings, and blanks as a reserve for the fulfillment of present and future defense orders, and such other orders and uses as may be authorized from time to time by the War Production Board.

(2) No supplier shall make deliveries or withdrawals from such reserve either to his customers or for purposes of his own use, except as authorized by the War Production Board. The War Production Board will from time to time allocate the supply of finished jewel bearings, of semi-fabricated jewel bearings, of blanks, and of jewel bearing material; and may specifically direct the manner and quantities in which deliveries to or by particular persons or for particular uses shall be made or withheld. It may also direct, limit, or prohibit processing of jewel bearing material, blanks, and semi-fabricated jewel bearings. It may also direct, limit, or prohibit deliveries, withdrawals from inventories, and particular uses of jewel bearings in the hands of consumers. It may also allocate the supply of finished substitute jewel bearings, or any particular kind thereof, in the hands either of suppliers or consumers, and may direct, limit, or prohibit deliveries, withdrawals from inventories, and particular uses of substitute jewel bearings. Such allocations and directions will be made to insure the satisfaction of the defense requirements of the United States, both direct and indirect, and they may be made, in the discretion of the War Production Board, without regard to any preference ratings assigned to particular contracts or purchase orders.

(3) Unless specifically directed or authorized by the War Production Board, no person shall sell or deliver to any person for any purpose vee bearings or large ring bearings of sapphire or ruby, except:

(i) That any person may sell such bearings to the person from whom he originally acquired them; and

(ii) That a wholesaler or distributor (but not a supplier) may sell or deliver large ring bearings to persons who will use such large ring bearings solely in the repair of watches or aeroplane instruments.

(c) **Additional restrictions on consumers—**(1) **Use of vee bearings and large ring bearings.** Unless specifically directed or authorized by the War Production Board, no person shall use vee bearings or large ring bearings of sapphire or ruby in the manufacture of any article other than:

(i) "Implements of war" as defined in this order, which are being produced for the Army or the Navy of the United States, the Maritime Commission, the War Shipping Administration, or for any foreign government pursuant to the act approved March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), where the use of vee bearings or large ring bearings of sapphire or ruby to the extent employed is required by the latest issue of government specifications (including performance specifications, unless otherwise directed by the War Production Board) applicable to the contract, subcontract, or purchase order; or such other articles or products being produced for any of the foregoing services, agencies, or foreign governments, as may be from time to time approved and designated by the War Production Board by means of supplementary orders: *Provided, however,* That no person in the manufacture of implements of war or other articles or products covered by this paragraph (c) (1) (i) shall use a vee bearing or a large ring bearing of sapphire or ruby in any place or application where the governmental contracting agency 30 days or more previously has issued a written statement to such person permitting the use of a substitute jewel bearing in such place or application: *Provided, further,* That any person who uses vee bearings or large ring bearings of sapphire or ruby, in order to meet performance specifications in the manufacture of any article or product covered by this paragraph (c) (1) (i), shall furnish such information with respect to such article or product and the specifications applicable thereto as may be requested from time to time by the War Production Board.

(ii) Instruments for use in aeroplanes and ships.

(iii) Machine tools.

(iv) Dial indicator gages, being mechanisms for amplifying and measuring the displacement of a movable contact point, thereby measuring a dimension or variations from a standard dimension, each such gage comprising essentially a case with means for mounting the indicator, a spindle carrying the contact point, an amplifying mechanism, a pointer, and a graduated dial.

(v) Railroad standard watches, as such term is used and defined in Order L-175 of the War Production Board.

(2) **Use of substitute bearings.** On and after 30 days after November 2, 1942, unless specifically directed or

authorized by the War Production Board, no person shall use jewel bearings of any type in the manufacture or repair of any article, other than those described in paragraph (c) (1) (i), in any place where it would be practicable, considering performance requirements, to use substitute jewel bearings, and in the repair of any such article no person shall replace a jewel bearing with a jewel bearing of any type if the bearing being replaced can be repaired or if it would be practicable, considering performance requirements, to use a substitute jewel bearing in its place.

(d) *General exception.* The prohibitions and restrictions contained in this order shall not apply to any jewel bearing which on or after November 2, 1942, without violating any order of the War Production Board, had been physically incorporated in a device in which, without further assemblage, its normal bearing surface was subjected to friction from a moving part or object.

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

(f) *Reports.* (1) Each supplier shall file with the War Production Board, Reference M-50, all information required on Form WPB-482 (formerly PD-235) on or before the dates therein prescribed.

(2) Each consumer shall file with the War Production Board, Reference M-50, all information required on Form WPB-465 (formerly PD-236) on or before the dates therein prescribed.

(3) Any person producing or offering for sale jewel bearing material shall file with the War Production Board, Reference M-50, all information required on Form WPB-675 (formerly PD-338) on or before the dates therein prescribed.

(g) *Miscellaneous provisions—(1) Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *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, Miscellaneous Minerals Division, Washington, D. C. Ref.: M-50.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person

may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 1st day of July 1943.

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

[F. R. Doc. 43-10585; Filed, July 1, 1943;
10:23 a. m.]

PART 1257—CUTLERY

[General Limitation Order L-140-a]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of metals used in the production of cutlery 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:

§ 1257.2 General Limitation Order L-140-a—(a) Definitions. For the purposes of this order:

(1) "Cutlery" means any professional food processing cutlery, as defined in Schedule A, any professional kitchen cutlery, as defined in Schedule B, any household kitchen cutlery, as defined in Schedule C, any household table cutlery, as defined in Schedule D, any pocket cutlery, as defined in Schedule E, any scissors, shears and trimmers, as defined in Schedule F, any hand hair or fetlock clippers, as defined in Schedule G, any industrial cutlery, as defined in Schedule H, and any hunting or fixed blade sheath knife, any carving sets, any poultry shears, any implement designed or intended for manicuring, for pedicuring or for extracting blackheads, including but not limited to nail files, nail nippers, nail clippers, pushers, picks, cuticle scissors, cuticle pushers, cuticle clippers and cuticle nippers, and any other hand operated, fixed or folding, cutting blade or fork with a handle or handles of any material attached so as to become an integral part of the implement. "Cutlery" shall not include any articles of flatware, as defined in Order L-140-b, when issued, or any of the articles subject to Order L-30-d, as amended from time to time, or surgical instruments.

(2) "Manufacturer" means any person engaged in the business of fabricating or assembling any new cutlery from any raw material, purchased parts or previously used or fabricated material, or who performs any hand or mechanical fabricating or assembling operation on an article of cutlery.

(3) "Process" means the first change by a manufacturer in the form of material (whether raw material, semi or fully fabricated material or finished parts) from that form in which it is received by him, or the first assembly by a manufacturer of material which is not changed in form by him. Any manufacturer who did not maintain records during the base period as to his processing of metals in terms of weight, but who maintained records in terms of units of cutlery only, may apply all percentages contained in this order and schedules in terms of units rather than in terms of weight.

(4) "Base period" means the period beginning July 1, 1940 and ending June 30, 1941, inclusive.

(5) Gauges when referred to in this order, are subject to commercial tolerances.

(b) *Restrictions on kinds of cutlery which may be manufactured.* No manufacturer shall process any metal for new cutlery which is not of a type defined in a schedule in this order.

(c) *Restrictions on quantity of cutlery produced.* No manufacturer shall process more metal in the production of any new cutlery than the amount specified for that class of cutlery in the appropriate schedule attached to this order.

(d) *Exceptions for military orders.* In addition to the production permitted by paragraph (c) above a manufacturer may process sufficient additional amounts of metal to fill purchase orders or contracts for cutlery to be delivered by him to or for the account of

(1) The War Shipping Administration,

(2) The United States Maritime Commission,

(3) The United States Navy (excluding purchase orders placed by or for delivery to United States Navy Ship's Service Departments or United States Marine Corps post exchanges for resale by them within the 48 United States and the District of Columbia and not for use as equipment). The War Production Board may specifically authorize on Form WPB-1319 (formerly PD-556), pursuant to an application filed on said Form, the filling of purchase orders for cutlery for delivery to United States Navy Ship's Service Departments or United States Marine Corps post exchanges for resale within but for use outside the 48 United States and the District of Columbia. In completing said form supply all information called for in section I, and information called for in parts (a), (d), (e) and (f) of section II. Omit parts (b) and (c) of section II. In section III supply information called for in parts (1) (A) and (8). Omit information called for in parts (1) (B), (2), (3), (4), (5), (b) and (7) of section III. Form WPB-1319 (formerly PD-556) is to be filed and executed only by the Bureau of Naval Personnel, Navy Department, Washington, D. C., and if a specific authorization is granted, such authorization will be forwarded to the manufacturer specified in section I of said form.

(4) The United States Army (excluding purchase orders placed by or for delivery to United States Army post exchanges for resale by them within the 48 United States and the District of Columbia and not for use as equipment). The War Production Board may specifically authorize on Form WPB-1319 (formerly PD-556), pursuant to an application filed on said form, the filing of purchase orders for cutlery for delivery to and use by post exchanges located in areas designated by the United States Army as "staging areas." In completing said form supply all information called for in section I, and information called for in parts (a), (d), (e) and (f) of section II. Omit parts (b) and (c) of section II. In section III supply information called for in parts (1) (A) and (8). Omit information called for in

parts (1) (B), (2), (3), (4), (5), (b) and (7) of section III. Form WPB-1319 (formerly PD-556) is to be filed and executed only by the Army Exchange Service of New York, and if a specific authorization is granted, such authorization will be forwarded to the manufacturer specified in section I of said form.

(e) *Specifications.* No manufacturer shall process any metal for the production of any new cutlery which does not conform to the specifications contained in the applicable schedules in this order except that these specifications do not apply to orders for household table cutlery, pocket cutlery and hunting or fixed blade sheath knives, or orders for other cutlery accepted by the manufacturer prior to July 1, 1943: *Provided*, That such orders are for the agencies specified above in paragraph (d).

(f) *Metal restrictions.* No manufacturer shall process any metals other than iron, carbon steel, gold and silver in the production of cutlery, except

(1) Lead for rivets and bolsters for paring knives as provided in Schedule B of this order;

(2) Metal for bolsters as provided in Schedule D of this order;

(3) Chromium for plating of household table cutlery and hand hair clippers;

(4) Zinc as provided in Schedule G and H of this order subject to the restrictions contained in the M-11 series, as amended from time to time.

(g) *Hardness of knife blades and sharpening steels.* No manufacturer shall process any steel for the production of:

(1) Knife blades for cutlery which when finished tests less than 45, Rockwell C Scale;

(2) Sharpening steel which when finished tests less than 62, or more than 68, Rockwell C Scale.

(h) *Cutlery for advertising.* No manufacturer shall process metal for the production of any cutlery which is designed or intended for distribution free, or for a nominal consideration, in connection with advertising, sales promotion or similar use.

(i) *Packaging.* No manufacturer shall package cutlery in such a way as to indicate an intent to sell two or more pieces as a set to ultimate consumers.

(j) *Restrictions on distribution.* (1) No manufacturer, wholesaler or jobber shall sell or deliver any item of cutlery manufactured after June 30, 1942 which is intended for distribution free or for a nominal consideration, in connection with advertising, sales promotion or similar use.

(2) Notwithstanding the provisions of applicable regulations of the War Production Board, no manufacturer shall give any force or effect to any preference ratings, no matter how assigned, accompanying orders for cutlery which require the shipment of less than his regular standard package of that item of cutlery.

(k) *Partial revocation of L-140.* On and after July 1, 1943, the restrictions contained in L-140 are hereby superseded and L-140 is hereby revoked in so far as it applies to the production of any cutlery other than silver plated flat-

ware restricted in paragraph (b) (5) of that order.

(l) *Avoidance of excessive inventories.* No manufacturer shall accumulate for use in the production of cutlery inventories of raw materials, semi-processed materials or finished parts in quantities in excess of the minimum amount necessary to maintain production as permitted by this order.

(m) *Reports.* (1) Prior to July 15, 1943, every manufacturer of cutlery shall execute and file in duplicate with the War Production Board, Washington, D. C., Ref: L-140-a, a report as to the aggregate amount of all metals processed by that manufacturer during the base period and grouped in accordance with the classes as specified in the definitions contained in the individual schedules attached to this order. Manufacturers who compute their processing of metals in units in accordance with paragraph (a) (3) of this order may file such report in units. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) Every manufacturer affected by this order shall execute and file with the War Production Board, Washington, D. C., Ref: L-140-a, on or before the 10th day of July, 1943, and on or before the 10th day of each calendar month thereafter, Form WPB-1600 (formerly PD-655).

(n) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time, except as provided in paragraph (j) (2).

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

may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(p) *Appeals.* Any appeal from this order shall be made by filing Form WPB-1477 (formerly PD-500).

(q) *Communications.* All reports to be filed hereunder or communications concerning this order should be addressed to the War Production Board, Consumers Durable Goods Division, Washington, D. C., Ref: L-140-a.

Issued this 1st day of July 1943.

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

SCHEDULE A—PROFESSIONAL FOOD PROCESSING CUTLERY

Definitions. "Professional food processing cutlery" means any hand operated knives, cleavers, splitters, sharpening steels, beef tiers, ham stringers, coring hooks, canning or pitting spoons, and other hand cutlery designed for, but not limited to, use in packing houses, quick-freezing plants, canneries and dehydrating plants for slaughtering, cleaning, dressing, boning and otherwise processing meats, poultry, fish, vegetables, fruits, and other food stuffs; and also hand cutlery designed for, but not limited to, use in butcher shops and provision markets for the further processing of meats and other foods.

"Pattern" means the outline shape of the blade of a knife or fork, or the bowl of a spoon, and does not apply to the grind or finish of the blade or bowl, or to the type of material, finish or color of the handle.

"Length" means, unless otherwise specified, the dimension of the blade or bowl measured from its tip to the place at which it enters the handle, plus or minus one-quarter inch.

Permissible types. No manufacturer shall process metal in the production of any professional food processing cutlery except that which conforms to the following specifications:

Description of items	Maximum number of patterns	Maximum number of lengths per pattern	Minimum length in inches	Gauge of metal stock
Butcher knife.....	1	4	6	Not lighter than .033" in thickness.
Steak knife (Scimitar shape).....	1	2	10	
Trimming or heading knife.....	1	1		
Ribbing knife.....	1	1		
Boning knife (Straight blade).....	2	2		
Boning knife (Curved blade).....	1	1		
Sticking knife.....	1	1	6	
Sticking knife (chicken).....	1	1		
Sticking knife (turkey).....	1	1		
Skinning knife.....	2	1		
Pinners knife (pinfeather).....	1	1		
Sharpening steels.....	1	3		
Fish slitting or gutting knife.....	1	1		
Fish splitting knife.....	1	1		
Fish sliming knife.....	1	1		
Fish filet knife.....	1	1		
Clam knife.....	1	1		
Oyster knife.....	2	1		
Scallop knife.....	1	1		
Sponge or fisherman's sheath knife.....	1	1		
Ham stringer.....	1	1		
Beef tier.....	1	1		
Fruit canning knife (California type).....	1	3		
Canning knife (California type).....	1	1		
Tomato knife.....	1	1		
Beet topping knife.....	1	1		
Pitting spoon.....	3	1		
Tomato spoon.....	1	1		
Coring hook.....	2	1		
Cleavers.....	2	1		
Splitters.....	2	1		

No cutlery in the foregoing schedule, with the exception of patterns with round tangs, shall be finished without at least one rivet or one pin driven through at least one side of the handle and through the tang.

On and after July 1, 1943, no manufacturer shall process any metal in the production of the cutlery specified in this schedule which differs in pattern or length from such cutlery produced by him prior to that date. Once having processed metal for his full choice of number and types of patterns and lengths specified in this schedule and produced by him prior to that date, no manufacturer shall process metal for a different pattern or length whether or not it is in substitution of a discontinued pattern or length unless specifically authorized to do so by the War Production Board in writing.

Permissible amount of metal. During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of professional food processing cutlery more iron and steel in the aggregate than 225% of the average quarterly amount of iron, steel and other metals in the aggregate processed by

such manufacturer during the base period in his production of professional food processing cutlery.

SCHEDULE B—PROFESSIONAL KITCHEN CUTLERY

Definitions. "Professional kitchen cutlery" means any hand operated knives, forks, scrapers, turners and spatulas used in the preparation of food, designed for, but not limited to, use in the bakery trade and in kitchens of hotels, restaurants, cafeterias, hospitals, institutions and other public eating places.

"Pattern" means the outline shape of the blade of a knife or fork, or the bowl of a spoon. It does not apply to the grind or finish of the blade or bowl or to the type of material, finish or color of the handle.

"Length," unless otherwise specified, means the dimension of the blade or bowl measured from its tip to the place at which it enters the handle, plus or minus one-quarter inch.

Permissible types. No manufacturer shall process metal in the production of any professional kitchen cutlery except that which conforms to the following specifications:

Description of items	Maximum number of patterns	Maximum number of lengths per pattern	Length in inches	Gauge of metal stock
Butcher knife.....	1	2	8" Maximum...	Not heavier than .072" in thickness, nor lighter than .065" in thickness.
Cook's knife (Sabatier shape no heel, no bolster)	1	2	8" Minimum...	
Meat slicer.....	2	1	10" Minimum...	
Utility slicer.....	2	1	8" Maximum...	
Paring knife.....	2	1	5" Minimum...	
Cook's fork (forged blade).....	1	1	3½" Maximum, 14" including handle.	
Cook's fork (blanked blade, hardened and tempered).....	1	1	
Spatula.....	1	3	8" Minimum...	1 weight of blade only.
Baker's scraper.....	1	1	
Cake turner (spatula type).....	1	1	
Hamburg turner (spatula type).....	1	1	

No cutlery in the foregoing schedule, with the exception of patterns with round tangs, shall be finished without at least one rivet or one pin driven through at least one side of the handle and through the tang.

On and after July 1, 1943, no manufacturer shall process any metal in the production of the cutlery specified in this schedule which differs in pattern or length from such cutlery produced by him prior to that date. Once having processed metal for his full choice of number and types of patterns and lengths specified in this schedule and produced by him prior to that date, no manufacturer shall process metal for a different pattern or length whether or not it is in substitution of a discontinued pattern or length unless specifically authorized to do so by the War Production Board in writing.

Permissible amount of metal. During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of professional kitchen cutlery more iron and steel in the aggregate than 75% of the average quarterly amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of professional kitchen cutlery.

Use of lead. Manufacturers may process lead for rivets and bolsters for paring knives.

SCHEDULE C—HOUSEHOLD KITCHEN CUTLERY

Definitions. "Household kitchen cutlery" means hand operated knives and forks used in the preparation and serving of food, and designed for use in home kitchens.

duced by him prior to that date, no manufacturer shall process metal for a different pattern or length whether or not it is in substitution of a discontinued pattern or length unless specifically authorized to do so by the War Production Board in writing.

Permissible amount of metal. During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of household kitchen cutlery more iron and steel in the aggregate than 35% of the average quarterly amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of household kitchen cutlery.

SCHEDULE D—HOUSEHOLD TABLE CUTLERY

Definitions. "Household table cutlery" means any knife, fork, spoon or any other cutlery of plated or unplated metal, with handles made of other material than metal, designed for the actual serving and eating of food in the home, other than all metal flatware.

"Pattern" means the outline shape of the blade of a knife or fork or the bowl of a spoon. It does not apply to the grind or finish of the blade or bowl or to the type of material, finish or color of the handle.

"Length" means, unless otherwise specified, the dimension of the blade or bowl measured from its tip to the place at which it enters the handle, plus or minus one-quarter inch.

Permissible types. No manufacturer shall process metal in the production of any household table cutlery except that which conforms to the following specifications:

Description of item	Maximum No. of patterns	Maximum No. of lengths per pattern
Table knife.....	1	1
Dessert fork.....	1	1
Dessert spoon.....	1	1
Teaspoon.....	1	1

On and after July 1, 1943, no manufacturer shall process any metal in the production of the cutlery specified in this schedule which differs in pattern or length from such cutlery produced by him prior to that date. Once having processed metal for his full choice of number and types of patterns and lengths specified in this schedule and produced by him prior to that date, no manufacturer shall process metal for a different pattern or length whether or not it is in substitution of a discontinued pattern or length unless specifically authorized to do so by the War Production Board in writing.

Metal for bolsters. Manufacturers may process lead, carbon steel or bolster metal in accordance with Order M-43, as amended from time to time, in the production of the household table cutlery specified in this schedule, provided that no lead, carbon steel or bolster metal is processed for such cutlery unless necessary to provide a serviceable junction between the blade and handle.

Permissible amount of metal. During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of household table cutlery more iron and steel in the aggregate than 50% of the average quarterly amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of household table cutlery.

Chromium plating. Chromium plating for household table cutlery is permitted pursuant to paragraph (f) (3) of this order.

Description of items	Maximum No. of patterns	Maximum No. of lengths per pattern	Length in inches
Slicer.....	2	1	9" maximum
Cook's fork (blanked blade, hardened and tempered).....	1	1	10½" maximum (including handle).

No cutlery in the foregoing schedule, with the exception of patterns with round tangs, shall be finished without at least one rivet or one pin driven through at least one side of the handle and through the tang.

On and after July 1, 1943, no manufacturer shall process any metal in the production of the cutlery specified in this schedule which differs in pattern or length from such cutlery produced by him prior to that date. Once having processed metal for his full choice of number and types of patterns and lengths specified in this schedule and pro-

FEDERAL REGISTER, Friday, July 2, 1943

SCHEDULE E—POCKET CUTLERY

Definitions. "Pocket cutlery" means any folding blade knife.

"Pattern" means the outline shape of the skeleton or frame. It does not apply to the shape, number of or finishes of blades, or to the type of material, finish or color of the handle.

"Length", unless otherwise specified, means the outside measurement of the skeleton or frame of the knife, subject to a tolerance (plus or minus) of $\frac{1}{16}$ inch.

"Number of blades per knife" refers only to the number of blades which may be fastened directly or indirectly to each skele-

ton or frame and does not refer to the shape or finish of the blades. Different styles of blades may be mounted on the same pattern of skeleton or frame. For instance, the specifications state that not more than one blade may be fastened to each skeleton or frame of a pruning, maize or navy knife. The manufacturer may produce as many styles of blades for such pruning, maize or navy knives as he wishes, so long as each completed knife contains only a single blade, irrespective of its style.

Permissible types. No manufacturer shall process metal in the production of pocket cutlery except that which conforms to the following specifications:

Description of items	Maximum No. of patterns	Maximum No. of lengths per pattern	No. of blades per knife	Maximum No. of weights
General utility knife	1	1	Maximum 4	
Premium stock knife or cattle knife	3	1	Maximum 3	
Jackknife	1	3	2 only	2
Pruning, maize or navy knife	1	1	1 only	
Budding or grafting knife	1	1	1 only	
Electrician's knife	1	1	2 only	
Scout knife	1	1	4 only	
Self opening knife	1	2	1 only	

No item in the foregoing list may be made with a handle less than $3\frac{1}{2}$ inches in length nor less than $\frac{1}{8}$ of an inch in thickness at the narrowest point.

On and after July 1, 1943, no manufacturer shall process any metal in the production of the cutlery specified in this schedule which differs in pattern or length from such cutlery produced by him prior to that date. Once having processed metal for his full choice of number and types of patterns and lengths specified in this schedule and produced by him prior to that date, no manufacturer shall process metal for a different pattern or length whether or not it is in substitution of a discontinued pattern or length unless specifically authorized to do so by the War Production Board in writing.

Permissible amount of metal. During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of pocket cutlery more iron and steel in the aggregate than 60% of the average quarterly amount of iron, steel and other metals in the aggregate processed by that manufacturer during the base period in his production of pocket cutlery.

SCHEDULE F—SCISSORS; SHEARS AND TRIMMERS

Definitions. "Scissors" means any two bladed, hand operated cutting implement having two rings, each of a size sufficient to accommodate not more than one finger or thumb in each ring, designed for use in industrial plants, schools, dressmakers' establishments, department stores, homes, etc., for cutting cloth, paper and miscellaneous materials; including nail scissors, but excluding surgical scissors and barber shears and scissors.

"Shears and trimmers" means any two bladed, hand operated cutting implement having one ring of a size sufficient to accommodate two or more fingers and a second ring which is smaller and barber shears or scissors possessing a protruding finger rest, but not including animal and agricultural shears and trimmers or metal cutting shears or snips.

Permissible amount of metal. During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of scissors more iron and steel in the aggregate than 65% of the average quarterly amount

of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of scissors.

During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of shears and trimmers more iron and steel in the aggregate than 65% of the average quarterly amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of shears and trimmers.

SCHEDULE G—HAND HAIR CLIPPERS

Definitions. "Hand hair clippers" means clippers operated by hand, designed for but not limited to use in barber shops, beauty parlors, hospitals or homes for cutting human hair, and including fetlock clippers.

"Length" means the over-all measurement of the article from the tip of the stationary handle to the tip of the cap or head.

"Pattern" means the outline shape of the head, cap and handles, including horns and finger rests of the completed article, without the plates. It does not refer to the finish, color or weight of the article.

Permissible types. No manufacturer shall process metal in the production of any hand hair clippers except those which conform to the following specifications:

General description	Maximum No. of patterns	Maximum No. of lengths
Large heavy duty clippers	1	1
Light weight clippers	1	1
Fetlock clippers	1	1

Permissible amount of metal. During the year beginning July 1, 1943, and during any succeeding year, no manufacturer shall process in the production of new large heavy duty hand hair clippers and fetlock clippers more iron, steel and zinc in the aggregate than 45% of the amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of new large heavy duty hand hair clippers, and fetlock clippers.

During the year beginning July 1, 1943, and during any succeeding year, no manufacturer shall process in the production of new light weight hand hair clippers more iron, steel and zinc in the aggregate than 25% of the amount of iron, steel and other metals in the aggregate processed by such man-

ufacturer during the base period in his production of new light weight hand hair clippers.

Restrictions on distribution. On and after July 1, 1943, no manufacturer shall transfer the physical possession of or title to any new light weight hand hair clipper produced after that date except to or for the account of persons acquiring such light weight hand hair clippers for export to and consumption or use in a foreign country.

Chromium plating. Chromium plating for hand hair clippers is permitted pursuant to paragraph (f) (3) of this order.

SCHEDULE H—INDUSTRIAL CUTLERY

Definitions. "Industrial cutlery" means hand operated knives or similar articles designed for use primarily in, but not limited to, shoe, rubber, linoleum, electrical and other manufacturing plants; and in the shipbuilding, storage battery, automotive, tire repair, painting, furniture, office supply and other trades; including but not limited to putty knives, scrapers, wallpaper trimmers, paper hangers' knives, casing knives, corner knives, linoleum knives, roofing knives, manual training knives, wood carving knives, pattern makers' knives, stencil knives, rubber knives, shoe knives, cotton sampling knives, broom corn knives, and similar industrial knives; and also adjustable knife blades with detachable handles designed for essential cutting operations.

Permissible amounts of metal. During the period of three calendar months beginning July 1, 1943, and during any succeeding period of three calendar months, no manufacturer shall process in the production of industrial cutlery more iron, steel, and zinc in the aggregate than 200% of the average quarterly amount of iron, steel and other metals in the aggregate processed by such manufacturer during the base period in his production of industrial cutlery.

F. R. Doc. 43-10586; Filed, July 1, 1943; 10:23 a. m.]

PART 3046—LOW PRESSURE CAST IRON BOILERS

[Limitation Order L-187 as Amended July 1, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of metals 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:

§ 3046.1 General Limitation Order L-187—(a) Definitions. For the purposes of this order:

(1) "Low pressure cast iron boiler" means any boiler designed for the purpose of heating water so as to provide heat for the interior of a building by means of circulating steam or hot water, which boiler:

(i) Operates at a maximum working pressure not exceeding fifteen pounds per square inch of steam pressure or thirty pounds per square inch of water pressure, and

(ii) Is composed preponderantly of cast iron.

(2) "Parts" includes all materials used as repair parts for low pressure cast iron boilers.

(3) "Military low pressure cast iron boiler" means any low pressure cast iron boiler which is manufactured for delivery to or for the account of the Army,

Navy, War Shipping Administration or the Maritime Commission of the United States or the Defense Plant Corporation.

(4) "War housing low pressure cast iron boiler" means any low pressure cast iron boiler which is manufactured on a specific contract or order for use in a building rated under Preference Rating Order P-55, P-110, or any order in the P-19 series.

(b) *Restrictions.* (1) No person shall manufacture, fabricate or assemble any low pressure cast iron boiler, and no person shall manufacture or fabricate any component parts of such boilers, except that:

(i) The manufacture, fabrication or assembly of military or war housing low pressure cast iron boilers built to use solid fuel, or of low pressure cast iron boilers built to use solid fuel for use in a hospital constructed, to be constructed or under construction, may be specifically authorized by the War Production Board on Form PD-704; and

(ii) During the first six months of 1943, any manufacturer of low pressure cast iron boilers may manufacture or fabricate such component parts as he can manufacture or fabricate by using an aggregate weight of iron and steel not in excess of 13% of the total weight of iron and steel which he put into process in the manufacture or fabrication of such component parts during the calendar year 1940; and

(iii) Any manufacturer of low pressure cast iron boilers may, in addition, manufacture or fabricate such component parts as may be necessary to replace in his inventory component parts manufactured pursuant to (ii) above which were used to manufacture low pressure cast iron boilers pursuant to (i) above; and

(iv) Any manufacturer of low pressure cast iron boilers who shall not have used the weight of iron and steel permitted under (ii) and (iii) above, or any portion thereof, during the first six months of 1943, may use that weight or such unused portion during the remainder of 1943; and

(v) Any person may assemble such boilers shipped or to be shipped in accordance with paragraphs (2) (ii) and (iii) below, and

(vi) During the month of July and each succeeding month thereafter of 1943 any manufacturer of low pressure cast iron boilers may manufacture, fabricate or assemble such component parts as he can manufacture or fabricate by using an aggregate weight of iron and steel not in excess of 100% of the total weight of iron and steel which he put into process in the manufacture or fabrication of such component parts during the corresponding calendar month of 1940.

(2) No manufacturer of low pressure cast iron boilers may ship any low pressure cast iron boilers built to use solid fuel, whether assembled or in sets of component parts, except that;

(i) Any such manufacturer may ship any such boilers authorized under paragraph (b) (1) (i); and

(ii) Any such manufacturer may ship in the first six months of 1943 a number of such boilers the total weight of iron and steel of which will not exceed 4½% of the weight of iron and steel which he put into process in the manufacture, fabrication or assembly of component parts of low pressure cast iron boilers during the calendar year 1940; provided that nothing in this order shall restrict the shipment of such boilers as have been or may hereafter be assembled from parts in the inventory of any manufacturer on January 1, 1943; and

(iii) Any such manufacturer who shall not have shipped in the first six months of 1943 boilers permitted under (ii) above may ship those boilers or any unshipped number thereof during the remainder of 1943; and

(iv) Any such manufacturer may ship any such boilers authorized under paragraph (b) (1) (vi).

(c) *Manufacture of parts.* Nothing in this order shall restrict the use of iron and steel in the manufacture of parts designed for converting low pressure cast iron boilers to solid fuel burning from oil or gas burning, or of repair parts for military or hospital low pressure cast iron boilers.

(d) *Avoidance of excessive inventories.* No person shall accumulate, for use in the manufacture of low pressure cast iron boilers, inventories of any materials (whether raw, semi-processed or processed) in the excess of the minimum amounts necessary to maintain production at the rates permitted by this order.

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

(f) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(g) *Reports.* All persons affected by this order shall execute and file with the War Production Board on or before the tenth day of each calendar month a report on Form PD-639, and shall keep a copy of such monthly report in their own files for a period not less than two years.

(h) *Violations and false statements.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. 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.

(i) *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 serious problem of unemployment in the community, or that compliance with this order would disrupt or impair a program of conver-

sion from nondefense to defense work, may apply for relief by addressing a letter to the War Production Board, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

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

(k) *Applicability of other orders.* Insofar as any other order issued by the War Production Board, or to be issued by it hereafter, limits the use of any material to a greater extent than the limitations imposed by this order, the restriction of such other order shall govern unless otherwise specified therein.

(l) *Communications.* All reports, to be filed, appeals and other communications concerning this order, shall be addressed to the War Production Board, Plumbing and Heating Division, Washington, D. C., Ref.: L-187.

Issued this 1st day of July 1943.

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

[F. R. Doc. 43-10587; Filed, July 1, 1943;
10:23 a. m.]

PART 3157—HAULAGE CONSERVATION

[General Haulage Conservation Order T-1 as Amended July 1, 1943]

Part 3157, "Controlled Shipments" is hereby redesignated to be "Haulage Conservation."

Section 3157.1 General Transportation Order T-1 is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain materials and facilities 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:

§ 3157.1 General Haulage Conservation Order T-1—(a) *Definitions.* For the purpose of this order (and any lists, supplements or schedules hereto, unless otherwise indicated):

(1) "Controlled delivery" means any delivery (including reconsignment) of any material specified on List 1 or 2 annexed hereto, or on any supplement or schedule hereto, where the delivery is to be made under the conditions specified for such material in such list, supplement or schedule.

(2) "Originate" means to load or to tender or offer to a carrier for delivery.

(3) Any distance or mileage which is specified in any list, schedule or supplement to this order, shall be measured over the shortest route over which carload freight may be transported without transfer of lading.

(4) The boundary of any city or village specifically referred to in any list,

schedule or supplement hereto, shall be deemed to include the railroad switching limits as established in duly published rail tariffs.

(b) *List 1 materials.* (1) No person shall originate a controlled delivery of any List 1 material, except as specifically authorized or directed in writing by the War Production Board.

(2) Any person seeking authorization to originate a controlled delivery of any List 1 material may make application on Form WPB-2188 (Formerly PD-782), or, in emergency, by telegram, containing substantially the information called for by such form.

(c) *List 2 materials.* (1) Each person shall report on Form WPB-2188 (formerly PD-782) on or before the 20th day of each calendar month all controlled deliveries of List 2 materials which he then intends to originate during the succeeding calendar month.

(2) Each person shall report on Form WPB-2188 (formerly PD-782) on or before the 10th day prior to originating such delivery any controlled delivery of List 2 materials which he then intends to originate and has not previously reported.

(3) Any person may originate a controlled delivery of List 2 materials reported pursuant to paragraph (c) (1) or (2), unless otherwise specifically directed in writing by the War Production Board.

(4) No person shall originate a controlled delivery of List 2 materials which has not been reported pursuant to paragraph (c) (1) or (2), except as specifically directed or authorized in writing by the War Production Board. Application for such authorization may be made on Form WPB-2188 (formerly PD-782), or, in emergency, by telegram containing substantially the information called for by such form.

(d) *Deliveries originating outside United States.* With respect to any delivery terminating within the forty-eight states or the District of Columbia, but in fact originating elsewhere, the delivery shall, for the purpose of this order and any supplements or schedules hereto, be deemed to have been originated by the consignee at the point of entry.

(e) *Materials covered by supplements and schedules.* The War Production Board may from time to time issue supplements or schedules to this order prescribing conditions governing controlled deliveries of particular materials specified thereon. On and after the effective date of any such supplement or schedule, no person shall make a controlled delivery of any such material except as specified in such supplement or schedule.

(f) *Nonapplicability of order.* This order shall not apply to any carrier when acting in the capacity of a carrier, nor shall it operate as an assignment of, or right to obtain, transportation equipment.

(g) *Miscellaneous provisions—(1) Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Applicability of other orders.* Nothing contained in this order shall be construed to limit the requirements of any other War Production Board order now or hereafter issued.

(3) *Appeals.* Any appeal from denials of applications or from directions pursuant to this order, or any supplement or schedule hereto, shall be made by filing a letter in triplicate, referring to the particular action appealed from and stating fully the grounds of the appeal.

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

(5) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order or any supplement or schedule hereto, shall unless otherwise directed be addressed to: War Production Board, Washington, D. C. Ref.: T-1 (Specify commodity).

Issued this 1st day of July 1943.

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

LIST 1

ZONED DELIVERIES OF MATERIALS IN BULK (NOT IN CONTAINERS), LOADED OR UNLOADED IN LIQUID FORM

1. *Molasses.* Deliveries to any point 200 miles or more distant from the point of origin, originating on or after July 1, 1943, of beet, blackstrap, invert, edible or hydrol molasses. The term molasses shall be construed to include the residuum of such molasses.

2. *Caustic soda (liquid).* Deliveries, originating on or after July 1, 1943, from any point in any one of the following zones to a point in any other such zone, except that

(a) Producers in Zone 2 may originate controlled deliveries without authorization to any point in Area A as defined below.

(b) Producers in Zones 2 and 3 may originate controlled deliveries without authorization to any point in Area B as defined below.

(c) Producers in Zones 2 and 3, except those in Virginia, may originate controlled deliveries without authorization to any point in Area C as defined below.

(d) Producers in Zones 3, 4, and 6, except those in Virginia, may originate controlled deliveries without authorization to any point in Area D as defined below, and

(e) Producers in Zones 5 and 6 may originate controlled deliveries without authorization to any point in Area E as defined below.

First caustic soda zone: The states of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New Jersey, New York and Delaware; that portion of Pennsylvania east of but not including the counties of Warren, Elk, Clearfield, Centre, Mifflin, Juniata and Franklin; and that portion of Maryland east of but not including

the counties of Frederick, Montgomery, Prince Georges, Calvert and St. Marys.

Second caustic soda zone: The District of Columbia; that portion of Pennsylvania and Maryland not included in Zone 1; that portion of Virginia north of the James River as far west as Nelson County, and that portion north of but not including the counties of Nelson and Augusta, plus that portion of Virginia included in the Richmond, Virginia, switching limits as described in duly published tariffs; also South Richmond and Amphil, Virginia, that portion of West Virginia north of but not including the counties of Pocahontas, Greenbrier, Nicholas, Kanawha, Putnam, Cabell; and that portion of Ohio east of but not including the counties of Adams, Highland, Clinton, Greene, Clark, Champaign, Logan, Auglaize, Allen, Hancock, Seneca, Huron and Erie.

Third caustic soda zone: The states of North Carolina and South Carolina; that portion of Virginia and West Virginia not included in Zone 2; that portion of Kentucky south of but not including the counties of Mason, Bracken, Pendleton, Grant, Owen, Henry, Oldham and Jefferson, and that portion of Kentucky east of but not including the counties of Crittenden, Caldwell, Christian and Todd; that portion of Tennessee east of but not including the counties of Montgomery, Cheatham, Davidson, Williamson, Maury and Lawrence; that portion of Alabama east of but not including the counties of Lauderdale, Lawrence, Winston, Walker, Jefferson, Shelby, Coosa, Elmore, Montgomery, Bullock, Barbour, Henry and Houston; and that portion of Georgia east and north of but not including the counties of Clay, Calhoun, Baker, Mitchell and Grady.

Fourth caustic soda zone: The states of Michigan, Wisconsin, Minnesota, North Dakota, South Dakota, Nebraska, Kansas, Iowa and Indiana; that portion of Kentucky not included in Zone 3 or 5; that portion of the State of Ohio not included in Zone 2; and that portion of Illinois north of but not including the counties of Union, Johnson, Pope and Hardin; and that portion of Missouri north of but not including the counties of Bates, St. Clair, Hickory, Dallas, Laclede, Texas, Shannon, Reynolds, Carter, Butler, Stoddard and Cape Girardeau.

Fifth caustic soda zone: The states of Arkansas, Louisiana, Florida, and Mississippi; that portion of Missouri and Illinois not included in Zone 4; that portion of Kentucky not included in Zone 3 or 4; that portion of Tennessee, Georgia and Alabama not included in Zone 3; that portion of Oklahoma east of but not including the counties of Kay, Noble, Payne, Lincoln, Pottawatomie, Pontotoc, Johnston and Bryan; that portion of Texas east of but not including the counties of Fannin, Hunt, Rains, Van Zandt, Smith, Cherokee, Angelina, Tyler, Hardin and Jefferson.

Sixth caustic soda zone: That portion of Oklahoma and Texas not included in Zone 5.

Seventh caustic soda zone: The state of Montana, Idaho, Wyoming, Colorado, Utah, Arizona and New Mexico, and that portion of the State of Nevada east of but not including the counties of Humboldt, Pershing, Churchill, Mineral and Esmeralda.

Eighth caustic soda zone: The states of Washington, Oregon and California and that portion of Nevada not included in Zone 7.

Caustic soda Area A: The state of New Jersey, the counties of Delaware, Philadelphia, Montgomery and Bucks in Pennsylvania, the counties of Putnam, Westchester, Rockland, Bronx, New York, Richmond, Kings, Queens, Nassau and Suffolk in New York, and Fairfield County in Connecticut.

Caustic soda Area B: The District of Columbia, the states of Delaware and Maryland; that portion of Virginia north of the James River as far west as the county of Amherst, and that portion of Virginia north of but

not including the counties of Amherst, Rockbridge, Botetourt and Craig; that portion of West Virginia north of but not including the counties of Monroe, Summers, Raleigh, Boone, Logan and Mingo, but not including the counties of Marshall, Ohio, Brooke and Hancock; the counties of Boyd and Greenup in Kentucky; and that portion of Ohio east and south of but not including the counties of Scioto, Jackson, Vinton, Hocking, Perry, Morgan, Noble and Monroe.

Caustic soda Area C: The counties of Jefferson, St. Louis and St. Charles in Missouri, the counties of Monroe, St. Clair, Madison, Bond, Clinton, Washington, Jefferson, Marion, Fayette, Effingham, Clay, Wayne, Hamilton, White, Edwards, Richland, Jasper, Cumberland, Clark, Crawford, Lawrence and Wabash in Illinois; the counties of Jefferson, Oldham, Trimble, Henry, Carroll, Owen, Gallatin, Grant, Boone, Kenton, Campbell, Pendleton, Bracken and Mason in Kentucky; that portion of Indiana south of but not including the counties of Vermillion, Parke, Putnam, Morgan, Hendricks, Boone, Hamilton, Tipton, Grant, Wells, and Adams; and that portion of Ohio south and west of but not including the counties of Van Wert, Allen, Hardin, Union, Madison, Fayette, Ross, Pike and Scioto.

Caustic soda Area D: The portion of Missouri east and south of but not including the counties of Ripley, Carter, Wayne, Bollinger and Perry; the portion of Illinois south of but not including the counties of Jackson, Williamson, Saline, and Gallatin; the portion of Kentucky west and south of but not including the counties of Union, Webster, Hopkins, Muhlenberg, and Logan; and the portion of Tennessee west of but not including the counties of Robertson, Sumner, Wilson, Rutherford, Marshall and Giles.

Caustic soda Area E: The portion of Texas east and south of but not including the counties of Matagorda, Wharton, Austin, Waller, Grimes, Walker, Trinity, Angelina, San Augustine and Sabine, and the portion of Louisiana south and west of but not including the counties of Sabine, Natchitoches, Rapides, Allen, Jefferson Davis and Vermilion.

LIST 2

REPORTED DELIVERIES OF MATERIALS IN BULK (NOT IN CONTAINERS), LOADED OR UNLOADED IN LIQUID FORM

Deliveries of any of the following materials to any point 200 miles or more distant from the point of origin, originating on or after July 1, 1943:

1. Acetone.
2. Corn syrup (glucose).
3. Ethyl alcohol (including denatured ethyl alcohol) (except deliveries to or by Defense Supplies Corporation, or of specially denatured ATU Formula No. 18).

[F. R. Doc. 43-10588; Filed, July 1, 1943;
10:24 a. m.]

PART 3262—POWER BOILERS

[Limitation Order L-299]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of steel 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:

§ 3262 Limitation Order L-299—(a) *Definition.* For the purposes of this order "power boiler" means any vessel or pressure part thereof, constructed of steel for a design pressure exceeding 15

pounds per square inch, in which steam is generated by the application of heat resulting from the combustion of fuel, except boilers for locomotives or marine service, or miniature boilers as defined in Section V "Miniature Boiler" of the American Society of Mechanical Engineers Boiler Construction Code.

(b) *Restrictions on specifications.* No person shall produce, fabricate, or deliver any power boiler except as permitted by paragraph (d) hereof, having a greater metal thickness or quantity of steel than needed to meet the minimum thickness requirements of Section I (Edition 1940) of the American Society of Mechanical Engineers Boiler Construction Code, Addenda thereto and Interpretations thereof (including Case No. 968) issued prior to July 1, 1943.

(c) *Acceptance of delivery.* No person shall accept delivery of any power boiler which he knows or has reason to believe was produced, fabricated or delivered in violation of the provisions of paragraph (b) of this order.

(d) *Exceptions.* (1) The provisions of paragraph (b) shall not apply to any power boiler:

(i) Which has been produced or fabricated before July 1, 1943, or which before such date has been processed in such manner and to such extent that processing to conform to such provisions would be impracticable, or

(ii) To the extent that any of the materials have been procured, or approved by the War Production Board for entry on a mill schedule, prior to July 1, 1943.

(2) The provisions of paragraph (b) shall not apply to any power boiler to the extent:

(i) That, to promote plate thickness simplification, the ordered thickness of any plate may be greater than the thickness established by paragraph (b), but in no case to exceed 1/32 inch greater, or

(ii) That the thickness of any plate having a hole into which a tube is rolled may be increased to the thickness necessary to secure satisfactory seating of the tubes, or

(iii) That the wall thickness of any tube may be increased to the thickness needed to meet the service conditions or the construction requirements.

(e) *Records.* Each person fabricating a power boiler shall retain records including detail of exceptions as provided in paragraph (d). Such records shall be available for inspection by duly authorized representatives of the War Production Board.

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

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

ing or using, material under priority control and may be deprived of priorities assistance.

(h) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Power Division, Washington, D. C., Ref.: L-299.

(i) *Regulations.* This order and all transactions affected hereby are subject to all applicable regulations of the War Production Board.

Issued this 1st day of July 1943.

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

[F. R. Doc. 43-10589; Filed, July 1, 1943;
10:23 a. m.]

PART 3270—CONTAINERS

[Supplementary Order L-103-b]

GLASS CONTAINER QUOTAS

§ 3270.36 *Supplementary Order L-103-b*—(a) *Definitions.* For the purposes of this supplementary order:

(1) "Glass container" means any machine made bottle, jar or tumbler which is made of glass and which is suitable for packing any product.

(2) "Commercial user" means any person who uses glass containers for commercially packing any class of listed products in the continental United States (the 48 States and the District of Columbia).

(3) "Class of listed products" means any class of products listed in Schedule I of this order. Food and drug products listed in Schedules I and II of Order M-104 are not included in Schedule I of this Order, and therefore glass containers for such products are not subject to the restrictions of this order.

(4) "Quota period" means the 4-month period from July 1 through October 31, 1943, inclusive. This is the period during which the restrictions below will operate.

(5) "Base period" means whichever of the following two periods a commercial user chooses: Base Period A (July 1—October 31, 1942, inclusive), Base Period B (January 1—December 31, 1942, inclusive). The number of empty new glass containers and metal cans accepted during this period will be used in computing quotas under the restrictions below.

Quota and Related Restrictions

(b) *Quota restriction.* During the quota period (July 1—October 31, 1943), no commercial user shall accept delivery of, have manufactured, or have set aside by suppliers for his account, more empty new glass containers for packing any class of listed products than his quota for that purpose. The amount of the quota shall be computed by applying the appropriate quota percentage (as specified in Schedule I for that class) to the amount of his base quantity. The amount of the base quantity shall be computed in accordance with paragraphs (c) or (d) below:

(c) *Computing base quantity (except for beverages).* A commercial user's base

quantity for any class of listed products other than beverages (as defined in Schedule I of this order) shall be whichever of the following two amounts he chooses:

(1) *Choice #1.* The number of new glass containers and metal cans accepted by him during Base Period A (July 1-October 31, 1942) for packing that class of products; or

(2) *Choice #2.* One-third of the number of new glass containers and metal cans accepted by him during Base Period B (January 1-December 31, 1942) for packing that class of products.

(d) *Computing base quantity for beverages.* A commercial user's base quantity for beverages (as defined in Schedule I of this order) shall be whichever of the following two amounts he chooses:

(1) *Choice #1.* The number of new returnable glass containers accepted by him during Base Period A (July 1-October 31, 1942) for bottling beverages plus 5% of the number of new non-returnable glass containers and metal cans accepted by him during that period for bottling beverages; or

(2) *Choice #2.* One-third of the number of new returnable glass containers accepted by him during Base Period B (January 1-December 31, 1942) for bottling beverages plus 5% of one-third of the number of new non-returnable glass containers and metal cans accepted by him during that period for bottling beverages.

(e) *Restrictions on July-August acceptances.* During July 1943, no commercial user shall accept delivery of more than 35% of his quota for any class of listed products. During August 1943, no commercial user shall accept delivery of more than the following portion of that quota: 60% of that quota minus the number of containers accepted by him against that quota during July 1943. During September and October 1943, he may accept delivery of whatever portion of that quota he did not accept during July and August 1943. If the amount permitted for acceptance during either July or August 1943 is less than a carload, he may accept up to a carload during such month, provided that amount is within his quota for the class of listed products. This paragraph shall not be construed as in any way increasing the amount of any quota.

Restrictions on Using Larger Sizes

(f) *Maximum capacity increase.* The total capacity of all empty new glass containers accepted by any commercial user during the quota period for packing any class of listed products shall not exceed the following maximum: (1) 140% of the total capacity of the number of empty new glass containers and metal cans accepted by him for that class of listed product during Base Period A or, if he has chosen Base Period B for computing his quota, (2) 140% of the total capacity of one-third of the number of empty new glass containers and metal cans accepted by him for that class of listed product during Base Period B.

Capacity shall be computed in terms of gallons or pounds, whichever is the customary measure for the particular class of products.

(g) *Restriction on large sizes.* No commercial user shall accept delivery of more $\frac{1}{2}$ -gallon or larger empty new glass containers for packing any class of listed products than the following maximum: (1) the total number of all such sizes of empty new glass containers and metal cans accepted by him for that class of listed product during Base Period A or, if he has chosen Base Period B for computing his quota, (2) one-third of the total of all such sizes of empty new glass containers and metal cans accepted by him for that class of listed product during Base Period B. The amount of such glass containers which he may accept is subject to the other restrictions of this order, including those of paragraph (f) above.

Applicability of Order L-103-a

(h) *Applicability of Order L-103-a.* In addition to the restrictions of this order, every commercial user shall comply with the maximum inventory restrictions (60-day supply) of Supplementary Order L-103-a.

Exceptions

(i) *Small-user exception.* The restrictions of this order shall not apply to any commercial user who accepts no more than a total of \$1,000 worth (cost price to him) of empty new glass containers for all classes of listed products for the entire quota period.

(j) *Exception for stocks in transit.* The restrictions of this order shall not apply to any empty new glass containers placed in transit to a commercial user before July 1, 1943, even though received by him on or after July 1, 1943. This exception shall not apply to any empty new glass containers set aside for a commercial user before July 1, 1943 by a supplier but not placed in transit to him until on or after that date.

(k) *Assignment of special quota (malt beverages).* A special quota may be assigned by the War Production Board to any malt beverage bottler if the new containers accepted by him during his base period were principally non-returnable bottles, and if the quota computed on the resulting base quantity is inadequate for his operations at a rate consistent with the reductions generally contemplated by the quota restrictions of this order.

(l) *Multiple-unit users.* Any commercial user who uses glass containers at more than one plant may choose to compute and apply a separate quota for each plant (or groups of plants) or a collective quota for all such plants.

Quota-Exemptions

(m) *Quota-exemptions (except for beverages).* In addition to his quota of glass containers for any class of listed products (other than beverages as defined in Schedule I) and free of the restrictions of paragraphs (e) and (f) above, any commercial user may accept delivery of the number of glass con-

ainers used, or actually to be used, during the quota period for delivering that class of listed products to or for any of the following persons:

(1) Army, Navy, Marine Corps, Maritime Commission, or War Shipping Administration of the United States (including persons operating vessels for such Administration or Commission for use thereon).

(2) Any person for packing products for retail sale or distribution through post-exchanges, sales commissaries, officers' messes, servicemen's clubs, ship service stores, or outlets; provided same are located at Army or Navy camps, are not operated for private profit and are established primarily for the use of Army or Navy enlisted personnel within Army or Navy establishments or on Army or Navy vessels.

(3) American Red Cross, United Service Organizations, or such other non-profit Defense Recreation Committees, engaged in the operation of recreation centers in the forty-eight states of the United States or the District of Columbia solely for military personnel, as are certified to be within the exemption provided by this paragraph by the Office of Defense Health and Welfare Services, OEM.

(4) Any agency of the United States purchasing for a foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(n) *Quota-exemptions for beverages.* In addition to his quota of glass containers for beverages (as defined in Schedule I) and free of the restrictions of paragraphs (e) and (f) above, any commercial user may accept delivery of the following portion of the number of new or used glass containers used, or actually to be used, during the quota period for delivering beverages to or for any of the persons listed under paragraph (m) above:

(1) *Export shipment.* The full amount of glass containers for delivering beverages to or for any such person for shipment to points outside the continental United States.

(2) *Domestic consumption.* 5% of the full amount of glass containers for delivering beverages to or for any such person for use or distribution within the continental United States.

Miscellaneous Provisions

(o) *Restriction on changing choices.* After choosing his base period and the method of computing quotas for multiple-unit organizations, no commercial user shall thereafter change his choice, unless authorized by the War Production Board.

(p) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, referring to the particular provision appealed from and stating fully the grounds for the appeal.

(q) *Communications.* All communications concerning this order shall be addressed to: War Production Board,

Containers Division, Washington, D. C., Ref.: L-103-b.

(r) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(s) *Expiration.* This order shall expire at the close of business October 31, 1943, unless previously revoked or extended.

Issued this 1st day of July 1943.

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

SCHEDULE I—LISTED PRODUCTS AND QUOTA PERCENTAGES

Acceptances of empty new glass containers for packing the classes of products listed in Column 2 below are subject to the quota restrictions of Order L-103-b. The percentage listed in Column 3 below for each class is the quota percentage to be used in computing the quota for that class, as provided for in paragraph (b) of the Order.

Class No.	Class of product	Quota percentage
(1)	(2)	(3)
I.....	Chemicals, household and industrial supply (only the items listed in Schedule III of Order M-104).	80
II.....	Beverages (malt and non-alcoholic beverages as defined in Schedule IV of Order M-104).	65
III.....	All other products (except (a) products listed in Schedules I and II of Order M-104, and (b) products designated under class IV below).	65
IV.....	Products designated by the War Production Board from time to time.	0

¹To be designated.

[F. R. Doc. 43-10590; Filed, July 1, 1943;
10:23 a. m.]

PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES¹

[Conservation Order M-319 as Amended July 1, 1943]

MANUFACTURED CRUDE ABRASIVE AND ABRASIVE GRAIN

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of manufactured crude abrasive and abrasive grain 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.

§ 3274.91 Conservation Order M-319¹
—(a) *Definitions.* For the purpose of this order:

(1) *“Manufactured crude abrasive”* means silicon carbide or fused aluminum oxide. Unfused or levigated alumina, and natural abrasives such as emery, garnet, corundum, and flint are not subject to this order.

(2) *“Silicon carbide”* means that product which results from combining silica and coke in a resistance-type electric furnace.

(3) *“Fused aluminum oxide”* means that product resulting from the fusion of alumina, or the fusion and purification of bauxite in an electric furnace, reduced by slogging or crushing to ungraded lumps or fine particles.

(4) *“Abrasive grain”* means:

(i) Any manufactured crude abrasive which has been classified as to particle size by mechanical, hydraulic, pneumatic, or other methods, and

(ii) Abrasive optical finishing powders, abrasive flours, blasting grain, reclaimed grain, refractory grain, firesand, and other manufactured abrasives and refractory grain specialties, whether or not classified as to particle size.

(5) *“Abrasive optical finishing powders”* means abrasive grain classified in standard sizes containing a maximum concentration of particles of a particular size within the over all range of 22½ to 4 microns inclusive, which produces a uniform grain depth pattern or mat finish on glass so that successive operations with rouge produce an optical finish.

(6) *“Reclaimed grain”* means:

(i) Any abrasive grain recovered from wheel stubs or other baked or fired abrasive or refractory stock, including lathe room turnings and dressings. The term does not include green shavings,

(ii) Any abrasive grain recovered from coated abrasive products,

(iii) Any abrasive grain previously used in grain form or on wheels, in blasting, grinding, or polishing operations.

NOTE: Paragraphs (7) through (12) redesignated July 1, 1943.

(7) *“Producer”* means any person who produces manufactured crude abrasive or abrasive grain.

(8) *“Importer”* means any person who imports manufactured crude abrasive or abrasive grain from sources outside the United States.

(9) *“Branch outlet”* means any branch store, branch warehouse, or other direct agent of a producer or importer, used for purposes of distributing manufactured crude abrasive or abrasive grain.

(10) *“Distributor”* means any purchaser of manufactured crude abrasive or abrasive grain for purposes of resale without further processing.

(11) *“Ultimate consumer”* means any purchaser of manufactured crude abrasive or abrasive grain other than a distributor.

(12) *“Period of authorization”* means the period in which any producer or importer is authorized to use, and any person is authorized to accept delivery of manufactured crude abrasive or abrasive grain pursuant to authorization on Form WPB 2779 [Form PD 888] (manufactured

crude abrasive), or Form WPB 2781 [PD 886] (abrasive grain). Each period of authorization shall be of two calendar months' duration. The first period of authorization shall be for the months of July and August, 1943; the second period shall be for the months of September and October, 1943, etc.

(b) *Restrictions on use and delivery of manufactured crude abrasive and abrasive grain.* (1) Except as permitted by paragraph (d) of this order, on and after July 1, 1943, notwithstanding any contract, agreement or preference rating to the contrary:

(i) No producer or importer shall himself use, and no producer, importer, branch outlet, or distributor shall deliver to any person any manufactured crude abrasive or abrasive grain except pursuant to specific authorization granted by the War Production Board on Form WPB 2779 [Form PD 888] (manufactured crude abrasive), or Form WPB 2781 [PD 886] (abrasive grain); and

(ii) No person shall accept delivery of any manufactured crude abrasive or abrasive grain, except pursuant to specific authorization granted by the War Production Board on Form WPB 2779 [Form PD 888] (manufactured crude abrasive), or Form WPB 2781 [PD 886] (abrasive grain).

(2) An order which has been authorized by the War Production Board on Form WPB 2779 [Form PD 888] (manufactured crude abrasive) or Form WPB-2781 [PD-886] (abrasive grain) must be accepted by the producer, importer, branch outlet, or distributor, and the producer, importer, branch outlet, or distributor must make delivery under it unless it does not meet his regularly established prices and terms (in accordance with Priorities Regulation No. 1): *Provided, however, That within any given two-month period of authorization, delivery of orders for manufactured crude abrasive or abrasive grain may be scheduled without regard to preference ratings in the sequence best suited to maximum production and customers' needs. For the purposes of this order, delivery shall be deemed to have been made when the bill of lading covering the particular shipment has been signed by the carrier.*

(3) No producer or importer authorized to use, and no person authorized to accept delivery of abrasive grain by an authorization on Form WPB-2781 [Form PD-886] shall use such abrasive grain for any purposes other than the purposes authorized on said Form WPB-2781 [Form PD-886] except as otherwise specifically directed by the War Production Board.

(b) (4) Notwithstanding any other provisions of this order, on and after July 1, 1943, no person shall purchase or

¹Formerly Part 3248, § 3248.1.

accept delivery of any abrasive grain manufactured from fused aluminum oxide (other than reclaimed grain) of any grit size 80 or coarser for use as loose grain for any of the purposes listed on Schedule A hereto attached, nor shall any person sell, transfer, or deliver any such abrasive grain which he knows or has reason to believe is intended for use as loose grain for any of the purposes listed on said Schedule A.

(c) *Applications for authorization.* (1) Any producer or importer who desires to use, and any person who desires to accept delivery of, manufactured crude abrasive during the months of July and August, 1943, (which constitute the first period of authorization), shall apply on or before June 15, 1943, for authorization to use or accept delivery of that quantity of manufactured crude abrasive which will be required by the applicant during the months of July and August, 1943. Thereafter, on or before August 15, 1943, and on or before the 15th day of the month preceding each subsequent two-month period of authorization, any producer or importer who desires to use, and any person who desires to accept delivery of manufactured crude abrasive during such subsequent two-month period of authorization, shall apply for authorization to use or accept delivery of that quantity of manufactured crude abrasive which will be required by the applicant during such subsequent period of authorization. All applications for authorization to use or accept delivery of manufactured crude abrasive shall be made on Form WPB 2779 [Form PD 888] in the manner prescribed therein. Copies of Form WPB 2779 [Form PD 888] may be obtained at local Field Offices of the War Production Board.

(2) Except as provided in paragraphs (c) (3), (d) (1), and (d) (2) of this order, any producer or importer who desires to use, and any person who desires to accept delivery of, abrasive grain during the months of July and August, 1943 (which constitute the first period of authorization), shall apply on or before June 10, 1943, for authorization to use or accept delivery of that quantity of abrasive grain which will be required by the applicant during the months of July and August, 1943. Thereafter, except as provided in paragraphs (c) (3), (d) (1), and (d) (2) of this order, on or before August 10, 1943, and on or before the 10th day of the month preceding each subsequent two-month period of authorization, any producer or importer who desires to use, and any person who desires to accept delivery of, abrasive grain during such subsequent two-month period of authorization, shall apply for authorization to use or accept delivery of that quantity of abrasive grain which will be required by the applicant during such subsequent period of authorization. All applications for authorization to use, or accept delivery of, abrasive grain shall be made on Form WPB 2781 [Form PD

886] in the manner prescribed therein. Copies of Form WPB 2781 [Form PD 886] may be obtained at local Field Offices of the War Production Board.

(3) In the event that an ultimate consumer desires to buy abrasive grain from a distributor or branch outlet during any period of authorization, the ultimate consumer shall apply on or before the first day of the month preceding the period of authorization in which delivery is required in the manner prescribed in Form WPB 2781 [Form PD 886]. No further application by the distributor or branch outlet shall be required for such abrasive grain, but the War Production Board, when acting on such ultimate consumer's application, will simultaneously grant or deny to such distributor or branch outlet authorization to accept delivery for, and to redeliver to, such ultimate consumer.

(4) Failure by any person to file an application pursuant to the provisions of this paragraph (c) may be construed as notice to the War Production Board that such person does not desire authorization to use, or accept delivery of, manufactured crude abrasive or abrasive grain, as the case may be, in the period of authorization for which such application is required.

(5) Whenever any order for manufactured crude abrasive or abrasive grain, previously authorized on Form WPB 2779 [Form PD-888] (manufacturer crude abrasive), or Form WPB 2781 [PD 886] (abrasive grain), is cancelled, the producer, importer, branch outlet, or distributor, with whom such order was placed, shall immediately notify the War Production Board of such cancellation.

(d) *Small grain order exemptions.* (1) Any producer or importer who has not been specifically authorized on Form WPB 2781 [Form PD 886] to use, and any ultimate consumer who has not been specifically authorized on Form WPB 2781 [Form PD 886] to accept delivery of, abrasive grain during any given two-month period of authorization may use or accept delivery of a small quantity of abrasive grain during such two-month period of authorization without specific authorization on Form WPB 2781 [Form PD 886]: *Provided, however,* That in no event shall the total quantity of abrasive grain used by such producer or importer, or accepted by such ultimate consumer from all sources during such two-month period of authorization without authorization on Form WPB 2781 [Form PD 886], exceed the following maximum amounts:

(i) A quantity of abrasive grain manufactured from silicon carbide (other than abrasive optical finishing powders) having a value of \$350 list price; and/or

(ii) A quantity of abrasive grain manufactured from fused aluminum oxide (other than abrasive optical finishing powders) having a value of \$225 list price, and/or

(iii) A quantity of abrasive optical finishing powders manufactured from silicon carbide or fused aluminum oxide having a value of \$100 list price.

(2) Subject to the inventory limitations contained in paragraph (f) of this order, any branch outlet or distributor may accept delivery of abrasive grain for stock to fill small orders therefor, pursuant to paragraph (d) (1) of this order. No specific authorization on Form WPB 2781 [Form PD 886] shall be required for such branch outlet or distributor to accept delivery of such abrasive grain, but each order for such abrasive grain placed by a branch outlet or distributor with a producer, importer, or another branch outlet, must be accompanied by a certification by such branch outlet or distributor, signed manually, or as provided by Priorities Regulation No. 7, substantially as follows:

The abrasive grain specified on this purchase order is required by the undersigned for stock to fill small orders pursuant to paragraph (d) (1) of Conservation Order M-319, with the terms of which the undersigned is familiar. Delivery of this order will not increase the undersigned's inventory of the specified sizes and types of abrasive grain beyond a supply required under the undersigned's current practices for resale on such small orders during a period of sixty days.

(Name and address of distributor or branch outlet)

By _____

(Authorized signature)

(3) Any producer, importer, branch outlet, or distributor, may deliver a quantity of abrasive grain manufactured from silicon carbide, other than abrasive optical finishing powders, not to exceed \$350 list price in value, and/or a quantity of abrasive grain manufactured from fused aluminum oxide, other than abrasive optical finishing powders, not to exceed \$225 list price in value, and/or a quantity of abrasive optical finishing powders manufactured from silicon carbide or fused aluminum oxide not to exceed \$100 in value, to any person without specific authorization on Form WPB-2781 [Form PD-886], and any producer, importer, or branch outlet may deliver to any branch outlet or distributor abrasive grain on orders placed pursuant to paragraph (d) (2) of this order and accompanied by the certification required by said paragraph: *Provided, That:*

(i) The total quantity of abrasive grain (other than abrasive optical finishing powders), delivered by any producer or importer without specific authorization pursuant to this paragraph (d) (3) during any two-month period of authorization, shall not exceed 5 per cent of such producer's or importer's estimated total tonnage production and/or purchases of such abrasive grain for such period, and

(ii) The total quantity of abrasive optical finishing powders manufactured from silicon carbide or fused aluminum oxide delivered by any producer or importer without specific authorization pursuant to this paragraph (d) (3), during any two-month period of authorization, shall not exceed 5 per cent of such producer's or importer's estimated total tonnage production and/or purchases of such abrasive optical finishing powders for such period.

The percentage limitations established above may be applied by any producer or importer on a size by size or an overall basis at his election.

(e) [Revoked July 1, 1943]

(f) *Limitation on inventories.* On and after June 1, 1943, no person other than a producer or importer shall purchase or accept delivery of any size and type of abrasive grain if his inventory thereof is, or will by virtue of such purchase or acceptance become, greater than the quantity of such size and type of abrasive grain which will be required under his current practices for use or resale during a period of sixty days: *Provided, however,* That the delivery of abrasive grain pursuant to the following designated types of purchase orders shall be permitted to effect such an increase;

(1) Purchase orders placed by any procurement agency of the United States pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(2) Purchase orders placed by the Army, Navy, or Maritime Commission for abrasive grain required for bases or supply depots outside the continental United States, or for bases or supply depots within the continental United States which are maintained for emergency purposes, or to supply such bases or supply depots outside the continental United States.

(3) Any other purchase order specifically excepted from this restriction by the War Production Board.

(g) *Proposed production and importation schedules to be filed.* On or before June 15, 1943, and bi-monthly thereafter on or before the 15th day of each alternate succeeding calendar month, each producer or importer shall file with the War Production Board his proposed schedule of production and importation of manufactured crude abrasive and/or abrasive grain for the next succeeding two calendar months. Proposed schedules for the production and importation of manufactured crude abrasive shall be filed on Form WPB 2782 (Form PD 885) in the manner prescribed therein. Proposed schedules for the production and importation of abrasive grain shall be filed on Form WPB 2780 (Form PD 887) in the manner prescribed therein.

(h) *Other allocation and scheduling directions.* Notwithstanding any other provisions of this order, the War Production Board may at any time:

(1) Direct the return or cancellation of any order for manufactured crude abrasive or abrasive grain;

(2) Direct or change any schedule of production or delivery of manufactured crude abrasive or abrasive grain;

(3) Allocate orders for manufactured crude abrasive or abrasive grain placed with one person to another person;

(4) Revoke any authorization to use or accept delivery of manufactured crude abrasive or abrasive grain, granted pursuant to this order;

(5) Take such other action as it deems necessary with respect to the placing of orders for, or the production, use, or delivery of, manufactured crude abrasive or abrasive grain.

(i) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of manufactured crude abrasive and abrasive grain shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division, or section, of a single integrated enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control.

(j) *Notification to customers.* Each producer, importer, branch outlet, or distributor, shall, as soon as practicable, notify each of his regular customers of the requirements of this order, but failure to give or receive such notice shall not excuse any such person from complying with the terms hereof.

(k) *Reports.* All producers, importers, branch outlets, or distributors, affected by this order shall execute and file with the War Production Board such reports and questionnaires as the War Production Board shall from time to time request, subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

(l) *Applicability of regulations.* All transactions affected by this order are subject to applicable provisions of the regulations of the War Production Board as amended from time to time.

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

(n) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from, and stating fully the grounds of the appeal.

(o) *Communications.* All reports to be filed, appeals and other communications concerning this order should be addressed to: War Production Board, Tools Division, Washington, D. C. Ref: M-319.

Issued this 1st day of July 1943.

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

SCHEDULE A

NOTE: Schedule A added July 1, 1943.

The use of abrasive grain manufactured from fused aluminum oxide (other than reclaimed grain) of any grit size of 80 or coarser for the following purposes is prohibited:

1. Blasting or polishing operations for all stone and monumental work.

2. Lithographic plate graining.

3. Glass grinding.

4. Hulling operations.

5. Non-slip purposes, including non-slip treads of all kinds, non-slip cement or concrete, phenolic resin non-slip paint, non-slip surfaces for air or watercraft, etc.

[F. R. Doc. 43-10591; Filed, July 1, 1943; 10:24 a. m.]

Chapter XI—Office of Price Administration

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 11, Amdt. 68]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 11 is amended in the following respects:

1. Section 1394.5001 (a) (16) is amended to read as follows:

(16) "Heating year" means the period from October 1, 1942, to September 30, 1943, inclusive, which is also sometimes referred to as "the 1942-43 heating year". The term "1943-44 heating year" means the period from October 1, 1943, to September 30, 1944, inclusive.

2. Section 1394.5001 (a) (36) is amended to read as follows:

(36) "Unit," as applied to a coupon means the amount of fuel oil, as fixed from time to time, by order or direction of the Office of Price Administration, for which a coupon bearing the imprint "one unit" or "1 unit" may be exchanged.

3. Section 1394.5201 (d) is amended to read as follows:

(d) Class 1 and Class 2 coupon sheets shall be issued as rations for heat or both heat and hot water in any premises, for the 1942-43 heating year only.

4. Section 1394.5253 (b) is amended to read as follows:

(b) Each dealer or supplier who furnishes certifications specified in paragraph (a) of this section shall (in addition to any records required to be kept pursuant to Ration Order No. 11) retain at his place of business, for a period of at least two (2) years from the date of such certifications, all records on the basis of which such certifications were made.

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 8480, 8809, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9784, 10153, 10081, 10379, 10530, 10531, 10780, 10707, 11118, 11071; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 607, 608, 977, 1203, 1316, 1235, 1282, 1282, 1681, 1636, 1859, 2194, 2432, 2598, 2598, 2781, 2720, 2942, 2942, 2993, 2887, 3106, 3521, 3628, 3734, 3848, 3848, 3948, 4255, 4137, 4350, 4784, 4851, 5678.

5. Section 1394.5255 (a) is redesignated § 1394.5255.

6. Section 1394.5255 (b) is deleted.

7. Section 1394.5256 (d) (1) is amended by adding after the period at the end of the subparagraph the sentence, "However, with respect to the ration for the 1942-43 heating year, the application may not be made after June 30, 1943."

8. Section 1394.5309 (b) is amended by deleting the sentence: "The Board shall make the entries required by § 1394.5452 on the coupon sheet issued and shall affix a validating stamp thereto."

9. Section 1394.5310 is amended by adding a new paragraph (e) to read as follows:

(e) No supplemental ration may be issued for use after September 30, 1943.

10. The text of § 1394.5451 is amended by inserting after the phrase "issuing a ration" the parenthetical phrase "(other than a renewed ration for heat or hot water, or both, for the 1943-44 heating year under § 1394.5280.)"

11. Section 1394.5452 (a) is amended by deleting the parenthetical phrase "(or October 1, 1942, in the case of an application made prior to November 1, 1942 and in "Area A" February 1, 1943 in the case of an application made prior to March 16, 1943; and in "Area B" March 17, 1943, in the case of an application made prior to April 13, 1943)".

12. Section 1394.5452 (b) is deleted.

13. Section 1394.5455 is amended to read as follows:

§ 1394.5455 *Signature on coupon sheet.* An applicant shall sign each coupon sheet issued to him, and no coupon shall be valid until the coupon sheet to which it is attached has been signed as required.

14. Section 1394.5458 (a) is amended by substituting for the phrase "Class 1 or Class 2 coupon sheet" the phrase "Class 1, 2, 4, 5 or 6 coupon sheet".

15. Section 1394.5458 (c) is deleted.

16. Section 1394.5460 (c) is amended by deleting the sentence: "The Board shall make the entries required by § 1394.5452 on the new coupon sheet and shall affix a validating stamp thereto."

17. Section 1394.5461 is amended by adding after the period at the end of the paragraph the sentence: "No fuel oil ration record card shall be issued for use after June 30, 1943."

18. Section 1394.5502 (c) is amended to read as follows:

(c) Upon change in ownership of, or control over, such equipment. However, a ration issued to any person for the operation of oil burning equipment furnishing heat, or hot water, or both, to any premises, shall not expire upon a change in ownership of such premises, if there is no change in the occupancy thereof and if such person or a member of the family retains control over such equipment.

19. Section 1394.5503 (b) is amended to read as follows:

(b) Within twenty (20) days after the expiration of any ration, the person to whom it was issued shall, except as pro-

vided in paragraph (e) of this section, surrender to the issuing Board all coupon sheets containing coupons (and all unused delivery receipts and the stubs to which they are attached) representing such ration.

20. Section 1394.5503 (c) and (d) are revoked.

21. The headnote to § 1394.5504 is amended to read: "Application for a continuation of ration on change of ownership or control."

22. Section 1394.5504 (a) is amended to read as follows:

(a) If a ration has expired by reason of a change in ownership of, or control over, oil burning equipment furnishing heat, or hot water, or both, to any premises, but such change in ownership or control involves no change in the occupancy of such premises, the person acquiring ownership or control (or his agent) may apply to the issuing Board for a continuation of such ration. Such person may not obtain a ration (other than an auxiliary ration) for the operation of such equipment during the balance of the period for which such expired ration was issued, except in the manner provided in this Section.

23. Section 1394.5504 (b) (6) is amended to read as follows:

(6) A request that the expired ration be continued and issued to him.

24. Section 1394.5505 is amended to read as follows:

§ 1394.5505 *Issuance of continuation of ration.* (a) Upon application for a continuation of a ration pursuant to § 1394.5504, the Board shall issue to the applicant coupon sheets containing the same number and kind of coupons as were contained on the expired coupon sheets at the time of expiration.

(b) After such issuance, the applicant may use any fuel oil in the fuel supply tank of such equipment, or in a storage tank or other container maintained for supplying such equipment, without any further surrender of coupons.

25. Section 1394.5506 is amended to read as follows:

§ 1394.5506 *Issuance of new rations.* Except as otherwise provided in this Ration Order No. 11, a transferee of any oil burning equipment shall be required to make a new application for a ration therefor, on his own behalf, in the same manner as an original application. However, a transferee may not obtain a ration unless a transfer in good faith is involved.

26. The undesignated center headnote preceding § 1394.5551 is amended to read as follows: "Issuance of Further Rations."

27. The headnote to § 1394.5551 is amended to read: "Further rations for use after expiration date of current rations".

28. Section 1394.5551 (a) is amended by adding after the period at the end of the paragraph the sentence: "This section does not apply to rations for heat or hot water, or both, except rations for

hot water under §§ 1394.5268 and 1394.5269."

29. Section 1394.5553 (e) is added to read as follows:

(e) This section shall not apply to rations issued for the 1943-44 heating year, and the issuance of a substitute ration shall not affect a previously issued renewed ration for the 1943-44 heating year.

30. Section 1394.5554 (c) is added to read as follows:

(c) This section shall not apply to rations issued for the 1943-44 heating year, and the issuance of a substitute ration shall not affect a previously issued renewed ration for the 1943-44 heating year.

31. Section 1394.5602 is amended to read as follows:

§ 1394.5602 *Rations not transferable.* No ration shall be transferred or assigned and no person shall accept such transfer or assignment except a transfer to a member of the family who retains control of the equipment.

32. The text of § 1394.5653 is amended by substituting the phrase "1, 2, 3, 4, 5 or 6 coupon sheets" for the phrase "1, 2 and 3 coupon sheets".

33. Section 1394.5653 (d) is deleted.

34. The text of § 1394.5653 (e) is amended to read as follows:

(e) No transfer of fuel oil may be made in exchange for a coupon if such coupon was detached from the coupon sheet prior to the transfer.

35. Section 1394.5653 (e) (1), (2) and (3) are revoked.

36. Section 1394.5654 (a) is amended by substituting the phrase "primary supplier" for the word "supplier".

37. Section 1394.5654 (b) is amended to read as follows:

(b) Within forty-eight (48) hours after the expiration of a coupon sheet so deposited (or within forty-eight (48) hours after all coupons on such sheet have been detached in accordance with the provisions of § 1394.5653), the dealer or primary supplier with whom it was deposited shall return such coupon sheet to the consumer who deposited it with him.

38. Section 1394.5654 (c) is amended by substituting the phrase "primary supplier" for the word "supplier".

39. Section 1394.5654 (d) is amended to read as follows:

(d) Within forty-eight (48) hours after the expiration of the period of validity of the delivery receipt, as shown on the delivery receipt stub, or within forty-eight (48) hours after delivery has been made of the total amount of fuel oil authorized to be transferred, as shown on such stub, the dealer or primary supplier with whom it was deposited shall return all delivery receipt stubs and all delivery receipts, if any, to the consumer who deposited them with him. If any stub contains any inaccurate statement with respect to the date or amount of fuel oil transferred to him, or in the calculations, the consumer shall report

all such inaccuracies in writing to the issuing Board.

40. Section 1394.5656 is amended to read as follows:

§ 1394.5656 Records to be kept by dealers and primary suppliers. Every dealer and primary supplier shall keep a record of each transfer to a consumer of a quantity of fuel oil in excess of ten (10) gallons. Such record shall show the name and address of the transferee, the date of the transfer, the amount of fuel oil transferred, the place where delivered and the number and value of coupons detached or the amount of any ration check received for such transfer. Such records shall be preserved for at least one (1) year.

41. Section 1394.5707 (a) is amended by deleting the phrase "bearing an inscribed serial number".

42. Section 1394.5782 is amended by substituting the phrase "Class 1, 2, 4, 5 and 6 coupon sheets" for the phrase "Class 1 and 2 coupon sheets".

This amendment shall become effective on July 1, 1943.

(Pub. Law 471, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong.; WPB Directive 1, 7 F.R. 562; Supp. Directive 1-0, as amended, 7 F.R. 8416, E.O. 9125, 7 F.R. 2719)

Issued this 30th day of June 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10563; Filed, June 30, 1943;
4:47 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Supp. 1 to RO 11, Amdt. 6]

FUEL OIL REGULATIONS

Supplement 1 to Ration Order No. 11 [F. R. Doc. 43-10564; Filed, June 30, 1943;
is amended in the following respects: 4:46 p. m.]

TABLE B.—MAXIMUM PERMITTED INCREASES FOR SALES OF POULTRY ITEMS

Seller and type of sale made	Buyer	Quantity and form of sale	Item sold	Base price to which increase is added	Maximum increase in cents per pound for "wholesaler" and "hotel supply house" only		
					Non-delivered sales	Delivered within 25 miles	Delivered beyond 25 miles
(1a) All "wholesalers" who buy and sell live poultry items, and who have either transported such live poultry items to their place of business, or else have paid out a permitted increase to a live poultry transporter for transporting such live poultry items to their place of business.	All "wholesalers", individual retail stores, or commercial, industrial, or governmental users located in the same metropolitan area where the seller maintains his place of business.	Less than 10,000 lbs.	Any live poultry item.	Maximum base price at seller's shipping point, plus permitted increase established for actual distance live poultry was transported to seller's place of business, in a sum not to exceed 2¢ per lb.	1 1/2	1 1/2	2

PART 1429—POULTRY AND EGGS

[Rev. MPR 269, Amdt. 10]

POULTRY

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

Revised Maximum Price Regulation 269 is amended in the following respects:

1. Section 1429.19 (h) (5) is amended to read as follows:

(5) Application of prices for all poultry items in packaged form. The maximum base prices established for dressed, drawn, and quick-frozen eviscerated poultry in Table A of this section may be charged only when such poultry is sold in box-packed or barrel-packed form: *Provided*, That: All "wholesalers" and "hotel supply houses" may sell less than wholesale quantities of dressed, drawn, and quick-frozen eviscerated poultry in loose form to retailers, hotels, restaurants, clubs, dining cars, steamship companies, or institutional users, at the maximum base prices established for such poultry in Table A of this section, plus the permitted increases established in Table B of § 1429.21 of this regulation. In all other cases all dressed, drawn, and quick-frozen eviscerated poultry sold in loose form shall be sold at a discount of one cent per pound below the maximum base prices established for such poultry in Table A of this section.

No additional charge shall be added to the prices established for all poultry items in Table A of this section for the wrapping, packaging, or boxing of such poultry items.

2. The text of item (1a) of Table B of § 1429.21 (a) (2) is amended to read as follows:

*Copies may be obtained from the Office of Price Administration.

17 F.R. 10708, 10864, 11118; 8 F.R. 567, 856, 878, 2289, 3316, 3419, 3792.

This amendment shall become effective July 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of June 1943.

PRENTISS M. BROWN,
Administrator.

Approved: June 28, 1943.

JESSE W. TAPP,
Acting War Food Administrator.

[F. R. Doc. 43-10568; Filed, June 30, 1943;
4:46 p. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17,¹ Amdt. 24]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith has been filed with the Division of the Federal Register.*

Section 1.7b is added to read as follows:

SEC. 1.7b *Operators of recreational facilities may obtain athletic shoes for rental.* (a) Any person operating a bowling alley open to the general public or operated primarily for use by members of the armed services may obtain sufficient certificates to enable him to have in stock, for loan or rental to his patrons, ten pairs of bowling shoes per alley for the first four alleys and seven pairs of bowling shoes per alley for every alley above four.

(b) A person operating any other recreational facility open to the general public or operated primarily for use by members of the armed services may obtain certificates to acquire the number of pairs of athletic shoes of a particular type needed to maintain the supply of such shoes which he had on February 7, 1943 for loan or rental to his patrons.

(c) Application should be made (on OPA Form R-1702) to the District Office for the area in which the shoes are to be used and should contain all information needed to establish eligibility under paragraph (a) or (b) above and the number of pairs for which he is eligible. Shoes acquired with certificates in this manner and shoes held for loan or rental on February 7, 1943, may be loaned or rented without collecting ration currency. However, they may not be loaned or rented to any person for use off the applicant's premises nor for a period longer than twelve hours at a time to the same person. The applicant must keep title to the shoes and they may not be transferred as "used" shoes under section 1.13.

This amendment shall become effective July 7, 1943.

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

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 1749, 2040, 2487, 2943, 3315, 3371, 3853, 4129, 3948, 4716, 5589, 5678, 5679, 5567, 5756, 6046, 6687, 7198, 7261, 8061, 8064, 8357, 8601.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; WPB Directive 1, 7 F.R. 562, Supp. Directive 1-T, 8 F.R. 1727; E.O. 9125, 7 F.R. 2719)

Issued this 30th day of June 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10566; Filed, June 30, 1943;
4:48 p. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17,¹ Amdt. 25]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 17 is amended in the following respects:

1. Section 2.11 (a) (3) is added to read as follows:

(3) Shoes completed, packaged, and shipped from the factory before July 16, 1943, made wholly of materials other than leather (which may however use leather as top lifts) and the sole of which is of one of the following constructions:

(i) A sole made principally of rope, fabric or fiber in which rubber is used primarily as a binder; (ii) a sole made principally of wood, in which rubber is used only as toe or heel inserts, or both, covering not more than 25 percent of the area of the bottom of the sole.

2. Section 2.13 (b) (8) and (9) are added to read as follows:

(8) Records, which shall be attached to its inventory (OPA Form R-1701) within five days after the event, showing the date and amount of each increase or decrease of its inventory resulting from an adjustment of its inventory, or a loan, or advance of ration currency granted by the District Office, or from the repayment of a loan or advance, pursuant to section 2.17.

(9) Records, which shall be attached to its inventory (OPA Form R-1701) within five days after the event showing:

(i) In the case of a release of shoes from rationing by order of the Office of Price Administration, a list of the type and number of pairs so released which the establishment had in inventory, or in transit to it, or in storage for it at a place other than an establishment, at the time of such release.

3. Section 2.18 (a) is amended by inserting after the words "after April 15, 1943," in the first sentence of the paragraph the following: "and on one shoe of each pair of the types specified in section 2.11 (a) (3) which is completed, packaged, or shipped from the factory after July 15, 1943."

4. The definition of "rubber" is added in section 3.13 (a) to read as follows: "Rubber" includes crude rubber, latex, reclaimed rubber, scrap rubber, and synthetic rubber.

5. The definition of "shoes" in section 3.13 is amended to read as follows: Shoes

means any footwear made in whole or in part of leather or which contain any rubber in the sole, except: burial slippers; boudoir or house slippers; ballet slippers; evening slippers made in the United States, or imported before July 7, 1943, which at the time of manufacture were made with uppers of gold or silver leather or imitation leather with gold or silver finish; baseball, track and football shoes; men's and women's knee-height riding boots made in the United States, or imported before July 7, 1943 (including boots without lacing and with lacing only over the instep but not including full lace boots, jodhpurs or cowboy boots); infant footwear of size 4 or smaller; overshoes; and waterproof and snow or water repellent rubber footwear. (For the purposes of this definition, footwear is deemed not to be made in whole or in part of leather if leather is used only as hinges, tabs, heel inserts, or other non-skid or soundproofing features covering not more than 25 percent of the area of the bottom of the sole. Furthermore, footwear is deemed not to contain rubber in the sole where rubber is used only as a cement or adhesive to the extent necessary to attach a sole or platform to each other or to the upper.)

This amendment shall become effective July 7, 1943.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421, and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-T, 8 F.R. 1727; E.O. 9125, 7 F.R. 2719)

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

Issued this 30th day of June 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10567; Filed, June 30, 1943;
4:48 p. m.]

PART 1444—ICE BOXES

[MPR 399,¹ Amdt. 1]

NEW ICE BOXES

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

Maximum Price Regulation No. 399 is amended in the following respects:

1. Section 1 is amended to read as follows:

SECTION 1. *What ceiling prices are fixed by this regulation.* This regulation fixes ceiling prices for sales of new ice boxes at retail (including sales by mail order houses and ice companies) and at wholesale. A sale at retail is a sale by a person other than the manufacturer to a person who buys for use. A sale at wholesale is a sale by a person other than the manufacturer to a person who buys for resale. Sales by manufacturers are covered by Maximum Price Regulation No. 188. Ice boxes not listed in the table below (except those whose

¹ 8 F.R. 7448.

ceiling price is fixed by the General Maximum Price Regulation as explained below) may not be sold at wholesale or retail unless an order has been issued under this section establishing ceiling prices for such sales. Orders will be issued by the Office of Price Administration, Washington, D. C., upon application.

Ceiling prices for ice boxes which were in the hands of wholesalers or retailers on June 8, 1943, and which are models

of ice boxes not now being offered for sale by the manufacturer of such ice boxes are fixed by the General Maximum Price Regulation.

2. Section 3 is amended to read as follows:

SEC. 3. Ceiling prices for wholesalers. Ceiling prices for sales at wholesale are 60% of the retail base price as shown in Column I of Table C plus the difference between the base price and the retail ceiling price for the state in which the

wholesaler's warehouse is located. The wholesale ceiling price is f. o. b. the distributor's city.

3. Section 14, Table A, "Retail Ceiling Prices in Each State for Sales of Ice Boxes by Ice Companies and Retail Establishments Controlled by Ice Companies," is amended by changing the ceiling prices shown therein for The Coolerator Company's Model V-6 ice box, and by adding ceiling prices for eight new models of ice boxes, as set forth below.

TABLE A

RETAIL CEILING PRICES IN EACH STATE FOR SALES OF ICE BOXES BY ICE COMPANIES AND RETAIL ESTABLISHMENTS CONTROLLED BY ICE COMPANIES

[No amount may be added to these ceiling prices for delivery to the buyer]

Manufacturer	Brand	Model	Rated ice capacity (pound)	Retail base price	Ala.	Ariz.	Ark.	Calif.	Col.	Conn.	Del.	D. C.	Fla.	Ga.	Idaho	Ill.	Ind.
The Coolerator Co.	Coolerator	V-6	75	\$68.75	\$69.50	\$70.00	\$69.50	\$70.00	\$69.50	\$67.75	\$70.00	\$69.75	\$70.25	\$69.75	\$70.00	\$68.75	\$69.25
Getz Bros. & Co., Inc.	Getz-Kold	F-50	50	46.25	46.50	46.25	46.25	46.25	46.25	46.75	46.75	47.00	46.50	46.25	46.50	46.50	46.50
C. Nelson Mfg. Co.	Nelco Artic	V-41	75	57.25	57.25	58.25	57.25	58.25	57.50	57.25	57.25	57.25	57.50	57.25	58.25	57.25	57.25
Stoddard Mfg. Co.	Lockerator	6	75	58.00	58.75	59.75	59.00	60.25	59.00	58.75	58.75	58.75	59.75	59.25	59.50	58.00	58.00
Success Mfg. Co.	Success	VG-58	75	52.00	52.00	53.50	52.25	53.50	53.00	52.00	52.00	52.00	52.00	52.00	53.50	52.00	52.00
Ward Ref. & Mfg. Co.	Olympic	V-603	75	73.50	75.00	73.50	74.75	73.50	74.50	75.25	75.25	75.25	75.75	75.00	75.25	74.75	75.00
Ward Ref. & Mfg. Co.	Olympic	V-600	75	73.50	75.00	73.50	74.75	73.50	74.50	75.25	75.25	75.25	75.75	75.00	75.25	74.75	75.00
Ward Ref. & Mfg. Co.	Olympic	V-300	50	51.50	52.00	51.50	51.75	51.50	51.50	52.25	52.25	52.25	52.75	52.25	52.00	52.00	52.00
Ward Ref. & Mfg. Co.	Olympic	V-303	50	51.50	52.00	51.50	51.75	51.50	51.50	52.25	52.25	52.25	52.75	52.25	52.00	52.00	52.00
Manufacturer	Brand	Model	Rated ice capacity (pound)	Retail base price	Iowa	Kans.	Ky.	La	Maine	Md.	Mass.	Mich.	Minn.	Miss.	Mo.	Mont.	
The Coolerator Co.	Coolerator	V-6	75	\$68.75	\$68.75	\$69.25	\$69.00	\$70.00	\$70.25	\$69.75	\$70.00	\$69.00	\$68.75	\$69.50	\$68.75	\$70.00	
Getz Bros. & Co., Inc.	Getz-Kold	F-50	50	46.25	46.25	46.25	46.25	46.50	46.75	46.75	46.75	46.50	46.25	46.25	46.25	46.25	
C. Nelson Mfg. Co.	Nelco Artic	V-41	75	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25
Stoddard Mfg. Co.	Lockerator	6	75	58.00	60.00	60.00	60.00	58.50	59.00	58.75	59.00	58.00	58.00	58.75	58.00	59.25	59.25
Success Mfg. Co.	Success	VG-58	75	52.00	52.00	52.50	52.00	52.50	52.00	52.00	52.00	52.00	52.00	52.25	52.25	52.00	53.50
Ward Ref. & Mfg. Co.	Olympic	V-603	75	73.50	74.75	74.50	75.00	74.75	75.25	75.25	75.25	74.75	75.00	74.75	75.00	74.75	75.00
Ward Ref. & Mfg. Co.	Olympic	V-600	75	73.50	74.75	74.50	75.00	74.75	75.25	75.25	75.25	74.75	75.00	74.75	75.00	74.75	75.00
Ward Ref. & Mfg. Co.	Olympic	V-300	50	51.50	51.75	51.75	52.00	51.75	52.25	52.25	52.25	52.00	52.00	52.00	51.75	52.00	52.00
Ward Ref. & Mfg. Co.	Olympic	V-303	50	51.50	51.75	51.75	52.00	51.75	52.25	52.25	52.25	52.00	52.00	52.00	51.75	52.00	52.00
Manufacturer	Brand	Model	Rated ice capacity (pound)	Retail base price	Nebr.	Nev.	N. H.	N. J.	N. Mex.	N. Y.	N. C.	N. Dak.	Ohio	Okla.	Oreg.	Pa.	
The Coolerator Co.	Coolerator	V-6	75	\$68.75	\$69.00	\$70.00	\$69.75	\$70.00	\$69.50	\$69.75	\$68.75	\$69.25	\$69.50	\$70.00	\$69.50	\$69.50	\$69.50
Getz Bros. & Co., Inc.	Getz-Kold	F-50	50	46.25	46.25	46.25	46.25	46.75	46.75	46.75	46.75	46.25	46.25	46.25	46.25	46.25	46.25
C. Nelson Mfg. Co.	Nelco Artic	V-41	75	57.25	57.25	58.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25
Stoddard Mfg. Co.	Lockerator	6	75	58.00	58.00	59.75	59.00	58.75	59.75	58.50	59.25	58.50	58.25	58.75	59.75	58.50	58.50
Success Mfg. Co.	Success	VG-58	75	52.00	52.50	53.50	52.00	52.00	53.50	52.00	52.00	52.00	52.00	52.25	52.50	53.50	52.00
Ward Ref. & Mfg. Co.	Olympic	V-603	75	73.50	74.50	74.50	75.25	74.25	75.25	75.25	74.75	75.00	74.50	75.00	74.50	75.00	75.00
Ward Ref. & Mfg. Co.	Olympic	V-600	75	73.50	74.50	74.50	75.25	74.25	75.25	75.25	74.75	75.00	74.50	75.00	74.50	75.00	75.00
Ward Ref. & Mfg. Co.	Olympic	V-300	50	51.50	51.75	51.75	52.25	51.75	52.25	52.25	51.75	52.25	51.75	52.00	51.75	52.25	52.25
Ward Ref. & Mfg. Co.	Olympic	V-303	50	51.50	51.75	51.75	52.25	51.75	52.25	52.25	51.75	52.25	51.75	52.00	51.75	52.25	52.25
Manufacturer	Brand	Model	Rated ice capacity (pounds)	Retail base price	R. I.	S. C.	S. Dak.	Tenn.	Tex.	Utah	Vt.	Va.	Wash.	W. Va.	Wis.	Wyo.	
The Coolerator Co.	Coolerator	V-6	75	\$68.75	\$70.00	\$69.75	\$69.00	\$69.25	\$70.00	\$69.00	\$70.00	\$70.00	\$70.00	\$69.50	\$68.75	\$69.50	
Getz Bros. & Co., Inc.	Getz-Kold	F-50	50	46.25	46.75	46.75	46.25	46.50	46.25	46.75	46.75	46.25	46.25	46.50	46.25	46.25	
C. Nelson Mfg. Co.	Nelco Artic	V-41	75	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25	57.25	
Stoddard Mfg. Co.	Lockerator	6	75	58.00	59.00	59.25	58.25	58.50	59.50	59.50	59.50	59.00	58.75	59.75	58.50	59.00	
Success Mfg. Co.	Success	VG-58	75	52.00	52.00	52.00	52.00	52.75	52.00	52.50	53.50	52.00	52.00	53.50	52.00	53.00	
Ward Ref. & Mfg. Co.	Olympic	V-603	75	73.50	75.25	75.25	74.75	75.00	74.50	74.50	74.75	75.25	75.25	74.75	75.00	74.50	
Ward Ref. & Mfg. Co.	Olympic	V-600	75	73.50	75.25	75.25	74.75	75.00	74.50	74.50	74.75	75.25	75.25	74.75	75.00	74.50	
Ward Ref. & Mfg. Co.	Olympic	V-300	50	51.50	52.25	52.25	52.00	52.00	52.00	51.75	52.25	52.25	51.75	52.00	52.00	51.75	
Ward Ref. & Mfg. Co.	Olympic	V-303	50	51.50	52.25	52.25	52.00	52.00	52.00	51.75	52.25	52.25	51.75	52.00	52.00	51.75	

FEDERAL REGISTER, Friday, July 2, 1943

4. Section 16, Table C, "Ceiling Prices in Each State for All Other Sales of Ice Boxes at Retail," is amended by changing the ceiling prices for The Coolerator Company's Model V-6 ice box and by adding ceiling prices for eight new models of ice boxes, as set forth below.

TABLE O

CEILING PRICES IN EACH STATE FOR ALL OTHER SALES OF ICE BOXES AT RETAIL

[No amount may be added to these ceiling prices for delivery to the buyer]

Manufacturer	Brand	Model	Rated ice capacity (pounds)	Retail base price	Ala.	Ariz.	Ark.	Calif.	Colo.	Conn.	Del.	D. C.	Fla.	Ga.	Idaho	Ill.	Ind.
The Coolerator Co.	Coolerator	V-6	75	\$72.75	\$75.00	\$75.60	\$74.75	\$75.50	\$75.00	\$75.25	\$75.25	\$75.25	\$75.75	\$75.25	\$75.50	\$73.75	\$74.50
Getz Bros. & Co., Inc.	Getz-Kold	F-50	50	52.50	54.25	53.75	54.00	53.00	54.00	54.50	54.50	54.50	54.50	54.50	53.75	54.00	54.25
C. Nelson Mfg. Co.	Nelco Artic	V-41	75	63.95	65.00	66.50	65.00	66.50	65.50	65.25	65.25	65.25	65.50	65.25	66.25	64.50	64.50
Stoddard Mfg. Co.	Lockerator	6	75	65.50	67.75	68.75	67.75	69.00	67.75	67.75	67.75	67.75	68.75	68.00	68.50	66.50	67.00
Success Mfg. Co.	Success	VG-5S	75	55.95	57.25	58.75	57.75	58.75	58.50	56.50	56.75	57.50	57.25	58.75	57.25	57.00	
Ward Ref. & Mfg. Co.	Olympic	V-603	75	82.95	85.75	84.50	85.50	83.75	85.25	86.25	86.25	86.25	86.75	85.75	86.00	85.50	85.75
Ward Ref. & Mfg. Co.	Olympic	V-600	75	82.95	85.75	84.50	85.50	83.75	85.25	86.25	86.25	86.25	86.75	85.75	86.00	85.50	85.75
Ward Ref. & Mfg. Co.	Olympic	V-300	50	58.25	60.25	59.25	60.00	58.75	60.00	60.50	60.50	60.50	60.75	60.25	60.50	60.00	60.25
Ward Ref. & Mfg. Co.	Olympic	V-303	50	58.25	60.25	59.25	60.00	58.75	60.00	60.50	60.50	60.50	60.75	60.25	60.50	60.00	60.25
Manufacturer	Brand	Model	Rated ice capacity (pounds)	Retail base price	Iowa	Kans.	Ky.	La.	Maine	Md.	Mass.	Mich.	Minn.	M. ss.	Mo.	Mont	
The Coolerator Co.	Coolerator	V-6	75	\$72.75	\$73.75	\$74.50	\$74.50	\$75.25	\$75.50	\$75.25	\$75.25	\$74.50	\$73.75	\$75.00	\$73.75	\$75.50	
Getz Bros. & Co., Inc.	Getz-Kold	F-50	50	52.50	54.00	54.00	54.00	54.00	54.50	54.50	54.50	54.50	54.00	54.25	54.00	54.00	
C. Nelson Mfg. Co.	Nelco Artic	V-41	75	63.95	65.00	64.75	65.25	65.50	65.25	65.50	65.50	64.75	65.00	65.00	64.50	66.25	
Stoddard Mfg. Co.	Lockerator	6	75	65.50	67.00	67.25	67.25	68.25	68.00	67.50	67.75	66.75	66.50	66.50	68.25		
Success Mfg. Co.	Success	VG-5S	75	55.95	57.50	58.00	57.25	58.00	56.50	56.75	56.25	57.00	57.75	57.50	57.25	58.75	
Ward Ref. & Mfg. Co.	Olympic	V-603	75	82.95	85.50	85.25	85.75	85.50	86.25	86.25	86.25	86.25	85.75	85.75	85.50	86.25	
Ward Ref. & Mfg. Co.	Olympic	V-600	75	82.95	85.50	85.25	85.75	85.50	86.25	86.25	86.25	86.25	85.75	85.75	85.50	86.25	
Ward Ref. & Mfg. Co.	Olympic	V-300	50	58.25	60.00	60.00	60.25	60.00	60.50	60.50	60.50	60.50	60.00	60.25	60.00	60.50	
Ward Ref. & Mfg. Co.	Olympic	V-303	50	58.25	60.00	60.00	60.25	60.00	60.50	60.50	60.50	60.50	60.00	60.25	60.00	60.50	
Manufacturer	Brand	Model	Rated ice capacity (pounds)	Retail base price	Nebr.	Nev.	N. H.	N. J.	N. Mex.	N. Y.	N. C.	N. Dak.	Ohio	Okla.	Oreg.	Pa.	
The Coolerator Co.	Coolerator	V-6	75	\$72.75	\$74.25	\$75.50	\$75.25	\$75.25	\$75.00	\$75.00	\$74.25	\$74.75	\$74.75	\$75.50	\$75.00	\$75.00	
Getz Bros. & Co., Inc.	Getz-Kold	F-50	50	52.50	54.00	53.50	54.50	54.50	54.00	54.50	54.00	54.25	54.00	53.50	54.25		
C. Nelson Mfg. Co.	Nelco Artic	V-41	75	63.95	65.00	66.50	65.50	65.25	66.50	65.25	65.25	65.50	64.75	65.50	66.50	65.25	
Stoddard Mfg. Co.	Lockerator	6	75	65.50	66.75	68.50	67.75	67.50	68.75	67.50	68.00	67.25	67.00	67.75	68.75	67.50	
Success Mfg. Co.	Success	VG-5S	75	55.95	57.75	58.75	58.75	59.50	56.75	58.75	56.75	57.00	68.00	57.00	58.00	58.75	
Ward Ref. & Mfg. Co.	Olympic	V-603	75	82.95	85.25	85.50	86.25	86.25	86.25	86.25	86.25	86.25	86.25	85.50	85.25	86.00	
Ward Ref. & Mfg. Co.	Olympic	V-600	75	82.95	85.25	85.50	86.25	86.25	85.25	86.25	86.25	86.25	85.50	85.25	85.50	86.00	
Ward Ref. & Mfg. Co.	Olympic	V-300	50	58.25	60.00	60.00	60.50	60.50	59.75	60.50	60.50	60.50	60.00	60.25	60.00	60.25	
Ward Ref. & Mfg. Co.	Olympic	V-303	50	58.25	60.00	60.00	60.50	60.50	59.75	60.50	60.50	60.50	60.00	60.25	60.00	60.25	
Manufacturer	Brand	Model	Rated ice capacity (pounds)	Retail base price	R. I.	S. C.	S. Dak.	Tenn.	Tex.	Utah	Vt.	Va.	Wash.	W. Va.	Wis.	Wyo.	
The Coolerator Co.	Coolerator	V-6	75	\$72.75	\$75.25	\$75.25	\$74.25	\$74.50	\$75.25	\$75.25	\$75.25	\$75.25	\$75.50	\$75.00	\$73.75	\$75.00	
Getz Bros. & Co., Inc.	Getz-Kold	F-50	50	52.50	54.50	54.50	54.00	54.25	54.00	53.50	54.50	53.50	54.00	54.00	54.00	54.00	
C. Nelson Mfg. Co.	Nelco Artic	V-41	75	63.95	65.50	65.25	64.75	65.50	66.25	65.50	65.25	66.50	65.00	64.75	65.75		
Stoddard Mfg. Co.	Lockerator	6	75	65.50	67.75	68.00	67.00	67.25	68.00	68.25	68.75	67.75	67.25	66.25	67.75		
Success Mfg. Co.	Success	VG-5S	75	55.95	56.25	57.00	58.00	57.25	57.75	56.50	57.00	58.75	57.00	57.25	58.50		
Ward Ref. & Mfg. Co.	Olympic	V-603	75	82.95	86.25	86.25	85.50	86.25	86.25	86.25	86.25	86.25	86.25	86.25	85.50	85.25	
Ward Ref. & Mfg. Co.	Olympic	V-600	75	82.95	86.25	86.25	85.50	86.25	86.25	86.25	86.25	86.25	86.25	86.25	85.50	85.25	
Ward Ref. & Mfg. Co.	Olympic	V-300	50	58.25	60.50	60.50	60.00	60.25	60.00	60.00	60.50	60.50	60.50	60.50	60.00	60.00	
Ward Ref. & Mfg. Co.	Olympic	V-303	50	58.25	60.50	60.50	60.00	60.25	60.00	60.00	60.50	60.50	60.50	60.50	60.00	60.00	

5. Section 16, Table C, "Ceiling Prices in Each State for All Other Sales of Ice Boxes at Retail," is amended to correct two errors appearing in the original document.

a. The "Retail base price" in the second reference to Fy-Boro Metal Products Company's Model 650 is corrected to read "\$47.95," instead of "49.95".

b. The retail ceiling price for the Maine Manufacturing Company's Model 1557 in the State of New Jersey is corrected to read "\$31.00."

This amendment shall become effective July 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, 8 F.R. 4681)

Issued this 30th day of June 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10569; Filed, June 30, 1943;
4:45 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 69 Under SR 15 to GMPR]

SHAMROCK TOWING COMPANY

Order No. 69 under § 1499.75 (a) (3) of Supplementary Regulation 15 to the General Maximum Price Regulation; Docket No. GF3-3325.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1369 *Adjustment of Maximum Prices for Contract Carrier Services by Shamrock Towing Company, Inc., for the City of New York.* (a) Shamrock Towing Company, Inc., Pier 93, Foot of West 53rd Street, New York, New York, may sell and deliver to the City of New York towing services at prices not to exceed those specified in a certain contract between Shamrock Towing Company, Inc., and the City of New York which provides the terms and conditions pursuant to which Shamrock Towing Company, Inc., shall tow refuse material in scows or

barges owned by the City of New York between certain points in the City of New York and points in the Harbor and Port of New York for the period from July 1, 1943, to and including June 30, 1944.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 69 (§ 1499.1369) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(d) This Order No. 69 (§ 1499.1369) may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 69 (§ 1499.1369) shall become effective June 30, 1943.

(Pub. Laws No. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of June 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10570; Filed, June 30, 1943;
4:47 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 1 under SR 15 to GMPR]

THE LIGNUM CHEMICAL WORKS

Order No. 1 Under § 1499.75 (a) (7) of Supplementary Regulation No. 15 to the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith, there is ordered:

§ 1499.2051 *Adjustment of maximum prices for sales of wood flour and sawdust, sold by the Lignum Chemical Works.* (a) The Lignum Chemical Works, New York, N. Y., may sell and deliver, and any person may buy and receive from the Lignum Chemical Works, wood flour and sawdust at prices not higher than those set forth below:

		Maximum prices
		Per 2 bu. bag
Rock Maple: (Hardwood—consisting mainly of Maple)		
#14—12 mesh		\$0.85
#24W—20 mesh		.95
#30—24 mesh		1.05
Any grade, by the ton	\$25.50	
Spruce: (Softwood—consisting mainly of Spruce)		
#14—12 mesh		Per 2 bu. bag
#24W—20 mesh		\$0.85
#30—24 mesh		Per ton
Any grade, by the ton		\$25.50
(2) Wood flour:		
40 x M—Softwood—40 mesh (90%)		35.50
Blow B—Briarwood—200 mesh (90%)		45.50
Blow M—Hardwood—150 mesh (90%)		40.50
F & B—White Birch—40 mesh (90%)		43.50
40M—Hardwood (mostly Maple)—40 mesh (90%)		28.00
100H—Hickory—100 mesh (90%)		50.50
40R—Briarwood—40 mesh (90%)		30.50
(3) Fur dressing sawdust:	Per 80 lb. bag	
Red Tag		\$1.25
White Tag		1.20
Manila Tag		1.15
Green Tag		1.10
Purple Tag		1.00

*The 90% referred to above means that should the product be screened through the stated mesh, at least 90% would pass through the mesh.

The above maximum prices include delivery to any point in the Metropolitan area of New York, N. Y., and where sold for delivery at points beyond that area, are f. o. b. cars or truck.

(4) *Discounts:* The above maximum prices are subject to the following discounts:

Polishing and Plating Sawdust—1% for cash payment in 10 days.

Wood Flour—2% C. O. D., or 1% for cash payment in 10 days.

Fur Dressing Sawdust—10% C. O. D., or 10 percent for cash payment by Thursday following delivery. Also subject to following refunds if purchases in calendar month total—

500 bags	3%
1000 bags	5%
1500 bags	6%

(b) This Order No. 1 may be revoked or amended by the Office of Price Administration at any time.

No. 130—4

(c) This Order No. 1 shall become effective July 7, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 30th day of June 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10571; Filed, June 30, 1943;
4:45 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[R.O. 5C, Amdt. 59]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. Section 1394.7704 (a) (5) is added to read as follows:

(5) An application for a supplemental ration for driving by an officer, agent, representative or employee of a government or government agency for carrying on the official business of such government or government agency must be certified, as indicated thereon, by a government mileage administrator (or by his authorized agent) if one has been designated by such government or government agency to exercise authority to certify such applications on behalf of the unit of government or the specified branch thereof in respect to which the application is made. If no such government mileage administrator has been designated, such application must be certified by an officer who is empowered to authorize or supervise travel for such government or government agency.

2. Section 1394.7706 (a) is amended to read as follows:

(a) By an agent, officer, representative or employee of a Federal, State, local or foreign government or government agency, who either holds an elective office or who is compensated by such government or government agency for his personal services or for travel expenses incurred in the travel for which preferred mileage is sought, for performing the official business or carrying out an official function of such government or government agency.

(1) Daily or periodic travel between home or lodgings and a fixed place of work shall not be deemed performance of official business or carrying out an official function.

(2) Except for daily or periodic travel between home or lodgings and a fixed

*Copies may be obtained from the Office of Price Administration.

7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 607, 565, 1028, 1202, 1203, 1365, 1282, 1366, 1318, 1588, 1813, 1895, 2098, 2213, 2238, 2353, 2431, 2595, 2780, 2720, 3096, 3261, 3253, 3255, 3254, 3315, 3616, 4189, 4341, 4850, 4976, 5267, 5268, 5486, 5564, 5756, 6261, 6179, 6441, 6846, 6687, 7390, 8680, 7455, 8009, 8180.

place of work, travel by members of Federal or State legislative bodies between their places of residence and the city or town of legislative session, or within such city or town and within their respective legislative districts in connection with their functions as legislators, or elsewhere in pursuit of legislative business, shall be deemed the carrying out of an official function.

3. Section 1394.7706 (x) is added to read as follows:

(x) By the following persons for the following purposes:

(1) A duly authorized official, employee, agent or representative of the American Red Cross, either in a passenger automobile or motorcycle owned or leased by the American Red Cross, or in a passenger automobile or motorcycle not owned or leased by the American Red Cross if compensation is paid by the American Red Cross for the performance of such business and for the use of such passenger automobile or motorcycle.

(i) Daily or periodic travel between home or lodgings and a fixed place of work shall not be deemed performance of official business.

(2) A member of a War Price and Rationing Board, for travel between home or lodgings and the place at which such Board conducts its business.

(3) A member of a Selective Service Board, an appeal agent or a member of an Appeal Board of the Selective Service System, for travel between home or lodgings and the place at which the business of the Selective Service System is conducted.

(4) A volunteer fireman (including a member of the Forest Fire Fighters Service of the Office of Civilian Defense), a volunteer policeman, or a member of a State, County or local committee organized by the United States government or an agency thereof to promote the sale of United States government securities, for the performance of their official duties.

(i) Daily or periodic travel between home or lodgings and a fixed place of work shall not be deemed performance of official duties.

(ii) No preferred mileage shall be allowed for travel on which the applicant is not exclusively engaged in the performance of his official duties.

(5) A member of the staff unit of the United States Citizens Defense Corps of the Office of Civilian Defense who is certified by the commander of that unit to be a member thereof, for travel on official business of the Office of Civilian Defense.

(i) Daily or periodic travel between home or lodgings and a fixed place of work shall be deemed performance of official business.

4. Section 1394.7753 is amended by designating the present text paragraph (a) and adding paragraph (b) to read as follows:

(b) Each application for official rations must be certified by a Government Mileage Administrator (or by his authorized agent) if one has been designated by the government or government

agency to exercise authority to certify such applications on behalf of the unit of government or the specified branch thereof which owns or leases the vehicle for which application is made. If no such Government Mileage Administrator has been designated, such application must be certified by an officer empowered to authorize or supervise travel for the government or government agency which owns or leases the vehicle for which the ration is sought.

This amendment shall become effective July 7, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. 1, Supp. Dir. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 30th day of June 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10565; Filed, June 30, 1943;
4:48 p. m.]

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

[Rev. MPR 169, Amdt. 19]

**BEEF AND VEAL CARCASSES AND WHOLESALE
CUTS**

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.*

Section 1364.468 (b) is amended to read as follows:

(b) *Quantity discounts.* (1) For all veal carcasses and/or veal wholesale cuts, and/or other meat items subject to this subpart C delivered in a straight or mixed carload shipment or sold as part of a straight or mixed carload sale, the seller shall deduct 50¢ per cwt. from the applicable zone price.

(2) For veal carcasses and/or veal wholesale cuts sold to a wholesaler in a straight or mixed less-than-carload sale, the seller shall deduct 50¢ per cwt. from the applicable zone price.

This amendment shall become effective June 30, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of June 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10562; Filed, June 30, 1943;
4:46 p. m.]

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

[Rev. MPR 239, Amdt. 6]

**LAMB AND MUTTON CARCASSES AND CUTS AT
WHOLESALE AND RETAIL**

A statement of the considerations involved in the issuance of this amend-

*Copies may be obtained from the Office of Price Administration.

¹8 F.R. 4097, 4786, 4844, 5170, 5478, 5634, 6058, 6427, 7199, 7200, 8011, 7109, 6945, 7199, 7675, 8011, 8677, 8756.

²7 F.R. 10688; 8 F.R. 3589, 4786, 4786, 7679, 8677.

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 239 is amended in the following respects:

1. Section 1364.171 (a) is amended to read as follows:

(a) *Sales to wholesalers.* For all lamb or mutton carcasses or cuts sold or delivered to wholesalers or jobbers in less than carload quantities, the seller shall deduct \$0.50 per cwt.

2. Section 1364.171 (c) is added to read as follows:

(c) *Carload sales.* For all lamb or mutton carcasses and cuts sold or delivered in carload lots the seller shall deduct \$0.75 per cwt.

This amendment shall become effective June 30, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of June 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10561; Filed, June 30, 1943;
4:46 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 11 to GMPR, Amdt. 28]

**EXCEPTIONS FOR CERTAIN SERVICES; COURT
REPORTING**

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

Section 1499.46 (b) (22) is amended by deleting the parenthetical phrase "(except when a transcript is furnished)".

This amendment shall be effective July 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 30th day of June 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10572; Filed, June 30, 1943;
4:45 p. m.]

**Chapter XIII—Petroleum Administration
for War**

[PAO 11 as Amended June 30, 1943, Supp.
Order 6]

**PART 1515—PETROLEUM PRODUCTION
OPERATIONS**

MATERIAL FOR SECONDARY RECOVERY

General exception pursuant to paragraph (c) (10) of Petroleum Administrative Order No. 11.

**§ 1515.12 Supplementary Order No. 6
to Petroleum Administrative Order No.
11—(a) Scope of this order.** Except as

otherwise modified by the provisions of any other order issued as a supplement to Petroleum Administrative Order No.

11 or by the provisions of any exception issued pursuant to paragraph (c) (10) of Petroleum Administrative Order No. 11, the provisions of this order shall, to the extent provided herein, be applicable to secondary recovery crude oil production operations in the United States, its territory or possessions, but not elsewhere, and to the delivery, acquisition, or use of material for such operations.

(b) *Definitions.* The definitions of Petroleum Administrative Order No. 11 shall apply in this order.

(c) *Acquisition and use of material for secondary recovery.* Pursuant to paragraph (c) (10) of Petroleum Administrative Order No. 11, any person may accept delivery of, acquire, or use material for secondary recovery crude oil production operations (including the drilling of production and injection wells but excluding pressure maintenance operations, salt water disposal operations, or high-pressure cycling operations) by the injection of air, gas, or water into the producing formation for the purpose of increasing or sustaining production therefrom: *Provided*, That this authorization shall extend only to the operator who actually conducts the specific injection program or to those operators who contribute money, property, or services as participants in the specific secondary recovery program, and *Provided further*, That, as to the drilling of production wells, this authorization shall extend only to such operations conducted within a radius of 2000 feet of any air or gas injection well or within a radius of 1000 feet of any water injection well.

(d) *Violations.* Any person who wilfully violates any provision of this order, or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

(E.O. 9276, 7 F.R. 10091; 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 30th day of June 1943.

RALPH K. DAVIES,
Deputy Petroleum
Administrator for War.

[F. R. Doc. 43-10598; Filed, July 1, 1943;
10:42 a. m.]

TITLE 46—SHIPPING

**Chapter II—Coast Guard: Inspection
and Navigation**

**AMENDMENTS TO REGULATIONS; APPROVAL
OF EQUIPMENT**

By virtue of the authority vested in me by R.S. 4405, 4417, 4417a, 4418, 4426, 4482, 4488, 4491, as amended, 49 Stat. 1544, 54 Stat. 163-167, 1028 (46 U.S.C. 375, 391, 391a, 392, 404, 475, 481, 489, 367,

526-526t, 463a), and Executive Order 9083, dated February 28, 1943 (7 F.R. 1609), the following amendments to the Inspection and Navigation regulations, and approval of miscellaneous items of equipment for the better security of life at sea are prescribed:

Subchapter G—Ocean and Coastwise: General Rules and Regulations

PART 62—LICENSED OFFICERS AND CERTIFIED MEN

Section 62.20 (a) is amended to read as follows:

§ 62.20 Alarm bells and loud speaker system—(a) Alarm bells—(1) New vessels. All vessels over 100 gross tons the construction of which is begun on and after September 1, 1943, shall have all sleeping accommodations, public spaces, and machinery spaces equipped with a sufficient number of alarm bells so located as to warn all occupants. The system shall operate from a continuous source of electric energy capable of supplying the system for a period of at least 8 hours without being dependent upon the main, auxiliary or emergency generating plants. Each bell shall produce a signal of a tone distinct from that of other bell signals in the vicinity and shall be independently fused with each of these fuses located above the bulkhead deck. The bells shall be controlled by a manually-operated contact maker located in the pilothouse, or, if specific approval is given by the Commandant, in the fire control station. The characteristics of the contact maker shall be such that it possesses:

(i) Positive contact.

(ii) Watertightness (when located in open spaces subject to weather).

(iii) Means whereby its electrically open or closed position can be determined by sense of touch.

(iv) Means to effect a make-and-break circuit for signaling, and

(v) Self-maintaining contacts.

(2) Existing vessels. All existing vessels over 100 gross tons and such vessels the construction of which is begun prior to September 1, 1943, shall have all sleeping accommodations equipped with a sufficient number of alarm bells so located as to warn all the occupants. The alarm bells, if electric, shall be operated from an open switch from the pilot house or bridge. The bells shall be of such size, character, and construction, as to provide an alarm throughout the spaces for which they are provided.

Subchapter H—Great Lakes: General Rules and Regulations

PART 79—INSPECTION OF VESSELS

Section 79.15 is amended to read as follows:

§ 79.15 Alarm bells—(a) New vessels. All vessels over 100 gross tons the construction of which is begun on and after September 1, 1943, shall have all sleeping accommodations, public spaces, and machinery spaces equipped with a sufficient number of alarm bells so located as to warn all occupants. The system shall operate from a continuous source of electric energy capable of supplying the system for a period of at least 8 hours without being dependent upon the main, auxiliary or emergency generating plants.

Each bell shall produce a signal of a tone distinct from that of other bell signals in the vicinity and shall be independently fused with each of these fuses located above the bulkhead deck. The bells shall be controlled by a manually-operated contact maker located in the pilothouse, or, if specific approval is given by the Commandant, in the fire control station. The characteristics of the contact maker shall be such that it possesses:

(1) Positive contact.

(2) Watertightness (when located in open spaces subject to weather).

(3) Means whereby its electrically open or closed position can be determined by sense of touch.

(4) Means to effect a make-and-break circuit for signaling, and

(5) Self-maintaining contacts.

(b) Existing vessels. All existing vessels over 100 gross tons and such vessels the construction of which is begun prior to September 1, 1943, shall have all sleeping accommodations equipped with a sufficient number of alarm bells so located as to warn all the occupants. The alarm bells, if electric, shall be operated from an open switch from the pilothouse or bridge. The bells shall be of such size, character, and construction, as to provide an alarm throughout the spaces for which they are provided.

Subchapter I—Bays, Sounds and Lakes Other Than the Great Lakes: General Rules and Regulations

PART 97—INSPECTION OF VESSELS

Section 97.13 is amended to read as follows:

§ 97.13 Alarm bells. * * * (See § 79.15 of this chapter which is identical with this section.)

Subchapter J—Rivers: General Rules and Regulations

PART 116—INSPECTION OF VESSELS

Section 116.12 is amended to read as follows:

§ 116.12 Alarm bells. * * * (See § 79.15 of this chapter which is identical with this section.)

Subchapter O—Regulations Applicable to Certain Vessels and Shipping During Emergency

PART 153—BOATS, RAFTS AND LIFESAVING APPLIANCES: REGULATIONS DURING EMERGENCY

Section 153.9 is amended by the addition of a new paragraph (c) reading as follows:

§ 153.9 Construction of ring life buoys. * * *

(c) **Balsa wood.** The balsa wood shall be of the genus Ochroma, kiln-dried to a moisture content not exceeding 12 percent and shall weigh not more than 12 pounds per cubic foot. It shall be sound and free from rot, date, large or unsound knots, worm holes, and other injurious defects.

PART 156—INSPECTION AND CERTIFICATION

Section 156.3 (a) is amended to read as follows:

§ 156.3 Electrical installations. * * *

(a) The type of electrical equipment and the types of electric cables to be used in the various parts of all vessels constructed after 1 July, 1943, may be in accordance with "A. I. E. E. Standard

No. 45A, April 1, 1943—Modification of and Supplement to A. I. E. E. Standard No. 45 (1940 Edition with Addenda of Feb. 16, 1942); Recommended Practice for Electrical Installations on Shipboard; To Apply During National Emergency Only". Repairs, alterations, or extensions to the electrical installations on existing vessels may be made in accordance with the provisions of this section for new construction.

MISCELLANEOUS ITEMS OF EQUIPMENT APPROVED

The following miscellaneous items of equipment for the better security of life at sea are approved:

Thread for Life Preservers

3/10 Drednaut Duo (Natural), 4/10 Drednaut Silowax (Natural), 4/10 Drednaut Duo (Natural), Cotton threads for use in the construction of life preservers, manufactured by Great Lakes Thread Company, Detroit, Mich.

Life Preserver Cleaning Process

Cleaning process No. 111 for cleaning approved kapok life preservers, Sinclair and Valentine Company, New York, N. Y.

R. R. WAESCHE,
Commandant.

JUNE 30, 1943.

[F. R. Doc. 43-10576; Filed, July 1, 1943; 9:12 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Order ODT 38A]

PART 502—DIRECTION OF TRAFFIC MOVEMENT

SUBPART J—CARLOAD AND TRUCKLOAD SHIPMENTS TO OR THROUGH THE DOMINION OF CANADA

Pursuant to Executive Orders 8989 and 9156, and in order to coordinate and direct domestic traffic movements to prevent traffic congestion; to assure the orderly and expeditious movement of materials and supplies of war; and to maintain a maximum flow of traffic, the attainment of which purposes is essential to the successful prosecution of the war, General Order ODT 38, as amended, (§§ 502.135 to 502.142) shall be superseded, and, *It is hereby ordered*, That:

Sec.	
502.135	General outline of order.
502.136	Definitions.
502.137	Applicability.
502.138	ODT shipping permits required.
502.139	Application for and issuance of ODT shipping permits.
502.140	Issuance of special or general permits.
502.141	Procedures; delegation of authority.
502.142	Records and reports.
502.143	Communications.

AUTHORITY: §§ 502.135 to 502.143, inclusive, issued under E.O. 8989, 9156; 6 F.R. 6725, 7 F.R. 3349.

§ 502.135 General outline of order. This order establishes a control over certain carload and truckload shipments

moving from points in the United States to or through points in the Dominion of Canada. Section 502.138 provides that the following shipments are subject to the provisions of the order: carload or truckload shipments consigned to a Government agency and destined to any point in the Dominion of Canada; carload or truckload shipments consigned by or to a Government agency to any point in the Dominion of Canada for export therefrom; and carload or truckload shipments consigned by a Government agency or transported on a United States Government bill of lading to Churchill, Manitoba, Edmonton, Alberta, or any point on the line of the Northern Alberta Railways Company. The term "Government agency" is defined in the order as any agency or department of the United States including any corporation organized and controlled by the United States. Section 502.139 provides that application for an ODT shipping permit shall be made by the interested Government procuring agency in accordance with the provisions of an administrative order. Administrative Order ODT 2A, which outlines procedures to be followed in the application for and issuance of ODT shipping permits, is being issued simultaneously with General Order ODT 38A. The primary purpose of General Order ODT 38A is to avoid traffic congestion by establishing a control which will assure the orderly movement of the traffic subject to the order. The order supersedes General Order ODT 38, as amended.

§ 502.136 Definitions. As used in this order (§§ 502.135-502.143), or in any order, permit or regulation issued hereunder, the term:

(a) "Person" means any individual, partnership, corporation, association, joint stock company, business trust, or other organized group of persons, or any trustee, receiver, assignee, or personal representative, and includes any department or agency of the United States, any State, the District of Columbia, or any other political, governmental or legal entity;

(b) "Government agency" means any agency or department of the Government of the United States and includes any corporation organized and controlled by the United States;

(c) "Property" means anything, except passengers, capable of being transported in or on a freight car or motor truck;

(d) "Carrier" means any rail carrier or motor carrier which is engaged or which may engage, in the transportation of property;

(e) "Carload shipment" means property which is transported by a rail carrier in or on a railway freight car at a carload rate;

(f) "Truckload shipment" means property which is transported by a motor carrier in or on a motor truck (1) at a truckload rate, or, (2) in a quantity the weight of which is 10,000 pounds or more;

(g) "Motor truck" means (1) a straight truck, (2) a combination truck-tractor and semi-trailer, (3) a full trailer, (4) or any combination thereof, or (5) any other rubber-tired vehicle

propelled by mechanical power, when used in the transportation of property;

(h) "ODT shipping permit" means a permit issued by the Office of Defense Transportation, or for the Office of Defense Transportation by a duly authorized agent or agency;

(i) "Continental United States" means the forty-eight States and the District of Columbia.

§ 502.137 Applicability. The provisions of this order shall be applicable only within the continental United States.

§ 502.138 ODT shipping permits required. No person shall offer for transportation at any point within the continental United States and no carrier shall accept for transportation at, or transport from, any point within the continental United States any carload or truckload shipment (a) which is consigned to a Government agency and is destined to any point within the Dominion of Canada, (b) which is consigned by a Government agency to, or is consigned to a Government agency at, any port in the Dominion of Canada for export therefrom, or (c) which is consigned by a Government agency or transported on a United States Government bill of lading to Churchill, Manitoba, Edmonton, Alberta, or any point on the line of the Northern Alberta Railways Company, unless a valid and effective ODT shipping permit authorizing the transportation of such shipment is outstanding, and the number of such permit has been endorsed or inscribed upon the face of the waybill, bill of lading, or other shipping documents, or unless such permit or a certified copy thereof accompanies such shipment when offered for transportation and while in transit.

§ 502.139 Application for and issuance of ODT shipping permits. Application for an ODT shipping permit covering the transportation of carload or truckload shipments subject to this order shall be made by the interested Government procuring agency in accordance with any administrative order issued as herein-after provided. If the transportation of the shipment or shipments covered by such an application will not result in or contribute to traffic congestion, an ODT shipping permit authorizing the transportation of such shipment or shipments will be issued. Any such permit will be subject to suspension or cancellation when a change in shipping conditions requires such action, or if the permit was issued in error.

§ 502.140 Issuance of special or general permits. The provisions of this order shall be subject to any special permit issued by the Director, Division of Traffic Movement, Office of Defense Transportation, or to any general permit issued by the Office of Defense Transportation, to meet specific needs or exceptional circumstances or to prevent undue hardships.

§ 502.141 Procedures; delegation of authority. The Director, Division of Traffic Movement, Office of Defense Transportation, is hereby authorized and directed to issue such administrative

orders as may be required to establish procedures to be followed with respect to applications for and the issuance of ODT shipping permits referred to in §§ 502.138 and 502.139 of this order. The Director, Division of Traffic Movement, may issue such permits through such officials or agencies of the United States as he shall designate in any such administrative order.

§ 502.142 Records and reports. The recording and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Specific recording or reporting requirements subsequently prescribed in connection with this order will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

§ 502.143 Communications. Communications concerning this order should refer to "General Order ODT 38A" and, unless otherwise directed, should be addressed to the Office of Defense Transportation, Washington, D. C.

This General Order ODT 38A shall become effective July 1, 1943.

General Order ODT 38, as amended (8 F.R. 6483, 6626), is hereby revoked as of the effective date of this General Order ODT 38A.

Issued at Washington, D. C., this 1st day of July 1943.

JOSEPH B. EASTMAN,
Director, Office of
Defense Transportation

[F. R. Doc. 43-10599; Filed, July 1, 1943;
11:04 a. m.]

[Administrative Order ODT 2A]

PART 503—ADMINISTRATION

PROCEDURES FOR APPLICATION FOR AND ISSUANCE OF ODT SHIPPING PERMITS

Pursuant to § 502.141 of General Order ODT 38A, issued July 1, 1943 (this issue), Administrative Order ODT 2 (§§ 503.75 to 503.77) shall be superseded, and, *It is hereby ordered, That:*

Sec.

503.75 Application for ODT shipping permits.

503.76 Issuance of ODT shipping permits.

503.77 Suspension and cancellation of ODT shipping permits.

AUTHORITY: §§ 503.75 to 503.77, inclusive, issued under General Order ODT 38A, this issue.

§ 503.75 Application for ODT shipping permits. Application for the issuance of an ODT shipping permit authorizing the transportation of carload or truckload shipments subject to the provisions of General Order ODT 38A should be made by the Government procuring agency to the Traffic Control Division, Office of the Chief of Transportation, Army Service Forces, War Department, Washington, D. C. Such application should be made upon a form prescribed by the Office of Defense Transportation.

§ 503.76 Issuance of ODT shipping permits. Upon receipt of such an application, the Traffic Control Division shall transmit the application to the Trans-

portation Control Committee for consideration. The Transportation Control Committee is hereby authorized to direct the Traffic Control Division to issue an ODT shipping permit covering the transportation of the shipment or shipments covered by such application when the Transportation Control Committee finds that the transportation of such shipment or shipments will not result in, or contribute to, traffic congestion.

§ 503.77 Suspension and cancellation of ODT shipping permits. The Office of Defense Transportation or the Transportation Control Committee may direct the Traffic Control Division to suspend or cancel any ODT shipping permit issued pursuant to the provisions of this Administrative Order ODT 2A, when a change in shipping conditions warrants such action, or if the permit was issued in error.

This Administrative Order ODT 2A shall become effective on July 1, 1943.

Administrative Order ODT 2 (8 F.R. 6484), is hereby revoked as of the effective date of this Administrative Order ODT 2A.

Issued at Washington, D. C., this 1st day of July 1943.

H. F. McCARTHY, Director,
Division of Traffic Movement,
Office of Defense Transportation.

[F. R. Doc. 43-10600; Filed, July 1, 1943;
11:04 a. m.]

Notices

TREASURY DEPARTMENT.

Fiscal Service; Bureau of Public Debt.
[1943 Dept. Circ. 660, 1st Suppl.]

2 PERCENT DEPOSITORY BONDS, SECOND SERIES

I. OFFERING OF BONDS

JUNE 29, 1943.

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, gives notice of an additional special issue of bonds of the United States, designated 2 Percent Depositary Bonds, Second Series. These bonds may be subscribed for at par only by depositaries for withheld taxes qualified under Department Circular No. 714, dated June 25, 1943. The amounts of the allotments and adjustments thereof will be made on the bases specified in that circular. Two Percent Depositary Bonds, Second Series, will be issued and redeemed, and interest thereon, when due, will be paid by Federal Reserve Banks, as fiscal agents of the United States acting for the Secretary of the Treasury.

II. DESCRIPTION OF BONDS

1. The bonds of this issue will be dated July 1, 1943. They will bear interest at the rate of 2 percent per annum, payable on a semiannual basis on January 1 and July 1 in each year until the principal amount becomes payable. Each bond will be issued as of, and will bear interest from, the date payment therefor is received, and will mature twelve years from

such date, but may be redeemed at the option of the United States or the depositary for withheld taxes, in whole or in part, at par and accrued interest at any time, upon not less than 30 nor more than 60 days' notice in writing given by either party to the other. From the date of redemption designated in any such notice, interest on the bond or bonds or any part thereof to be redeemed shall cease, and the unredeemed portion, if any, shall be reissued bearing the same issue date as the bond surrendered. Any such notice of redemption given by a depositary for withheld taxes shall be addressed to the Federal Reserve Bank of the district.

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

3. The bonds will not be acceptable for any purposes except those provided for in Department Circular No. 714. They will be issued only in the name of the Federal Reserve Bank of the district in which the depositary for withheld taxes is located as fiscal agent of the United States in trust for such depositary and will not be transferable. They will be subject to the general regulations of the Treasury Department with respect to United States bonds, so far as applicable.

III. GENERAL PROVISIONS

1. The Secretary of the Treasury may, at any time, or from time to time, prescribe supplemental or amendatory rules and regulations with respect to this issue of bonds, and he may terminate the issue at any time without notice.

2. Federal Reserve Banks, as fiscal agents of the United States, are authorized to perform all necessary acts herein, in accordance with such instructions as from time to time may be given by the Secretary of the Treasury, or by his direction.

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 43-10592; Filed, July 1, 1943;
10:29 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1847, Part II]

DISTRICT BOARD 18

ORDER RESCHEDULING HEARING AND REDESIGNATING TRIAL EXAMINER

In the matter of the petition of District Board No. 18 for revision of the boundaries of District No. 18 to include therein all coal producing counties in the State of Arizona.

A hearing in the above-entitled matter having been scheduled to commence at a hearing room of the Bituminous Coal Division at Washington, D. C. on March 15, 1943, pursuant to an Order of the Director issued on February 12, 1943, and having been subsequently postponed by

an order of the Director issued on March 12, 1943, pending further order; and

Said order of February 12, 1943, having designated W. A. Cuff, or any other officer or officers of the Bituminous Coal Division, to preside at the hearing in such matter; and

It appearing that the time and place for the holding of the hearing in this matter should be redesignated;

Now, therefore, it is ordered, That the hearing in the above-entitled matter heretofore scheduled to be held at a hearing room of the Bituminous Coal Division at Washington, D. C. be held on August 7, 1943, at 10 o'clock a. m. at a hearing room of the Bituminous Coal Division at the Franciscan Hotel, Albuquerque, New Mexico.

It is further ordered, That Charles O. Fowler, or any other duly designated officer or officers of the Bituminous Coal Division, shall preside at the hearing in such matter vice W. A. Cuff.

It is further ordered, That the notice of and order for hearing herein dated February 12, 1943, shall in all other respects remain in full force and effect.

Dated: June 29, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-10594; Filed, July 1, 1943;
10:44 a. m.]

[Docket No. 1525-FD]

LOGAN CLAY PRODUCTS CO.

NOTICE OF AND ORDER FOR HEARING

In the matter of the application of the Logan Clay Products Company for a determination of the status of the coal produced at the Logan Clay Products Mine No. 1, Hocking County, Ohio, in District No. 4, pursuant to section 4-A of the Bituminous Coal Act of 1937.

An application for a determination of the status of coal produced at the Logan Clay Products Mine No. 1, in Hocking County, Ohio, in District No. 4, has been filed with this Division by The Logan Clay Products Company, of Logan, Ohio, pursuant to the second paragraph of section 4-A of the Bituminous Coal Act of 1937.

Now, therefore, it is ordered, That a hearing in the above entitled matter under the applicable provisions of said Act and the rules of the Division be held on July 20, 1943, at 10 o'clock in the forenoon of that day at a hearing room of the Bituminous Coal Division, 734 15th Street, NW., Washington, D. C. On such day the Chief of the Records Section in Room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Travis Williams, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matters. The officers so designated to preside at such hearing are hereby authorized to conduct such hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, 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 the duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said applicant and to all other parties herein and to all persons and entities having an interest in these proceedings and eligible to become a party herein. Any person or entity desiring to be admitted as a party to the proceedings herein and eligible under section VII (1) of the rules of practice and procedure before the Division, shall file a petition of intervention not later than fifteen (15) days after the date of the issuance of this notice of and order for hearing.

Notice is hereby given that:

1. Within fifteen (15) days from the date of the issuance of this notice of and order for hearing, the applicant and each other interested party shall file with the Division a concise statement in writing of the facts expected to be proved by such person at the hearing. Other interested parties shall also file a written petition of intervention, in compliance with section VIII of the said rules of practice and procedure. The statements of facts shall be considered as pleadings and not as evidence of the facts therein stated. The affirmative evidence adduced by the parties at the hearing shall be limited to their respective statements of facts;

2. If no written statement of the facts expected to be proved at the hearing is filed by the applicant within the fifteen (15) day period, in the absence of extenuating circumstances the application shall be deemed to have been withdrawn on the expiration of said period, in accordance with section VII (g) of the said rules of practice and procedure;

3. If the applicant does not appear and offer evidence in support of its statement of facts, in the absence of extenuating circumstances the application shall be deemed to have been withdrawn, in accordance with the provisions of the said section VII (g);

4. The burden of proof in this proceeding shall be on the applicant.

All persons are hereby notified that the hearing in the above-entitled matters and any orders entered therein may concern, in addition to the matters specifically alleged in the application, other matters necessarily incidental and related thereto, which may be raised by amendment to the application, petitions of intervention, or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this application.

The matter concerned herewith is in regard to the application of The Logan Clay Products Company, pursuant to section 4-A of the Act, for a determination of the status of the coals produced at the Logan Clay Products Mine No. 1, Hocking County, Ohio, in District No. 4. The application alleges that such coals are exempt from section 4 of the Act because they are consumed by the applicant, the producer thereof, or transported by applicant, the producer thereof, to itself for consumption by it, within the meaning of section 4 II (1) of the Act.

Dated: June 29, 1943.

[SEAL]

DAN H. WHEELER,
Director.

[F. R. Doc. 43-10595; Filed, July 1, 1943;
10:44 a. m.]

[Docket No. A-2044]

DEBARDELEBEN COAL CORP.

ORDER GRANTING TEMPORARY RELIEF AND
NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of DeBardeleben Coal Corporation for establishment of price classifications and minimum prices for Size Group No. 5 coals of the Hull Mine, Mine Index No. 44, District No. 13.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, has been filed with this Division by the above-named party, requesting the establishment of price classifications and minimum prices for the coals in Size Group No. 5 produced at the Hull Mine, Mine Index No. 44, of DeBardeleben Coal Corporation, in Sub-District No. 1 of District No. 13, for shipment by railroad, applicable for all uses, except railroad locomotive fuel, steamship vessel fuel and blacksmithing, a minimum price of 10 cents per net ton less than the minimum prices heretofore established for the coals in Size Group No. 2 produced at the said Mine Index No. 44.

The prayer of the original petition requested the establishment of a minimum price of \$2.80 for Size Group No. 5 coals produced at Mine Index No. 22. All the allegations and facts set forth in the petition, however, refer to the establishment of minimum prices for the coals of the Hull Mine, Mine Index No. 44. The reference to Mine Index No. 22 in the prayer of the petition appears, therefore, to be a typographical error and it is presumed, in accordance with information submitted to the Division by the petitioner, that the petition intended to request relief for the coals produced at the Hull Mine, Mine Index No. 44.

The petition requests specifically that a minimum price be established for coals in Size Group No. 5. Size Group No. 5 includes coals of a top size of 4" and larger than 3", and a bottom size of 1 1/2" and larger than 1/2", and is applicable solely to coals produced at Mine Index Nos. 9, 11 and 17. Coals of the same size dimensions produced at other mines of District No. 13 are included in Size Group No. 4. Since no minimum prices or price classifications have been heretofore established for the coals of Mine Index No. 44 in Size Groups Nos. 4 or 5, relief granted herein pertains to coals of the said mine in Size Group No. 4, thereby including coals of the size dimensions embraced in Size Group No. 5.

The particular minimum price requested for the coals involved for rail shipments into Market Area No. 147 is \$2.80 per net ton, and into all other market areas "to bear the same relation to Size Group No. 2 coals" produced at Mine Index No. 44. The temporary minimum prices established in each price table for Size Group No. 4 coals produced at Mine Index No. 44 are 10 cents per ton less than the minimum prices established for coals of said mine in Size Group No. 2. These minimum prices are uniformly 10 cents per net ton less than the minimum prices requested by petitioner for the reason that minimum prices established for comparable and analogous coals produced by the other mines in District No. 13 in Size Group No. 4 are 10 cents per net ton less than the minimum prices established for Size Group No. 2 coals.

Reasonable showing of necessity having been made for the granting of temporary relief in the manner hereinafter set forth; no petitions of intervention having been filed with the Division in the above-entitled matter; and the following action being deemed necessary in order to effectuate the purposes of the Act;

Now, therefore, it is ordered, That, pending further order, temporary relief is granted as follows: Commencing forthwith, coals in Size Group No. 4 produced at the Hull Mine, Mine Index No. 44, of the DeBardeleben Coal Corporation in Sub-District 1 of District No. 13 shall have in each respective price table for shipment by rail, applicable to all uses except railroad locomotive fuel, steamship vessel fuel, and blacksmithing, a minimum price of 10 cents per net ton less than the minimum prices heretofore established for the coals in Size Group No. 2 produced at the said Mine Index No. 44.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That a hearing in the above-entitled matter under the applicable provisions of the Bituminous Coal Act of 1937 and the rules of the Division be held on August 3, 1943, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW, Washington, D. C. On such day the Chief of the Records Section in Room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Travis Williams, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before July 29, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of DeBardeleben Coal Corporation, a code member, for the establishment of price classifications and minimum prices for coals in Size Group No. 5 produced at Hull Mine, Mine Index No. 44, for rail shipments to all market areas the same as the price classifications and minimum prices established for the coals of the said Mine Index No. 44 in Size Group No. 2 for such shipments.

Dated: June 30, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-10596; Filed, July 1, 1943;
10:44 a. m.]

[Docket No. A-1943, Part II]

DISTRICT BOARD 13

NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 13 for the establishment of price classifications and minimum prices for Mine Index Nos. 1466, 1564, and 1743 for shipment by railroad, applicable for all uses except railroad locomotive fuel, steamship bunker fuel and blacksmithing.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on August 3, 1943 at 10:00 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street, N. W., Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Travis Williams, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be ad-

mitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before July 29, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 13 requesting the establishment for shipments by rail for all uses except railroad locomotive fuel, steamship bunker fuel, and blacksmithing of:

Minimum prices for Size Group 18 coals produced by Connellsville Drift Mine, Mine Index No. 1466 of Harry Reynolds (Harry Reynolds Coal & Coke Co.) to all market areas the same as are applicable to the coals of Bradford Mine, Mine Index No. 77 of Alabama By-Products Corp. in this size group for such shipments to the respective market areas.

Minimum prices of \$4.05, \$3.30, \$3.20, \$3.15, \$3.15, \$3.15, \$3.00, \$2.90, \$3.05, \$3.05, \$2.90 and \$2.80 per ton for Size Groups 2, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22 and 23, respectively, for coals produced by Nauvoo Strip Mine, Mine Index No. 564 of Sam Alread (Sam Alread & Sons) for shipment to Market Area No. 147 and for shipments to all other market areas as follows: for Size Groups 2, 12, 13, 17, 18, 22 and 23 the same minimum prices as are applicable to coals of the same size groups, respectively, produced by Bonner & Wideman Mine, Mine Index No. 984 of Cleo Bonner; for Size Group 14, 10 cents per ton higher than the minimum price for the coals of Size Group 19 heretofore established for Mine Index No. 564; for Size Groups 20 and 21 the same minimum prices as are applicable to coals of the same size groups, respectively, produced by Swindle Mine, Mine Index No. 910 of F. L. Swindle; for Size Groups 15 and 16, 10 cents per ton higher respectively, than the minimum prices applicable to Size Groups 20 and 21 coals, respectively, produced by the Swindle Mine, Mine Index No. 910, of F. L. Swindle.

Minimum prices of \$3.35, \$3.35, \$3.25, \$2.80, \$2.70, \$2.65, \$2.55, \$2.55, \$2.55, \$2.35, \$2.35, \$2.25, \$2.20, \$1.85, and \$2.80 per net ton for Size Groups 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15, respectively, for coals produced by Gambill Mine, Mine Index No. 1743, of D. B. McLain for shipment to Market Area No. 113 and for shipment to all other market areas minimum prices 10 cents

per ton less than the minimum prices applicable to coals in the same size groups, respectively, produced by mines in Price Group 1 for shipments to the respective market areas.

Dated: June 29, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-10597; Filed, July 1, 1943;
10:44 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 849]

NORTHWEST AIRLINES, INC.

NOTICE OF FURTHER HEARING

In the matter of the proceeding relating to the fixing of fair and reasonable rate of compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, over routes Nos. 3 and 45.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 406 and 1001 of said Act, in the above-entitled proceeding, that hearing, which was opened and adjourned on June 9, 1943, is assigned for July 12, 1943, at 10:00 a. m. (eastern war time) in Conference Room C, Commerce Department Auditorium, 14th Street and Constitution Avenue NW, Washington, D. C., before Examiner Berdon M. Bell.

By the Civil Aeronautics Board.
Date: June 11, 1943.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 43-10605; Filed, June 12, 1943;
11:32 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6512]

UNITED STATES GOVERNMENT TELEGRAMS

ORDER FIXING RATES

In the matter of rates for United States Government Telegrams under the Post Roads Act of 1866, as amended.

At a meeting of the Federal Communications Commission held at its offices in Washington, D. C., on the 28th day of June, 1943;

The Commission, having under consideration the record of the proceeding herein;

It is ordered, That Commission Order No. 116 be, and it is hereby, adopted as the order of the Commission fixing rates for United States Government communications by telegraph for the period beginning on the 1st day of July 1943, and ending on the 30th day of June 1944, both dates inclusive.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-10602; Filed, July 1, 1943;
11:31 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 172]

K. SAMURA SHOTEN, LTD.

Re: 91.906% of the capital stock of K. Samura Shoten, Ltd.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

3,350 shares (which constitute a substantial part, namely, 91.906% of all outstanding shares) of \$10 par value common capital stock of K. Samura Shoten, Ltd., an Hawaiian corporation, which is a business enterprise within the United States, the names and last known addresses of the registered owners of which, and the number of shares owned by them respectively, are as follows:

Names and last known addresses:	shares
Kensuke Samura, Kobe, Japan	700
Sadako Samura, Kobe, Japan	700
Chieko Samura, Kobe, Japan	700
Hiroko Samura, Kobe, Japan	700
Kyoichi Nakano, Hiroshima, Japan	550
Total	3,350

is property of nationals, and represents control of said business enterprise which is a national, of a designated enemy country (Japan), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Japan), and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property 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 and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "nationals", "designated enemy country" and "business enter-

prise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on September 28, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10521; Filed, June 30, 1943;
1:54 p. m.]

[Vesting Order 594]

SOCIETE ANONYME DES USINES RENAULT

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the undersigned after investigation:

1. Finding that Societe Anonyme des Usines Renault, a corporation organized under the laws of France with its principal place of business at Billancourt, France, is the owner of certain personal property now in storage at Rochester, New York, Cincinnati, Ohio and New York, New York and particularly described in Exhibit A attached hereto and made a part hereof;

2. Determining that said Societe Anonyme des Usines Renault is controlled by or acting or purporting to act directly or indirectly for the benefit of or on behalf of a designated enemy country (Germany) or a person within such country;

3. Determining that to the extent that said corporation is a person not within a designated enemy country, the national interest of the United States requires that it be treated as a national of the aforesaid designated enemy country (Germany);

4. Determining, therefore, that said corporation is a national of such designated enemy country (Germany);

5. Having made all determinations and taken all action, after appropriate consulta-

tion and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 1 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on December 30, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Description of property	Location	Manufacturer	Invoice No.	Warehouse receipt No.
1 Model 6-DT-294 engine B/M 10 004 Serial No. 5026 cast iron, steel, and brass.	Baker & Williams, 519 W. 20th St., New York City.	Buda Co., Harvey, Ill.	23860	770 T
250 sheets of carborundum brand silicon carbide paper 24 E-coated on both sides 84" x 24".	Baker & Williams, 519 W. 20th St., New York City.			2872 T
1 set of die equipment for French quenching press.	Baker & Williams, 519 W. 20th St., New York City.	Gleason Works, Rochester, N. Y.	9-2660	2115 T
4 machine parts (Terrope drives and their guards).	Baker & Williams, 519 W. 20th St., New York City.	Jones & Lamson, Machine Co., Springfield, Vt.	V-5471½	3153 T
1 alloy muffle 35-15.	Baker & Williams, 519 W. 20th St., New York City.	Surface Combustion Corp., Toledo, Ohio.	184749	809 T
12 model 545 indicators type 42-2,000 r. p. m.—ratio 2 to 1.	Baker & Williams, 519 W. 20th St., New York City.	Weston Electrical Instrument Corp., Newark, N. J.	98055	5348 T
1 set of gearing, cut teeth, some hardened and ground; others copper-plated, hardened and ground; others not hardened.	Baker & Williams, 519 W. 20th St., New York City.	Gleason Works, Rochester, N. Y.	2-6973	
38 cases of machine parts of unfinished machinery.	Security Storage Co., Cincinnati, Ohio.	R. X. LeBlond Machine Tool Co., Cincinnati, Ohio.	U-1710-11-A and U-1357-58-A.	8131
2 die blocks FS-22 13/16 x 41 3/8 x 82 1/16.	New York Foreign Trade Zone Operators, Pier 74, North River, New York City.	A. Finkl & Sons, Chicago, Ill.	101059	7572
1 Renault limousine (new) (dummy engine).	Manhattan Storage & Warehouse Co., 52nd & 7th Ave., New York City.	Renault		
1 Renault convertible coach (new).	Manhattan Storage & Warehouse Co., 52nd & 7th Ave., New York City.	Renault		

EXHIBIT A—Continued

Description of property	Location	Manufacturer	Invoice No.	Warehouse receipt No.
1 Renault coupe (new).....	Manhattan Storage & Warehouse Co., 52nd & 7th Ave., New York City.	Renault.....		
13 die blocks FX: 4 22 $\frac{1}{4}$ x 41 $\frac{1}{4}$ x 82 $\frac{1}{4}$ T4; 6 17 $\frac{1}{4}$ x 41 $\frac{1}{4}$ x 82 $\frac{1}{4}$ T3; 1 19 $\frac{1}{4}$ x 35 $\frac{1}{4}$ x 74 $\frac{1}{4}$ T4; 2 19 $\frac{1}{4}$ x 35 $\frac{1}{4}$ x 76 $\frac{1}{4}$ T4.	New York Foreign Trade Zone Operators, Pier 74, North River, New York City.	A. Finkl & Sons Co., Chicago, Ill.	101060; 100934; 101706..	7438
10 forged alloy steel piston rods, quenched & tempered, rough turned to finish to blueprints.	New York Foreign Trade Zone Operators, Pier 74, North River, New York City.	Neppenstall Co., Pittsburgh, Pa.	15047.....	7439
4 forged special 2 C 30 alloy steel rams, heat treated—rough machined to finish to blueprints.	New York Foreign Trade Zone Operators, Pier 74, North River, New York City.	Neppenstall Co., Pittsburgh, Pa.	11596.....	7573
2 roller cylinders 20 $\frac{1}{2}$ x 72" ..	New York Foreign Trade Zone Operators, Pier 74, North River, New York City.	Midvale Co., Nicetown, Philadelphia, Pa.	5937.....	7435
4 roller cylinders 20 $\frac{1}{2}$ x 72" ..	New York Foreign Trade Zone Operators, Pier 84, North River, New York City.	Midvale Co., Nicetown, Philadelphia, Pa.	8161 and 8879.....	7436
1 roller cylinder 20 $\frac{1}{2}$ x 72" ..	New York Foreign Trade Zone Operators, Pier 84, North River, New York City.	Midvale Co., Nicetown, Philadelphia, Pa.	8218.....	7437
2 Renault sedans (used).....	1 at Vaneura Machine Co., Long Island City; 2 at Manhattan Storage & Warehouse Co., 52d & 7th Ave., New York City.	Renault.....		

[F. R. Doc. 43-10522; Filed, June 30, 1943; 1:55 p. m.]

[Vesting Order 599]

ELIZA HORN AND MARGARETHA SEITZ

Re: Interests of Eliza Horn and Margaretha Seitz in a certain mortgage covering real property in Brooklyn, New York.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Eliza Horn, whose last known address was represented to the undersigned as being Bavaria, Germany, and Margaretha Seitz, whose last known address was represented to the undersigned as being Hessen, Germany, are citizens of Germany and are nationals of a designated enemy country (Germany);

2. Finding that the property described as follows:

All right, title, interest, estate and claim of any name or nature whatsoever of said Eliza Horn and Margaretha Seitz, and each of them, in and to any and all obligations, contingent or otherwise and whether or not matured, which are secured by a second mortgage executed by Raymond Marte and Maria Marte on January 2, 1932 and recorded in Kings County Register's Office in Liber 7725, pp. 265, which mortgage covers the lot and improvements situated at 375 Bleeker Street, Brooklyn, New York, including but not limited to all rights in and to any and all collateral (including the aforesaid second mortgage) for any or all of such obligations and the right to enforce and collect such obligations;

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

3. Determining that to the extent that any or all of such nationals are persons not

within enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on December 30, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10523; Filed, June 30, 1943;
1:57 p. m.]

[Vesting Order 1228]

K. SAMURA SHOTEN, LTD.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found in Vesting Order No. 172 of September 28, 1942, that K. Samura Shoten, Ltd., an Hawaiian corporation, Honolulu, Territory of Hawaii, is a business enterprise within the United States and is a national of a designated enemy country (Japan);

2. Finding that Shigeo Oshima is a subject of Japan, at present in an Alien Detention Camp awaiting repatriation to Japan, and is a national of a designated enemy country (Japan);

3. Finding that 50 shares of \$10 par value common capital stock of said K. Samura Shoten, Ltd., are registered in the name of, and owned by, said Shigeo Oshima;

4. Finding, therefore, that said 50 shares are the property of a national of a designated enemy country (Japan) and represent an interest in said business enterprise;

5. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Japan);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the 50 shares of stock referred to in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of such business enterprise to the extent deemed necessary or advisable from time to time by the undersigned.

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, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with

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a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on April 8, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10524; Filed, June 30, 1943;
1:55 p. m.]

[Vesting Order 1332]

PASS & COMPANY

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that C. Gustav A. Pass, whose last known address is Eberhardstrasse 12, Romscheid, Germany, is a citizen of the United States presently residing in Germany, and is a national of a designated enemy country (Germany);

2. Finding that Pass & Company, whose principal place of business is located in Brooklyn, New York, is a co-partnership organized under the laws of and doing business in the State of New York, composed of Rita M. Howard and C. Gustav A. Pass, and is a business enterprise within the United States;

3. Finding that Rita M. Howard, as a co-partner in Pass & Company, is acting directly or indirectly for the benefit of and on behalf of C. Gustav A. Pass, and to that extent is a national of a designated enemy country (Germany);

4. Finding that Pass & Company is controlled by C. Gustav A. Pass;

5. Finding, therefore, that Pass & Company is a national of a designated enemy country (Germany);

6. Finding that 25 shares of the capital stock of Anaconda Copper Mining Company, registered in the name of C. Gustav A. Pass, are beneficially owned by, and property of, the said Pass & Company;

7. Finding that the property described as follows:

All property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to Pass & Company,

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

8. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

9. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

10. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraphs 6 and 7 hereof, to be held, used, administered, liquidated, sold or

otherwise dealt with in the interest of and for the benefit of the United States.

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

Any person, except a national of a designated enemy country, asserting any claim as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on April 27, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10525; Filed, June 30, 1943;
1:55 p. m.]

[Vesting Order 1412]

WILLIAM AND HENRY SIDENSTUCKER

Re: Real property and claim, owned by William and Henry Sidenstucker.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that William Sidenstucker and Henry Sidenstucker are citizens of Germany, whose last known addresses are Kreis Worbis, Zwinge, Germany, and are nationals of a designated enemy country (Germany);

2. Finding that William Sidenstucker and Henry Sidenstucker are the owners of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

a. All right, title, interest and estate, both legal and equitable, of William Sidenstucker and Henry Sidenstucker, and each of them, in and to each and all of the parcels of real property hereinafter described, situated in Hamilton County, Iowa, together with all fixtures, improvements and appurtenances thereto, and any and all claims of William Sidenstucker and Henry Sidenstucker, and each of them, for rents, refunds and benefits or other payments received from the ownership of said real property, such parcels being particularly described as follows:

(i) The South six inches of Lot No. Twelve (12) and all of Lot No. Thirteen (13), in Block No. Two (2), Addition to Jewell Junction, Iowa,

(ii) Lot No. Eighteen (18), in Block No. Eight (8), King and Edward's Addition to Jewell Junction, Iowa,

b. All right, title, interest and claim of any name or nature whatsoever of William

Sidenstucker and Henry Sidenstucker, and each of them, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to them, and each of them, and held to their credit by Sterling Alexander, 713 Des Moines Street, Webster City, Iowa, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to enforce and collect such obligations,

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

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

5. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on May 6, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10526; Filed, June 30, 1943;
1:53 p. m.]

[Vesting Order 1547]

MARIA CAMPLESE

Re: Real property and claim owned by Maria Camplese.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation:

1. Finding that Maria Campiese is a resident of Italy, whose last known address is Atri, Province of Teramo, Italy and is a national of a designated enemy country (Italy);

2. Finding that Maria Campiese is the owner of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

a. All right, title, interest and estate, both legal and equitable, of Maria Campiese in and to the real property situated at 1940 Watkins Street, Philadelphia, Pennsylvania, particularly described in Exhibit "A", attached hereto, and by reference made a part hereof, together with all the fixtures, improvements and appurtenances thereto, and any and all claims of Maria Campiese for rents, refunds, benefits or other payments arising from the ownership of such property.

b. All right, title, interest and claim of any name or nature whatsoever of Maria Campiese, in and to any and all obligations, contingent or otherwise and whether or not matured owing to Maria Campiese by the Zaccaria Realty Company, 1705 South 20th Street, Philadelphia, Pennsylvania and represented on the books of Zaccaria Realty Company as a credit balance due Maria Campiese, including but not limited to all security rights, in and to any and all collateral for any or all such obligations and the right to enforce and collect such obligations,

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

4. Determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that hereinbefore described in subparagraph 3-a) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order;

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Italy);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Cus-

todian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on May 27, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

All that certain lot or piece of ground with the buildings and improvements thereon erected situate on the South side of Watkins Street at the distance of two hundred and eighty-two feet Westward from the West side of Nineteenth Street in the Thirty-sixth Ward of the City of Philadelphia.

Containing in front or breadth on the said Watkins Street fourteen feet and extending southwardly in length or depth between lines parallel with said Nineteenth Street forty-seven feet to a certain four feet wide alley which leads East and West and communicates at each end thereof with two other four feet wide alleys extending from Watkins Street to Pierce Street.

[F. R. Doc. 43-10527; Filed, June 30, 1943;
1:57 p. m.]

[Vesting Order 1549]

JOHN AND MARY HILDEBRAND

Re: Real property, bank account and claim owned by John Hildebrand and Mary Hildebrand, his wife.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that John Hildebrand and Mary Hildebrand, his wife, are residents of Germany, whose last known addresses are Nollendorf Strasse, Gengenbach, Baden, Germany, and are nationals of a designated enemy country (Germany);

2. Finding that John Hildebrand and Mary Hildebrand, his wife, are the owners of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

a. All right, title, interest and estate, both legal and equitable, of John Hildebrand and Mary Hildebrand, his wife, and each of them, and of every other national of a designated enemy country in and to each and all of the parcels of real property hereinafter described, together with all the fixtures, improvements, and appurtenances thereto, and any and all claims of John Hildebrand and Mary Hildebrand, his wife, and each of them, and of every other national of a designated enemy country, for rents, refunds, benefits or other payments received from the ownership of such property, such parcels being particularly described as follows:

(i) That certain real property in the City of Cleveland, Cuyahoga County, Ohio, more particularly described in Exhibit A attached hereto and by reference made a part hereof,

(ii) That certain real property in the city of Cleveland, Cuyahoga County, Ohio, more particularly described in Exhibit B attached hereto and by reference made a part hereof,

b. All right, title, interest and claim, of any name or nature whatsoever of John Hildebrand and Mary Hildebrand, his wife, and each of them, and of every other national of a designated enemy country, in and to any and all obligations, contingent or otherwise, and whether or not matured owing to John Hildebrand and Mary Hildebrand, his wife, by the Cleveland Trust Company, Payne Avenue and East 55th Street, Cleveland, Ohio, including but not limited to all security rights in and to any and all collateral for any and all such obligations, and the right to enforce and collect such obligations and including particularly that certain bank account in the Cleveland Trust Company, Payne Avenue and East 55th Street, Cleveland, Ohio, in the name of Miss Elizabeth Schroeder, which is due and owing to and held for said John Hildebrand and said Mary Hildebrand, his wife,

c. All right, title, interest and claim of any name or nature whatsoever of John Hildebrand and Mary Hildebrand, his wife, and each of them, and of every other national of a designated enemy country, in and to any and all obligations, contingent or otherwise, and whether or not matured, owing to John Hildebrand and Mary Hildebrand, his wife, and each of them, by Union Properties, Inc., Cleveland, Ohio, and represented on the books of Union Properties, Inc., as a credit due John Hildebrand and Mary Hildebrand, his wife, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to enforce and collect such obligations,

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

4. Determining that the property described in subparagraphs 3-b and 3-c hereof is necessary for the maintenance and safeguarding of other property (namely, that hereinbefore described in subparagraph 3-a hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order;

5. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together

with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on May 27, 1943.

[SEAL] **LEO T. CROWLEY,**
Alien Property Custodian.

EXHIBIT A

All that lot or parcel of land situated in the City of Cleveland, County of Cuyahoga and State of Ohio, described as follows:

Sublot No. 116 in L. M. Southern's re-subdivision of part of L. M. Southern's subdivision of part of original one hundred acre lots Nos. 358, 359, 365 and 366 as shown by the recorded plat of said re-subdivision in Volume 31 of Maps, Page 13 of Cuyahoga County Records and being 34 feet front on the South Westerly side of Forest Park Avenue (now known as Arbor Road N.E.) and extending back of equal width 100 feet deep along the Northerly side of an alley as appears by said plat.

EXHIBIT B

All that lot or parcel of land lying or being in the City of Cleveland, County of Cuyahoga and State of Ohio, described as follows:

Sub Lot No. 85 in Luther Moses' subdivision of a part of original East Cleveland Township lot No. 340 being 40 feet front on Sixth Avenue (now Whittier Avenue) and extending back of equal width 180 feet according to the plat, of said subdivision recorded in volume 7 of maps, page 13 of Cuyahoga County records, be the same more or less, but subject to all legal highways.

[F. R. Doc. 43-10528; Filed, June 30, 1943;
1:53 p. m.]

[Vesting Order 1583]

BATZOUROFF & CIE.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Batzouroff & Cie, whose principal place of business is located at Sofia, Bulgaria, is a co-partnership organized under the laws of Bulgaria, and is a national of a designated enemy country (Bulgaria);

2. Finding that said Batzouroff & Cie. has an established agency or branch office at New York, New York, engaged in the conduct of business within the United States and therefore is, to that extent, a business enterprise within the United States;

3. Finding that the property described as follows:

All property of any nature whatsoever situated in the United States and owned or controlled by, payable or deliverable to, or held on behalf of, or on account of, or owing to said Batzouroff & Cie.,

is property of a business enterprise within the United States which is a national of the aforesaid designated enemy country (Bulgaria);

4. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such

person be treated as a national of the aforesaid designated enemy country (Bulgaria);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of Batzouroff & Cie. to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, 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, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on May 29, 1943.

[SEAL] **LEO T. CROWLEY,**
Alien Property Custodian.

[F. R. Doc. 43-10529; Filed, June 30, 1943;
1:55 p. m.]

[Vesting Order 1585]

STAPLE FIBER CORPORATION

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Heineken and Vogelsang, a partnership, whose principal place of business is Bremen, Germany, is a national of a designated enemy country (Germany);

2. Finding that Staple Fiber Corporation is a corporation organized under the laws of, and doing business in, the State of New York and is a business enterprise within the United States;

3. Finding that 51 shares of no par value common stock and 500 shares of \$100 par value preferred stock of Staple Fiber Corporation are registered in the names of the

following persons, as nominees, in the amounts appearing opposite each name, and are beneficially owned by Heineken and Vogelsang:

Names	Number of shares	
	Common stock	Preferred stock
Philip F. Farley	1	
Anna H. Isenschmid	1	
William J. Topken	49	500
Total	51	500

4. Finding that said 51 shares of common stock constitute a substantial part (namely, 51%) of all the outstanding common stock, and that said 500 shares of preferred stock constitute all of the outstanding preferred stock of Staple Fiber Corporation and represent control thereof;

5. Finding, therefore, that Staple Fiber Corporation is a national of a designated enemy country (Germany);

6. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany);

7. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

8. Deeming it necessary in the national interest;

hereby (i) vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of the Staple Fiber Corporation to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts 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, or to vary the extent of such direction, management, supervision or control or to terminate same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on May 29, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10530; Filed, June 30, 1943;
1:55 p. m.]

[Vesting Order 1595]

MARIA SCARAMELLINI PIRONDINI

Re: Real property and bank account owned by Maria Scaramellini Pironini.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Maria Scaramellini Pironini, also known as Maria Scaramellini fu Delana, is a resident of Italy, whose last known address is San Cassiano, Sondrio, Italy, and is a national of a designated enemy country (Italy);

2. Finding that said Maria Scaramellini Pironini is the owner of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

a. All right, title, interest and estate, both legal and equitable, of Maria Scaramellini Pironini, also known as Maria Scaramellini fu Delana, and of every other national of a designated enemy country, in and to that certain real property particularly described as the Southwest Quarter (SW $\frac{1}{4}$) and the Southeast Quarter (SE $\frac{1}{4}$) and the South One-Half (S $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Five (5) in Township Eight (8) North of Range Fifty-Two (52) West of Sixth (6th) P. M. in Logan County, Colorado, together with all fixtures, improvements and appurtenances thereto, and any and all claims of Maria Scaramellini Pironini, also known as Maria Scaramellini fu Delana, and of every other national of a designated enemy country, for rents, refunds, benefits or other payment arising from the ownership of such property.

b. All right, title, interest and claim of any name or nature whatsoever of Maria Scaramellini Pironini in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Maria Scaramellini Pironini by The Security Stats Bank, Sterling, Colorado, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to enforce and collect such obligations, and including particularly the account in said bank which is due and owing to, and held for, Maria Scaramellini Pironini, in the name of L. G. Giacomin, Agent,

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

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

5. Determining that to the extent that such national is a person not within a designated enemy country the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Italy);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on June 3, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10531; Filed, June 30, 1943;
1:57 p. m.]

[Vesting Order 1596]

GUSTAV OTTO RICHARD HOFMEISTER

Re: Real property situated in Bergen County, New Jersey, bank account and a fire insurance policy owned by Gustav Otto Richard Hofmeister.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Gustav Otto Richard Hofmeister is a resident of Germany, whose last known address is 67 Adolf Hitler Strasse, Hamburg 39, Germany, and is a national of a designated enemy country (Germany);

2. Finding that Gustav Otto Richard Hofmeister is the owner of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

a. All right, title, interest and estate, both legal and equitable, of Gustav Otto Richard Hofmeister, and of every other national of a designated enemy country, in and to that certain real property situated at 2 North Demarest Avenue, Bergenfield, County of Bergen, New Jersey, particularly described in Exhibit "A" attached hereto and made a part hereof, together with all fixtures, improvements and appurtenances thereto, and any and all claims of Gustav Otto Richard Hofmeister for rents, refunds and benefits or other payments arising from the ownership of said real property,

b. All right, title and interest of Gustav Otto Richard Hofmeister and of every other national of a designated enemy country in and to a certain fire insurance policy No. 859343 issued by the American Insurance Company, insuring premises at 2 North Demarest Avenue, Bergenfield, Bergen County, New Jersey.

c. All right, title, interest and claim of any name or nature whatsoever of Gustav Otto Richard Hofmeister, and of every other national of a designated enemy country, in and to any and all obligations, contingent or otherwise, and whether or not matured, owing to Gustav Otto Richard Hofmeister by Closter National Bank and Trust Company, Closter, New Jersey, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to enforce and collect such obligations and including particularly the account in said bank, which account is due and owing to and held for and in the name of Gustav Otto Richard Hofmeister,

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

4. Determining that the property described in subparagraphs 3-b and 3-c hereof is necessary for the maintenance and safeguarding of other property (namely, that hereinbefore described in subparagraph 3-a) belonging to the same national or the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

FEDERAL REGISTER, Friday, July 2, 1943

Executed at Washington, D. C. on June 3, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10532; Filed, June 30, 1943;
1:57 p. m.]

[Vesting Order 1598]

HELEN WARD DOERFERT

Re: Real property in Brooklyn, New York, claim and insurance policies owned by Helen Ward Doerfert.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Helen Ward Doerfert is a resident of Germany, whose last known address is Kurgraben, Lemgo, Lippe, Germany, and is a national of a designated enemy country (Germany);

2. Finding that Helen Ward Doerfert is the owner of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

a. All right, title, interest and estate, both legal and equitable, of Helen Ward Doerfert, and of every other national of a designated enemy country in and to that certain real property situated in Brooklyn, New York, particularly described in Exhibit "A" attached hereto and made a part hereof, together with all fixtures, improvements and appurtenances thereto, and any and all claims of Helen Ward Doerfert, and of every other national of a designated enemy country, for rents, refunds and benefits or other payments arising from the ownership of said real property.

b. All right, title, interest and claim of any name or nature whatsoever of Helen Ward Doerfert, and of every other national of a designated enemy country, in and to any and all obligations, contingent or otherwise, and whether or not matured, owing to Helen Ward Doerfert by Richter & Kaiser, Inc., 186 Remsen Street, Brooklyn, New York, and represented on the books of said Richter & Kaiser, Inc. as a credit balance due Helen Ward Doerfert, including but not limited to all security rights in and to any and all collateral for any and all such obligations, and the right to sue for and collect such obligations.

c. All right, title and interest of Helen Ward Doerfert, and of every other national of a designated enemy country, in and to War Damage Corporation Certificate No. 596-54-5231, issued to the Estate of William Schlemeler, effective July 22, 1942 for one year, in the amount of \$5,500, Pacific Fire Insurance Company of New York, fiduciary agent; Fire Insurance Policy No. 631483 issued by the New Hampshire Fire Insurance Company of Manchester, New Hampshire, insuring the Estate of William Schlemeler, expiring April 18, 1944, in the amount of \$5,500; and Residence and Family Liability Policy No. LF 20395, Renewal Certificate No. RC 33854, issued by the Sun Indemnity Company of New York, insuring the Estate of William Schlemeler in the amount of \$5,000, \$10,000 and expiring November 5, 1943.

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

4. Determining that the property described in subparagraphs 3-b and 3-c hereof is necessary for the maintenance and safeguarding of other property (namely, that hereinbefore described in subparagraph 3-a) belonging to the same national of the same designated enemy country and subject to vesting (and

in fact vested by this Order) pursuant to Section 2 of said Executive Order;

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on June 3, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

All that certain plot, piece or parcel of land with the buildings thereon erected or to be erected, situate, lying and being in the Borough of Brooklyn, County of Kings, City and State of New York, bounded and described as follows:

Beginning at a point on the westerly side of West 5th Street distant three hundred twenty-seven feet and thirty-two one hundredths of a foot (327.32') northerly from the corner formed by the intersection of the westerly side of West 5th Street and the northerly side of Neptune Avenue; running thence westerly at right angles to West 5th Street, part of the distance through a party wall, fifty-seven feet and thirty-one one-hundredths of a foot (57.31') to land now or formerly of Court Van Sicklen; thence northerly along said land now or formerly of Court Van Sicklen, sixteen feet and two one-hundredths of a foot (16.02'); thence easterly at right angles to West 5th Street, fifty-six feet and sixty-five one hundredths of a foot (56.65') along the westerly side of West 5th Street; and thence southerly along the westerly side of West 5th Street, sixteen (16') feet to the point or place of beginning.

[F. R. Doc. 43-10533; Filed, June 30, 1943;
1:57 p. m.]

[Vesting Order 1600]

ADELMO DONNINI

Re: Real property and bank accounts owned by Adelmo Donnini.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Adelmo Donnini (also spelled Donnini) is a citizen of the United States, and a resident of Italy, whose last known address is Viale, Littorio No. 42, Barga, Province of Lucca, Italy, and is a national of a designated enemy country (Italy);

2. Finding that said Adelmo Donnini is the owner of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

a. All right, title, interest and estate, both legal and equitable, of Adelmo Donnini in and to each and all of the parcels of real property hereinafter described, together with all fixtures, improvements and appurtenances thereto, and any and all claims of Adelmo Donnini for rents, refunds, benefits or other payments arising from the ownership of said real property, such parcels being particularly described as follows:

(i) That certain real property situated at 3008 Parkwood Avenue, Richmond, Virginia, particularly described in "Exhibit A" attached hereto and by reference made a part hereof,

(ii) That certain real property situated in Richmond, Virginia, particularly described in "Exhibit C" attached hereto and by reference made a part hereof, and

(iii) That certain real property situated in Dundee Heights, County of Princess Anne, Virginia, particularly described in "Exhibit D" attached hereto and by reference made a part hereof,

b. All right, title, interest and estate, both legal and equitable of Adelmo Donnini in and to an undivided one-half (1/2) interest in that certain real property situated on the southeast corner of Sheppard and Broad Streets, Richmond, Virginia, particularly described in "Exhibit B", attached hereto and by reference made a part hereof, together with all fixtures, improvements and appurtenances thereto, and any and all claims of Adelmo Donnini for rents, refunds, benefits or other payments arising from the ownership of such property, and

c. All right, title, interest and claim of any name or nature whatsoever of Adelmo Donnini in and to any and all obligations contingent or otherwise and whether or not matured, owing to him by the Broad Street Branch, State Planters Bank & Trust Company, Richmond, Virginia, and the Morris Plan Bank of Virginia, Richmond, Virginia, and each of them, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to sue for and collect such obligations and including particularly:

(i) The bank account in the Broad Street Branch, State Planters Bank & Trust Company, Richmond, Virginia, which bank account is due and owing to and held for, and in the name of Adelmo Donnini, and

(ii) The bank account in the Morris Plan Bank of Virginia, Richmond, Virginia, which bank account is due and owing to and held for Adelmo Donnini, in the name of A. Donnini, Blocked Account,

is property within the United States owned or controlled by a national of a designated enemy country (Italy).

4. Determining that the property described in subparagraph 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that hereinbefore described in subparagraphs 3-a and 3-b here-

of) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this Order) pursuant to Section 2 of said Executive Order;

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Italy);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity, or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on June 3, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

All that certain lot, piece or parcel of land, with all improvements thereon, and known as No. 3008 Taylor Street, lying and being in the City of Richmond, Virginia, on the north line of Taylor Street between Sheppard and West Streets, and bounded and described as follows, to-wit:

Commencing at a point on the said north line of Taylor Street, distant one hundred and seven (107) Feet, two (2) inches west of the intersection of said Taylor Street with the western line of Sheppard Street; thence running westwardly along the said north line of Taylor Street and fronting thereon Twenty-eight (28) Feet, Four (4) Inches; thence back northwardly from said front between parallel lines One Hundred and Twenty (120) Feet to an alley in the rear Eighteen (18) Feet wide. Being the same real estate conveyed to the said Emma E. Haun by deed from Inez Franceschi and husband and Angelo Fibbiani, dated April 21st, 1917, and duly recorded in the Clerk's Office of the Richmond Chancery Court in D. B. 243-B, page 420.

EXHIBIT B

All that certain lot, piece or parcel of land, lying and being in the City of Richmond, Virginia, on the south line of Broad Street between Sheppard Street and the Boulevard, and bounded and described as follows, to-wit:

Beginning at the point of intersection of the South line of Broad Street and the east line of Sheppard Street, thence running eastwardly along the south line of Broad Street and fronting thereon Fifty (50') Feet, and extending back southwardly from said front and between parallel lines, the western being the east line of Sheppard Street, the depth of one hundred and twenty nine (129') feet to an alley twenty (20') feet wide; being designated as lot No. 19 and the western Twenty (20') feet of lot No. 18 in section 3 on the plat of Sheppard's Addition made by James T. Redd & Sons, of record in the Clerk's Office of Henrico Circuit Court in Plat Book No. 6, page 68.

EXHIBIT C

All that certain lot of land, lying and being in the County of Henrico, Va., designated as lot five (5) in Block Nine (9) of the plan of Colonial Place, Section "A" of record in the Clerk's Office of Henrico County in Plat Book 9 page 73, and bounded and described as follows:

Beginning on the northern line of Patterson Avenue at a point distant thereon one hundred (100) feet westwardly from the point of its intersection with the western line of Westmoreland Street, thence running westwardly along and fronting on the northern line of Patterson Avenue a distance of twenty-five (25) feet, and from said front extending back northwardly, between parallel lines a distance of one hundred and thirty (130) feet to an alley fifteen (15') feet wide.

Being the same property conveyed to Thomas J. Puryear by deed from F. Wesley Lowe and wife, dated December 10, 1924, and recorded in the Clerk's Office of Henrico County in Deed Book 230A page 274.

EXHIBIT D

All that certain lot, piece or parcel of land, situate, lying and being on the north-western side of Rudee Boulevard, between Hobart Avenue and Northside Road, in the County of Princess Anne, in said State, and known, numbered and designated as lot numbered twenty-one (21) in Block "C" on the plat of "Rudee Heights", which said plat is duly of record in the Clerk's Office of said county, in Map Book Numbered seven (7), at page one hundred and sixty-nine (169) and which said lot is bounded, with reference to said plat, as follows, to wit:

Beginning on the north-western line of Rudee Boulevard, at a point distant in a north-easterly direction, measured along the said north-western line of Rudee Boulevard, two hundred (200) feet, more or less, from the intersection of the said north-western line of Rudee Boulevard, with the north-eastern line of Hobart Avenue; which said point of beginning is at the intersection of the said north-western line of Rudee Boulevard with the north-eastern line of lot numbered twenty-two (22) in said block; running thence in a north-easterly direction, along the said north-western line of Rudee Boulevard, fifty (50) feet, more or less to the south-western line of lot numbered twenty (20) in said block; thence in a north-westernly direction, along the said south-western line of said lot numbered twenty (20), one hundred (100) feet, more or less, to the middle line of the block (which is also the south-eastern line of lot numbered five (5) in said block); thence in a south-westerly direction, along the said last mentioned line fifty (50) feet, more or less, to the north-eastern line of said lot numbered twenty-two (22); and thence in a south-easterly direction, along the said north-eastern line of said lot numbered

twenty-two (22) one hundred (100) feet, more or less, to the point or place of beginning; together with all and singular the appurtenances thereunto belonging or in any wise appertaining; being part of the same property which was conveyed to the said Leo Judson by Virginia Beach Holding Corporation, by its deed bearing date the twenty-fourth (24th) day of February in the year nineteen hundred and ten (1910) and duly of record in said Clerk's Office in deed book numbered eighty-five (85) at page four hundred and eighty-three (483);

[F. R. Doc. 43-10534; Filed, June 30, 1943; 1:53 p. m.]

[Vesting Order 1641]

CLARA HEINZE

Re: First mortgage on real property, a fire insurance policy and a claim owned by Clara Heinze, also known as Clara Lejeune-Dirichlet.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Clara Heinze, also known as Clara Lejeune-Dirichlet, is a resident of Germany, whose last known address is Klein-Brettken, Post Angerapp, Preussen, Germany, and is a national of a designated enemy country (Germany);

2. Finding that Clara Heinze, also known as Clara Lejeune-Dirichlet, is the owner of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

a. All right, title and interest of Clara Heinze, also known as Clara Lejeune-Dirichlet, and of every other national of a designated enemy country, in and to any and all obligations secured by a first mortgage which was executed on the 31st day of March, 1923, by Dora O. Pettinati, and recorded in the Register's Office of Bronx County, New York, in Liber 677 of Mortgages at page 435, which mortgage was assigned to Rudolph and Anna Heinze by the Bond & Mortgage Guarantee Company by an unrecorded assignment dated October 24, 1923, and thereafter assigned by Anna Heinze to Clara Heinze by an unrecorded assignment dated March 17, 1930, including but not limited to all rights of Clara Heinze, also known as Clara Lejeune-Dirichlet, and of every other national of a designated enemy country, in and to any and all collateral (including the aforesaid first mortgage) for any or all such obligations and the right to enforce and collect such obligations, and the right to the possession of all instruments evidencing such obligations.

b. All right, title, interest and claim of Clara Heinze, also known as Clara Lejeune-Dirichlet, and of every other national of a designated enemy country, in and to fire insurance policy No. 35-16693 issued by the American Equitable Assurance Company covering the improvements on real property located at 827 South Oak Drive, Bronx, New York City, and

c. All right, title, interest and claim of any name or nature whatsoever of Clara Heinze, also known as Clara Lejeune-Dirichlet, and of every other national of a designated enemy country, in and to any and all obligations contingent or otherwise and whether or not matured owing to the said Clara Heinze, also known as Clara Lejeune-Dirichlet, by Manufacturers Trust Company, 55 Broad Street, New York, New York, including but not limited to all security rights in and to any and all collateral for any or all such obligations, and the right to enforce and collect such obligations, including particularly any and

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all claims against said bank arising out of the management of the mortgage described in subparagraph 3-a hereof.

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

4. Determining that the property described in subparagraphs 3-b and 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that hereinbefore described in subparagraph 3-a) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on June 10, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10535; Filed, June 30, 1943;
1:55 p. m.]

[Vesting Order 1673]

TSUKASA KIYONO

Re: Real property owned by Tsukasa Kiyono.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Tsukasa Kiyono is a resident of Japan whose last known address is 170 Nichome, Harajiku, Shibuya, Tokyo, Japan, and is a national of a designated enemy country (Japan);

2. Finding that said Tsukasa Kiyono, also known as T. Kiyono, is the owner of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

4. The real property situated in the County of Mobile, Alabama, more particularly described as South Half of the Northwest Quarter of Section 22, Township 3 South, Range 3 West, together with all the fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, subject to and excepting therefrom, the reservation of mineral rights reserved in favor of Clay Sheffield in the deed from Clay Sheffield and wife, to Tsukasa Kiyono, dated August 4, 1922, and recorded in the Probate Court Records, Mobile County, Alabama, in Deed Book 195, N. S., page 330, and also subject to the liens against Tsukasa Kiyono in favor of the Collector of Internal Revenue of the United States, dated February 7, 1940, March 7, 1940 and January 3, 1942, and recorded on February 8, 1940, March 8, 1940 and November 2, 1942, respectively, in the Probate Court Records, Mobile County, Alabama, in Miscellaneous Book 87, page 76, Miscellaneous Book 87, page 452 and Miscellaneous Book 105, page 394, respectively;

b. The real property situated in the County of Mobile, Alabama, more particularly described as All that portion of the East Half of the Northeast Quarter of Section 23, Township 3 South, Range 3 West, lying North and East of the right of way of the paved highway known as Moffat Road, together with all fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, subject to the liens against Tsukasa Kiyono in favor of the Collector of Internal Revenue of the United States, dated February 7, 1940, March 7, 1940 and January 3, 1942, and recorded on February 8, 1940, March 8, 1940, and November 2, 1942, respectively, in the Probate Court Records, Mobile County, Alabama, in Miscellaneous Book 87, page 76, Miscellaneous Book 87, page 452 and Miscellaneous Book 105, page 394, respectively;

c. The real property situated in the County of Mobile, Alabama, more particularly described as The South Half of the Southeast Quarter of the Southeast Quarter, in Section 14, Township 3 South, Range 3 West, together with all fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, subject to the liens against Tsukasa Kiyono in favor of the Collector of Internal Revenue of the United States, dated February 7, 1940, March 7, 1940 and January 3, 1942, and recorded on February 8, 1940, March 8, 1940 and November 2, 1942, respectively, in the Probate Court Records, Mobile County, Alabama, in Miscellaneous Book 87, page 76, Miscellaneous Book 87, page 452 and Miscellaneous Book 105, page 394, respectively;

is property within the United States owned by a national of a designated enemy country (Japan);

4. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid enemy country (Japan);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons other than Tsukasa Kiyono, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on June 18, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10536; Filed, June 30, 1943;
1:53 p. m.]

[Vesting Order 1675]

ESTATE OF PETER ECKERT

In re: Estate of Peter Eckert, deceased;
File D-9-100-28-1804; E. T. sec. 1064.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Bertha Ewald, Executrix, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of designated enemy countries, Italy and Germany, namely,

Nationals:	Last known address
Katherine Hess	Germany.
Wilhelm Hess	Germany.
Johann Hess	Germany.
Katherine Helm	Germany.
Eisie Tobasso Vottera	Italy.

And determining that—

(3) If such nationals are persons not within any designated enemy country, the national interest of the United States requires that such persons be treated as nationals of designated enemy countries, Germany, and Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest.

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Katherine Hess, Wilhelm Hess, Johann Hess, Katherine Heim, and Elsie Tobacco Votter and each of them in and to the Estate of Peter Eckert, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: June 19, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10537; Filed, June 30, 1943;
1:58 p. m.]

[Vesting Order 1676]

ESTATE OF HARRY W. C. BOWDOIN

In re: Estate of Harry W. C. Bowdoin, deceased; File No. D-38-1111; E. T. sec. 2540.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by James Sullivan Bowdoin, Executor, acting under the judicial supervision of the Probate Court, Suffolk County, Massachusetts;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely,

National: Natale Gullotta
Last known address Italy.
No. 130—6

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Natale Gullotta, in and to the estate of Harry W. C. Bowdoin, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: June 19, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10538; Filed, June 30, 1943;
1:58 p. m.]

[Vesting Order 1677]

ESTATE OF JACOB E. CHRISTIAN

In re: Estate of Jacob E. Christian, deceased; File D-28-1631; E. T. sec. 513.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Litchfield Bank and Trust Company, 301 North State Street, Litchfield, Illinois, Executor, acting under the judicial supervision of the County Court of the State of Illinois, in and for the County of Montgomery;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals: Christian Christen
Last known address Hartha Saxony,
Germany.

Person or persons, names unknown, the heirs at law of Christian Christen.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Christian Christen and person or persons, names unknown, the heirs at law of Christian Christen, in and to the estate of Jacob E. Christian, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: June 19, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10539; Filed, June 30, 1943;
1:58 p. m.]

[Vesting Order 1678]

ESTATE OF MARIE GREISERT

In re: Estate of Marie Greisert, deceased; File D-28-2196; E. T. sec. 3239.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the

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process of administration by Colorado National Bank, Executor, acting under the judicial supervision of the County Court of the City and County of Denver, Colorado;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National: *Last known address*
Martha Tingler Germany

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Martha Tingler in and to the Estate of Marie Greisert, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: June 19, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.
[F. R. Doc. 43-10540; Filed, June 30, 1943;
1:58 p. m.]

[Vesting Order 1679]

ESTATE OF GEORGINA BALFOUR HARRAH

In re: Estate of Georgina Balfour Harrah, deceased; File No. D 28-1944; E. T. sec. 1850.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process

of administration by Ernest Harrah, McLain Street, Mount Kisco, New York, and Florence H. Wood, Gray's Lane, Haverford, Pennsylvania, as Executor and Executrix under the Last Will and Testament of Georgina Balfour Harrah, deceased, acting under the judicial supervision of the Surrogate's Court, Westchester County, in the State of New York;

(2) Such property and interests are payable or deliverable to or claimed by nationals of a designated enemy country, Germany, namely,

National: *Last known address*
Eunice Harrah Michahelles Germany
Lineal descendants of Eunice Germany.
Harrah Michahelles.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Eunice Harrah Michahelles, and her lineal descendants, and each of them, in and to the Estate of Georgina Balfour Harrah, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: June 19, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.
[F. R. Doc. 43-10541; Filed, June 30, 1943;
1:58 p. m.]

[Vesting Order 1680]

ESTATE OF JOHANNA HESSLING

In re: Estate of Johanna Hessling, deceased; File D-28-5089; E. T. sec. 5027.

Under the authority of the Trading with the Enemy Act as amended, and

Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York, depositary, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

National: *Last known address*
Anna Langenberg Germany
Maria Kloetgen Germany
Wilhelm Bernard Hessling Germany
Gerhard Hess Germany
Bernard Emil Hessling Germany
Hermann Hessling Germany
Johann Hessling Germany
Heinrich Hessling Germany

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Anna Langenberg, Maria Kloetgen, Wilhelm Bernard Hessling, Gerhard Hess, Bernard Emil Hessling, Hermann Hessling, Johann Hessling and Heinrich Hessling and each of them in and to the Estate of Johanna Hessling, deceased, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: June 19, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.
[F. R. Doc. 43-10542; Filed, June 30, 1943;
1:58 p. m.]

[Vesting Order 1681]

ESTATE OF BERTA HOFER

In re: Estate of Berta Hofer, deceased; File D-28-3788; E. T. sec. 6421.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Marian E. Stearns, Executrix of the estate of Berta Hofer, deceased, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania.

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National: *Last known address*
Frau Arnold Klugkist Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Frau Arnold Klugkist in and to the estate of Berta Hofer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: June 19, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10543; Filed, June 30, 1943;
1:58 p. m.]

[Vesting Order 1682]

ESTATE OF ALFRED HOLDERRIED

In re: Estate of Alfred Holderried, deceased; File No. D-28-3521; E. T. sec. 5748.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the County of Cook, State of Illinois, as depositary, acting under the judicial supervision of the Probate Court of Cook County, Illinois; and

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

National: *Last known address*
Rose M. Kohler Germany.
Florian Holderried Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

Cash distributable and payable to Rose M. Kohler in the sum of \$496.45 and Florian Holderried in the sum of \$496.45, which amounts were deposited with the Treasurer of Cook County, Illinois, on June 4, 1940, pursuant to order of the court of June 4, 1940, to the credit of the aforesaid nationals,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of said Executive Order.

Dated: June 19, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10544; Filed, June 30, 1943;
1:59 p. m.]

[Vesting Order 1683]

ESTATE OF AUGUSTA MAIERLE

In re: Estate of Augusta Maierle, deceased; File D-28-3660; E. T. sec. 5987.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Robert B. Leonhardt, Executor, 146 Hawthorne Avenue, Elmhurst, Illinois, acting under the judicial supervision of the Probate Court of the State of Illinois, in and for the County of Du Page;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

National: *Last known address*
Anna Barz 108 Bergmannstrasse
South West 29,
Berlin, Germany.
(Mrs.) Elsie Brand 41 Fennersstrasse,
Landsberg, Warthe,
Germany.

And determining that—

(3) If such national are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Anna Barz and (Mrs.) Elsie Brand, and each of them, in and to the estate of Augusta Maierle, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order

may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: June 19, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10545; Filed, June 30, 1943;
1:59 p. m.]

[Vesting Order 1684]

ESTATE OF JOHN MAZZUCA

In re: Estate of John Mazzuca, deceased; File D-38-280; E. T. sec. 59.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by Salvatore Carbone, Executor, acting under the judicial supervision of the District Court of the Ninth Judicial District of the State of Montana, in and for the County of Glacier;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely,

National: Last known address
Antonio Mazzuca..... Italy.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Antonio Mazzuca in and to the Estate of John Mazzuca, deceased, and in and to the Trust created under the will of John Mazzuca, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: June 19, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10546; Filed, June 30, 1943;
1:59 p. m.]

[Vesting Order 1685]

ESTATE OF W. W. PARKER

In re: Estate of W. W. Parker, also known as Wm. W. Parker, also known as William Parker, also known as William Witold Parker, also known as Witold Schubert, deceased; File D-28-2317; E. T. sec. 3118.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Frank M. Ratto, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Contra Costa;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National: Last known address
Marie Schubert..... Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interests, and claim of any kind or character whatsoever of Marie Schubert in and to the Estate of W. W. Parker, also known as Wm. W. Parker, also known as William Parker, also known as William Witold Parker, also known as Witold Schubert, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall

not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: June 19, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10547; Filed, June 30, 1943;
1:59 p. m.]

[Vesting Order 1686]

ESTATE OF ANTONIO PASCA

In re: Estate of Antonio Pasca, deceased; File D-38-1097; E. T. sec. 3123.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Anthony Gallerano, substituted administrator, acting under the judicial supervision of the Union County Orphans' Court, Union County in the State of New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

National: Last known address
Raffaele Pasca..... Italy.
Giovanni Pasca..... Italy.
Attilio Pasca..... Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Raffaele Pasca, Giovanni Pasca and Attilio Pasca and each of them in and to the Estate of Antonio Pasca, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: June 19, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10548; Filed, June 30, 1943;
2:00 p. m.]

[Vesting Order 1687]

ESTATE OF EMELIA C. RINKER

In re: Estate of Emelia C. Rinker, deceased; File D-28-1503; E. T. sec. 350.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by F. M. Kruger, Litchfield, Illinois, Administrator, acting under the judicial supervision of the County Court of the State of Illinois, in and for the County of Montgomery;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Bertha Touby	Germany.
Erna Rehm	Germany.
Adolph Rinker	Germany.
Martha Mand	Germany.
Mrs. Henrich Zentmaier	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Bertha Touby, Erna Rehm, Adolph Rinker, Martha Mand and Mrs. Henrich Zentmaier, and each of them, in and to the estate of Emelia C. Rinker, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: June 19, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10549; Filed, June 30, 1943;
2:00 p. m.]

[Vesting Order 1688]

ESTATE OF ALFRED DANIEL SCHLAF

In re: Estate of Alfred Daniel Schlaf, also known as Alfred O. Schlaf and Albert D. Schlaf, deceased; File No. D-28-2055; E. T. sec. 2391.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by Horace E. Allen, Administrator, acting under the judicial supervision of the Probate Court, Hampden County, Massachusetts;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	Last known address
Hedwig Bauerfeind geb Thummel	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Hedwig Bauerfeind geb Thummel, in and to the estate of Alfred Daniel Schlaf, also known as Alfred O. Schlaf and Albert D. Schlaf, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: June 19, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10550; Filed, June 30, 1943;
2:00 p. m.]

[Vesting Order 1689]

TRUST UNDER WILL OF CAROLINE SCHROEDER

In re: Trust under will of Caroline Schroeder, also known as Carolina Schroeder, deceased; File D-28-1849; E. T. sec. 1417.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by William J. Woods, 1282 East 28th Street, Brooklyn, New York, Successor Trustee, acting under the judicial supervision of the Surrogate's Court, Kings County, New York; and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

National:	Last known address
Johannes Muller	Germany.
Katherine Schreiner	Germany.
Margaretha Boehm	Germany.
And their children, whose names are unknown.	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such

persons be treated as nationals of a designated enemy country, Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character, whatsoever of Johannes Muller, Katherine Schreiner, Margaretha Boehm and their children, whose names are unknown, and each of them, in and to the Trust created under the Last Will and Testament of Caroline Schroeder, also known as Carolina Schroeder, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts 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, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meaning prescribed in Section 10 of said Executive Order.

Dated: June 19, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10551; Filed, June 30, 1943;
2:00 p. m.]

[Vesting Order 1690]

TRUST UNDER WILL OF ANTOINETTE SEILERN

In re: Trust under the will of Antoinette Seilern, deceased; File No. D-9-100-28-2072; E. T. sec. 2367.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the United States Trust Company of New York, as trustee, acting under the judicial supervision of the Surrogate's Court, New York County, New York.

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Karl Ammon	Germany.
Louise Muller	Germany.
Emma Deines	Germany.
Bertha Berlinger	Germany.
Heinz Ammon	Germany.
Richard Ammon	Germany.
Brigitte Ammon	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever, of Karl Ammon, Louise Muller, Emma Deines, Bertha Berlinger, Heinz Ammon, Richard Ammon and Brigitte Ammon, and each of them, in and to the trust created for the benefit of Charles Seilern Aspang under the Last Will and Testament of Antoinette Seilern, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests 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 and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: June 19, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10552; Filed, June 30, 1943;
2:01 p. m.]

[Vesting Order 1691]

ESTATE OF WILHELMINA STEGMULLER

In re: Estate of Wilhelmina Stegmuller, deceased; File D-38-1220; E. T. sec. 5300.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Girard Trust Company and Charles Braun, Executors of the estate of Wilhelmina Stegmuller, deceased, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania.

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
William Oser	Germany.
Gustave Oser	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of William Oser and Gustave Oser and each of them, in and to the estate of Wilhelmina Stegmuller, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: June 19, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10553; Filed, June 30, 1943;
2:02 p. m.]

[Vesting Order 1692]

ESTATE OF AUGUST W. STRUVE

In re: Estate of August W. Struve, deceased; File No. D-28-3587; E. T. sec. 5793.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the Treasurer of the County of Cook of State of Illinois, as depository, acting under the judicial supervision of the Probate Court of Cook County, Illinois; and

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National: *Last known address*
Alfrieda Struve—Vriedel, Hanover,
Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

Cash distributable and payable to Alfrieda Struve in the sum of \$3,422.09, which amount was deposited with the Treasurer of Cook County, Illinois, on February 25, 1942, pursuant to order of the court of February 2, 1942, to the credit of the aforesaid national, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: June 19, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10554; Filed, June 30, 1943;
2:02 p. m.]

[Vesting Order 1693]

ESTATE OF LOUISE M. SWIFT

In re: Estate of Louise M. Swift, deceased; File D-66-652; E. T. sec. 5320.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Register of Wills and Clerk of the Probate Court, District Court House, Washington, D. C., Depository, acting under the judicial supervision of the District Court of the United States for the District of Columbia;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National: *Last known address*
Helene Ahrens—Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Helene Ahrens in and to the Estate of Louise M. Swift, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, 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 should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: June 19, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10555; Filed, June 30, 1943;
2:02 p. m.]

[Vesting Order 1694]

ESTATE OF DANIEL WOLLSCHLAEGER

In re: Estate of Daniel Wollschlaeger, deceased; File D-28-3766; E. T. sec. 6364.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Chicago City Bank and Trust Company, acting under the judicial supervision of Probate Court of Cook County, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National: *Last known address*
Karl Wollschlaeger—Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Karl Wollschlaeger in and to the estate of Daniel Wollschlaeger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: June 19, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10556; Filed, June 30, 1943;
2:02 p. m.]

FEDERAL REGISTER, Friday, July 2, 1943

[Vesting Order 1695]

ESTATE OF LENA ZERNETSCH

In re: Estate of Lena Zernetsch, or Magdalena Zernetsch, or Magdalena Elbert, deceased; File D-28-2390; E. T. sec. 4313.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Peoples-Pittsburgh Trust Company, Fourth Avenue and Wood Street, Pittsburgh, Pennsylvania, Custodian acting under the judicial supervision of the Orphans' Court of Allegheny County, State of Pennsylvania;

(2) Such property and interests are payable or deliverable to or claimed by, nationals of a designated enemy country, Germany, namely,

Last known address
Johan Zernetsch..... Germany.
Benedict Zernetsch..... Germany.
Wilhelm Zernetsch..... Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Johan Zernetsch, Benedict Zernetsch and Wilhelm Zernetsch, and each of them, in and to the estate of Lena Zernetsch, or Magdalena Zernetsch, or Magdalena Elbert, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of said Executive Order.

Dated: June 19, 1943.

[SEAL] **LEO T. CROWLEY,**
Alien Property Custodian.

[F. R. Doc. 43-10557; Filed, June 30, 1943;
2:02 p. m.]

S. JAMES CROWLEY

CERTIFICATE OF APPOINTMENT

Know all men by these presents, that, I, Leo T. Crowley, Alien Property Custodian, pursuant to the authority vested in me by the Trading with the Enemy Act, as amended, and by Executive Orders issued thereunder, designate, appoint and authorize S. James Crowley, Chief of the Division of Business Operations, as my agent and attorney in fact,

(a) To sell, transfer, assign, and lease; to contract to sell, transfer, assign, and lease; to grant options to purchase; and to manage, care for, maintain, conserve, and protect any property of any kind, nature, or description, whether real, personal or mixed, and

(b) To accept payment of any mortgage, lien, or other encumbrance or charge of any nature, and to give a discharge thereof, and

(c) To endorse checks, drafts, and bills of exchange for deposit or for collection in bank accounts in my name; and to sign, execute, and draw checks upon said accounts, and

(d) To sign, execute, acknowledge, and deliver, without warranties or covenants of any kind, such instruments in writing as may be necessary or proper to evidence, or to effectuate, the exercise of the foregoing powers,

in my name and on my behalf with the same force and effect as though done by myself.

The said S. James Crowley, Chief of the Division of Business Operations, shall have power to appoint and revoke the appointment of substitutes to whom he may delegate the powers granted in paragraphs (c) and (d) of this instrument.

In testimony whereof, I have hereunto set my hand and seal this 29th day of May, 1943.

[SEAL] **LEO T. CROWLEY,**
Alien Property Custodian.

[F. R. Doc. 43-10520; Filed, June 30, 1943;
1:54 p. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-480]

NORTHERN NATURAL GAS COMPANY

ORDER FIXING DATE OF HEARING

JUNE 29, 1943.

Upon consideration of the application filed June 25, 1943, by Northern Natural Gas Company for authority under section 7 of the Natural Gas Act, as amended, to acquire and operate certain facilities of applicant's wholly owned subsidiary, Argus Natural Gas Company, Inc., which facilities are now interconnected with applicant's facilities and are used in supplying gas to the towns of Cimarron,

Copeland, Dodge City, Elkhart, Ensign, Fowler, Garden City, Hugoton, Meade, Montezuma, Moscow, Plains, Rolla, Santa, and Sublette, all of which towns are located in the State of Kansas, and in supplying gas to other industrial and main line customers, which industrial and main line customers will be retained by Argus Natural Gas Company, Inc., upon consummation of the proposed acquisition;

The Commission orders that:

(A) A public hearing be held commencing on July 16, 1943, at 9:45 a. m. (e. w. t.), in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW, Washington, D. C., respecting the matters involved and the issues presented in this proceeding;

(B) Interested State commissions may participate in this proceeding as provided in § 67.4 of the Provisional Rules of Practice and Regulations under the Natural Gas Act.

By the Commission.

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 43-10584; Filed, July 1, 1943;
10:03 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 8 Under MPR 127, Amdt. 2]

FINISHED PIECE GOODS

GRANTING EXCEPTION TO PETITIONS

Amendment No. 2 to Order 8 under Maximum Price Regulation No. 127—Finished Piece Goods.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, Order No. 8 under Maximum Price Regulation No. 127 is amended in the following respects:

1. Subparagraphs (2) and (3) of paragraph (b) are redesignated subparagraphs (4) and (5).

2. Subparagraphs (2) and (3) are added to paragraph (b) to read as follows:

(2) In the event that at the expiration of the period designated in subparagraph (1) a petitioner has exceeded the percentage of jobbing permitted in paragraph (f), the excess sales upon which a jobber's markup was charged by such petitioner shall be determined in the following manner: (i) Multiply the total dollar volume of sales of finished piece goods during the period by the percentage appearing opposite the petitioner's name in paragraph (f), Appendix A; (ii) Subtract the amount determined pursuant to (i) from the total dollar volume of finished piece goods sold by the petitioner as a jobber; (iii) Those sales of finished piece goods sold by the petitioner as a jobber or any portion of such sales which were last made during that period and which are equal to the difference obtained pursuant to (ii) shall be excess sales in violation of this Order No. 8.

(3) For the purpose of this Order No. 8, sales of jobbed goods by a petitioner at a price not in excess of the established maximum price which is a con-

verter of such goods is permitted to charge shall not be considered a sale by such petitioner as a jobber nor shall such sales be included in determining the volume of finished piece goods sold by a converter-jobber.

3. In paragraph (f) Appendix A the percentages listed for the following petitioners are corrected to read as follows:

Docket No., name and address:	Percent
3127-400, Cageao & Co., 362 Broadway, New York, N. Y.	92
3127-524, Milton B. Hartman Co., 1441 Broadway, New York, N. Y.	8
3127-53, Schuffman Bros., 214 West 39th St., New York, N. Y.	89

4. Paragraph (f) Appendix A is amended further by adding a footnote to the percentage figure directly opposite the name of Bauman & Reich and by adding a percentage for H. P. Greenberg Co., as follows:

Docket No., name and address:	Percent
3127-37, Bauman & Reich, 512 7th Ave., New York, N. Y.	19
3127-265-700, H. P. Greenberg Co., 350 Broadway, New York, N. Y.	83

¹ This percentage does not apply to the period beginning July 1, 1942 and ending June 30, 1943. For the period beginning July 1, 1942 and ending June 30, 1943, petitioner's jobbing business in relation to its total sales of finished piece goods shall not exceed 56%.

This Amendment No. 2 shall become effective June 30, 1943.

(Pub. Laws 421 and 729, 77th Cong; E.O. 9250, 7 F.R. 7871 E.O. 9328, 8 FR. 4681)

Issued this 30th day of June 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10604; Filed, July 1, 1943; 11:38 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-64, 59-60]

INDIANA HYDRO-ELECTRIC POWER COMPANY

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 29th of June 1943.

In the matter of Indiana Hydro-Electric Power Company, File No. 54-64; in the matter of Indiana Hydro-Electric Power Company, Hugh M. Morris, trustee of the Estate of Midland United Company, File No. 59-60.

Indiana Hydro-Electric Power Company, a subsidiary of Hugh M. Morris, Trustee of the Estate of Midland United Company, a registered holding company, having filed an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for approval of the plan of recapitalization of said Indiana Hydro-Electric Power Company; and the Commission having instituted proceedings under sections 11 (b) (2), 15 (f), and 20 (a) with respect to Indiana Hydro-Electric Power Company and Hugh M. Morris, Trustee of the Estate of Midland United Company, and having

consolidated said matters for hearing; and certain hearings having been held on said matters, and said hearings having been continued to July 13, 1943; and

Indiana Hydro-Electric Power Company having requested that the continued hearing in this matter be postponed; and the Commission deeming it appropriate that the continued hearing be postponed to July 27, 1943;

It is ordered, That the continued hearing in this matter previously scheduled for July 13, 1943, at 10:30 a. m., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, be and hereby is postponed to July 27, 1943, at the same hour and place and before the same trial examiner as heretofore designated.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 43-10517; Filed, June 30, 1943; 12:17 p. m.]

[File No. 31-84]

INTERNATIONAL UTILITIES CORPORATION AND DOMINION GAS AND ELECTRIC COMPANY

ORDER EXTENDING EXEMPTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 29th day of June, A. D. 1943.

The Commission having heretofore on June 12, 1941, after opportunity for hearing, ordered, pursuant to sections 3 (a) (5) and 3 (b) of the Public Utility Holding Company Act of 1935, that: (1) Dominion Gas and Electric Company, a registered holding company and a subsidiary company of International Utilities Corporation, a registered holding company, be exempt to June 30, 1943, to the extent specified, from sections 13 (a) and 13 (b) of said Act applicable to it as a registered holding company and subsidiary company; and (2) Canadian Western Natural Gas, Light, Heat and Power Company, Limited, Northwestern Utilities, Limited, Canadian Utilities, Limited, North West Fidelity Trust Company, Limited, Domalta Petroleum, Limited, and Altoba Gas Exploration Company, Limited, all subsidiary companies of Dominion Gas and Electric Company, be exempt, to the extent specified, from certain provisions of said Act applicable to them as subsidiary companies; and

Dominion Gas and Electric Company, having on June 9, 1943, filed an application pursuant to sections 3 (a) (5) and 3 (b) of said Act seeking an extension of time during which such previous order should be effective; and

The Commission having considered such application and it appearing that the circumstances upon which such original order of exemption was issued still exist and that a further extension of the time during which such order of exemption shall be effective will not be detrimental to the public interest or the interests of investors or consumers;

It is therefore ordered, That the time during which such order of exemption shall be effective be, and hereby is, extended to the extent and subject to the conditions heretofore designated in our order of June 12, 1941, until December 31, 1943, without prejudice to the right of Dominion Gas and Electric Company to apply for a further extension of the time during which such order shall be effective and to apply at any time for such enlargement of any provision of such order as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 43-10516; Filed, June 30, 1943; 12:17 p. m.]

[File No. 70-733]

THE MILWAUKEE ELECTRIC RAILWAY & TRANSPORT COMPANY AND WISCONSIN ELECTRIC POWER COMPANY

ORDER APPROVING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 29th day of June 1943.

The Milwaukee Electric Railway & Transport Company, a wholly owned subsidiary of Wisconsin Electric Power Company, and Wisconsin Electric Power Company, a subsidiary of The North American Company, a registered holding company, having filed a joint declaration and application pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 and the General Rules and Regulations promulgated thereunder, relating to (1) the proposal of The Milwaukee Electric Railway & Transport Company to purchase for cash at par from Wisconsin Electric Power Company 8,000 shares of its own common capital stock having a par value of \$100 per share or an aggregate par value of \$800,000 and to retire the stock so to be purchased by it; and (2) the proposal of Wisconsin Electric Power Company to sell to The Milwaukee Electric Railway & Transport Company the said 8,000 shares of the common capital stock of The Milwaukee Electric Railway & Transport Company for the consideration above specified; and

Said joint declaration and application having been filed on the 31st day of May 1943, and notice of said filing having been duly given in the manner and form prescribed by Rule U-23 under said Act, and the Commission not having received a request for a hearing with respect to said joint declaration and application within the period specified in such notice, or otherwise, and not having entered a hearing thereon; and

The Commission finding that the requirements of sections 10, 12 (c) and 12 (f) and Rules U-42 and U-43 are satisfied and that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and in the interest of investors and consumers to approve said application and to permit said declaration to become effective;

It is hereby ordered, That, pursuant to said Rule U-23 and the applicable provisions of said Act, said application be and the same is hereby approved and said joint declaration be and the same is hereby permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 of the General Rules and Regulations, and subject to the further condition (to which The Milwaukee Electric Railway & Transport Company has agreed) that if from time to time in the future additional common stock is retired by said company, its bonds will be retired to the extent necessary in order that the aggregate par amount of stock outstanding will at least equal two and one-half times the aggregate principal amount of the outstanding bonds.

By the Commission (Commissioner Healy dissenting for the reasons set forth in his memorandum of April 1, 1940).

[SEAL]

ORVAL L. DUBois,
Secretary.

[F. R. Doc. 43-10514; Filed, June 30, 1943;
12:16 p. m.]

[File Nos. 54-79, 59-52]

NIAGARA HUDSON POWER CORPORATION,
ET AL.

**NOTICE OF FILING AND ORDER FOR HEARING
ON PLAN AND ORDER CONSOLIDATING SUCH
PROCEEDING WITH PENDING PROCEEDING**

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 28th day of June 1943.

In the matters of Niagara Hudson Power Corporation and Buffalo, Niagara and Eastern Power Corporation, applicants, File No. 54-79; Niagara Hudson Power Corporation and its subsidiary companies, respondents, File No. 59-52.

Notice is hereby given that Niagara Hudson Power Corporation, a subsidiary of The United Corporation, a registered holding company, and Buffalo, Niagara and Eastern Power Corporation, a subsidiary of Niagara Hudson Power Corporation, have filed a "Plan of Reorganization of the Niagara Hudson System" under section 11 (e) of the Public Utility Holding Company Act of 1935 for the purpose of effecting compliance with the provisions of section 11 (b) of said Act, providing for the payment of accruals of dividends on the Preferred Stocks of Niagara Hudson Power Corporation and Buffalo, Niagara and Eastern Power Corporation, placing certain of the System's operating utility properties in one operating company, and for the taking of related action.

All interested persons are referred to said Plan, which is on file in the office of this Commission, for a full statement of the transactions therein proposed, which fall into four principal parts, each of which may be summarized as follows:

Part I

Part I of the Plan provides for the consolidation of Buffalo, Niagara and Eastern Power Corporation, its four direct subsidiary companies, The Niagara Falls Power Company, Buffalo Niagara Electric Corporation, Niagara, Lockport and Ontario Power Company, The Lockport and Newfane Power and Water Supply Com-

pany, and Central New York Power Corporation and New York Power and Light Corporation, both direct subsidiaries of Niagara Hudson Power Corporation, into The Niagara Falls Power Company under the name of "The Niagara Hudson Company, Incorporated" (hereinafter referred to as "The Operating Company"). It is proposed that The Operating Company's authorized capital stock, upon consummation of the Plan, shall be \$325,000,000, to consist of 1,250,000 shares of Preferred Stock of the par value of \$100 per share and 10,000,000 shares of Common Stock of the par value of \$20 per share. Of said shares of authorized capital stock it is proposed to issue in the aggregate, in the consummation of all phases of the Plan, (1) not to exceed 955,171 shares of Preferred Stock, 5% Series, of which 868,811.25 shares are to be issued initially upon the consolidation, and 86,359.75 shares in connection with Part II of the Plan as hereinafter set forth; and (2) not to exceed 4,867,716 shares of Common Stock, of which 4,341,803 shares are to be issued initially upon the consolidation, and 525,913 shares in connection with Part II of the Plan, as hereinafter set forth.

The Plan provides that the holders of shares of the Preferred Stock, 5% Series, shall be entitled, among other things, to (1) \$100 per share plus accrued dividends upon the voluntary or involuntary dissolution, liquidation, or winding up of The Operating Company; (2) cumulative dividends from the date of consolidation; (3) \$105 per share upon redemption; (4) one vote per share: *Provided, however, That if and when dividends payable on the Preferred Stock shall be in default in an amount equivalent to six (6) full quarterly dividends on all shares of Preferred Stock then outstanding, and until all such dividends then in default shall have been paid or declared and set apart for payment, the holders of all shares of such Preferred Stock, voting separately as a class, shall be entitled to elect the smallest number of directors necessary to constitute a majority of the full Board of Directors of The Operating Company. Holders of Preferred Stock are accorded no preemptive rights in respect of shares of the stock, or any rights or options to, or of any securities convertible into any stock, of The Operating Company which it may issue or sell. It is stated that the detailed provisions of the Preferred and Common Stocks of The Operating Company will include certain additional protective provisions for the benefit of the Preferred Stock, as set forth in the Certificate of Consolidation which will be filed by amendment; preliminary copies are available for inspection at the office of Niagara Hudson Power Corporation, 15 Broad Street, New York, N. Y., and of Buffalo, Niagara and Eastern Power Corporation, Electric Building, Buffalo, New York.*

It is proposed to distribute the shares of stock of The Operating Company to the holders of shares of stock of the constituent companies, outstanding at the effective date of consolidation, in the following manner:

(a) *Common Stocks of The Niagara Falls Power Company, Buffalo Niagara Electric Cor-*

poration, Niagara, Lockport and Ontario Power Company, and The Lockport and Newfane Power and Water Supply Company. Buffalo, Niagara and Eastern Power Corporation, which owns all of the issued and outstanding shares of Common Stock of The Niagara Falls Power Company, Buffalo Niagara Electric Corporation, Niagara, Lockport and Ontario Power Company and The Lockport and Newfane Power and Water Supply Company, shall surrender the certificates representing such shares for cancellation and such certificates shall be cancelled and no shares of stock of The Operating Company shall be distributed to the holder thereof.

(b) *Common Stock of Buffalo, Niagara and Eastern Power Corporation. Each holder of shares of the Common Stock of Buffalo, Niagara and Eastern Power Corporation outstanding at the effective date of the consolidation shall become the holder of 2,020,125 shares of the Common Stock of The Operating Company for each share of Common Stock of Buffalo, Niagara and Eastern Power Corporation so held.*

(c) *Class A Stock of Buffalo, Niagara and Eastern Power Corporation. Each holder of shares of the Class A Stock of Buffalo, Niagara and Eastern Power Corporation outstanding at the effective date of the consolidation shall become the holder of 51,535 shares of the Common Stock of The Operating Company for each share of Class A Stock of Buffalo, Niagara and Eastern Power Corporation so held.*

(d) *Common Stock of Central New York Power Corporation. Each holder of shares of the Common Stock of Central New York Power Corporation outstanding at the effective date of the consolidation shall become the holder of 1,240,130 shares of Common Stock of The Operating Company for each share of Common Stock of Central New York Power Corporation so held.*

(e) *Common Stock of New York Power and Light Corporation. Each holder of shares of the Common Stock of New York Power and Light Corporation outstanding at the effective date of the consolidation shall become the holder of 745,818 shares of Common Stock of The Operating Company for each share of Common Stock of New York Power and Light Corporation so held.*

(f) *\$5 Cumulative First Preferred Stock of Buffalo, Niagara and Eastern Power Corporation. Each holder of shares of the \$5 Cumulative First Preferred Stock of Buffalo, Niagara and Eastern Power Corporation outstanding at the effective date of the consolidation shall become the holder of 1 share of Preferred Stock, 5% Series, of The Operating Company for each share of \$5 Cumulative Preferred Stock of Buffalo, Niagara and Eastern Power Corporation so held.*

(g) *\$1.60 Cumulative Preferred Stock of Buffalo, Niagara and Eastern Power Corporation. Each holder of shares of the \$1.60 Cumulative Preferred Stock of Buffalo, Niagara and Eastern Power Corporation outstanding at the effective date of the consolidation shall become the holder of 1 share of Common Stock of The Operating Company for each share of the \$1.60 Cumulative Preferred Stock of Buffalo, Niagara and Eastern Power Corporation so held.*

(h) *5% Cumulative Preferred Stock of Central New York Power Corporation. Each holder of shares of the 5% Cumulative Preferred Stock of Central New York Power Corporation outstanding at the effective date of the consolidation shall become the holder of 1 share of Preferred Stock, 5% Series, of The Operating Company for each share of 5% Cumulative Preferred Stock of Central New York Power Corporation so held.*

(i) *7% Cumulative Preferred Stock of New York Power and Light Corporation.* Each holder of shares of the 7% Cumulative Preferred Stock of New York Power and Light Corporation outstanding at the effective date of the consolidation shall become the holder of 1.15 shares of Preferred Stock, 5% Series, of The Operating Company for each share of 7% Cumulative Preferred Stock of New York Power and Light Corporation so held.

(j) *\$6 Cumulative Preferred Stock of New York Power and Light Corporation.* Each holder of shares of the \$6 Cumulative Preferred Stock of New York Power and Light Corporation outstanding at the effective date of the consolidation shall become the holder of 1.05 shares of Preferred Stock, 5% Series, of The Operating Company for each share of \$6 Cumulative Preferred Stock of New York Power and Light Corporation so held.

On the basis of the foregoing proposed distribution, Niagara Hudson Power Corporation, as the holder of all the Class A stock, substantially all of the Common Stock and 12,545 1/4 shares of \$1.60 Preferred Stock of Buffalo, Niagara and Eastern Power Corporation; 36,019 shares of 7% Preferred Stock, 19,181 shares of \$6 Preferred Stock and all of the Common Stock of New York Power and Light Corporation; 41,515 1/20 shares of 5% Preferred Stock and all of the Common Stock of Central New York Power Corporation, will receive 103,077.75 shares of the Preferred Stock, 5% Series, and 2,257,622.56 shares of Common Stock of The Operating Company. Niagara Hudson Power Corporation, as a part of the Plan, will agree to cancel \$20,550,000 of advances owed to it by New York Power and Light Corporation.

The Plan further provides that each holder of shares of the Preferred Stocks of New York Power and Light Corporation, Central New York Power Corporation and Buffalo, Niagara and Eastern Power Corporation, outstanding at the effective date of the consolidation, shall receive in cash an amount equal to the accrued and unpaid dividends to such date, on such Preferred Stocks.

As an integral part of the Plan, it is proposed that The Operating Company, upon the consolidation becoming effective as provided in Part I of the Plan, will undertake to effect substantial savings by refunding its then outstanding callable mortgage debt. The principal amount of such mortgage debt at December 31, 1942, excluding the principal amount maturing or called for redemption in 1943, is \$208,912,500. Application has been made for exemption from the competitive bidding requirements of Rule U-50 in respect of the issuance or sale of all securities under the Plan.

Part II

Part II of the Plan provides that, immediately upon the consummation of Part I, The Operating Company will agree to purchase from Niagara Hudson Power Corporation certain properties and shares of stock of subsidiaries of Niagara Hudson Power Corporation, as follows:

(a) The physical assets comprising the nine operating hydro-electric plants owned by Northern Development Corporation and presently leased to Central New York Power Corporation, subject to outstanding reservoir liability of Northern Development Corporation in the ap-

proximate amount of \$180,000, which will be assumed by The Operating Company;

(b) 100 shares of the capital stock of The Oswego Canal Company, comprising all its entire outstanding capital stock;

(c) The physical assets comprising the two operating hydro-electric plants owned by Union Bag & Paper Power Corporation, subject to reservoir liability of Union Bag & Paper Power Corporation in the approximate amount of \$806,000, which will be assumed by The Operating Company;

(d) 67,000 shares of the capital stock of Hudson Valley Fuel Corporation, comprising all its outstanding capital stock;

(e) 4,000 shares of the capital stock of St. Lawrence Power Company, Limited, comprising all its outstanding capital stock;

(f) All of the assets of Old Forge Electric Corporation, subject to its liabilities other than its liabilities to Niagara Hudson Power Corporation, which will be cancelled;

(g) 842 shares of the capital stock of Noreau Manufacturing Company, comprising one-third of its outstanding capital stock, and all advance thereto held by Niagara Hudson Power Corporation.

In consideration for the acquisition of the foregoing assets, properties and shares of stock, it is proposed that The Operating Company issue to Niagara Hudson Power Corporation 86,359.75 shares of the Preferred Stock, 5% Series, and 525,913 shares of the Common Stock of The Operating Company. In this connection, the Plan reserves to Niagara Hudson Power Corporation the right to acquire any one or more of the foregoing items, and, in connection with the properties described in paragraphs (a), (c) and (f) above, to deliver such properties directly to The Operating Company or to segregate such properties into separate subsidiaries and deliver the stocks of such subsidiaries to The Operating Company. It is contemplated that any assets or stocks not acquired by The Operating Company will be acquired or retained by Northern Development Corporation, as set forth in Part III of the Plan.

Part III

Part III of the Plan provides for the consolidation of Frontier Corporation into Northern Development Corporation, both wholly-owned direct subsidiaries of Niagara Hudson Power Corporation. It is proposed that the authorized capital stock of Northern Development Corporation, upon consummation of this consolidation, shall be \$958,101 to consist of 958,101 shares of common stock of the par value of \$1 per share. It is further proposed that Niagara Hudson Power Corporation become the holder of all such shares of capital stock upon surrendering for cancellation all the issued and outstanding capital stock of the two constituent companies now held by it.

Immediately upon consummation of the consolidation provided in Part III of the Plan, it is proposed that Northern Development Corporation acquire all of the assets of Niagara Hudson Power Corporation other than those to be distributed to the stockholders of Niagara

Hudson Power Corporation as provided in Part IV of the Plan. Among such assets to be acquired by Northern Development Corporation are 43,552.86 shares of Common Stock of The Operating Company, 13,898 shares of Common Stock of Central Hudson Gas & Electric Corporation, and 12,062.5 shares of Common Stock of Consolidated Edison Company of New York, Inc. As part of the consideration for such acquisition, it is proposed that Northern Development Corporation agree to pay and discharge all obligations and liabilities of Niagara Hudson Power Corporation not otherwise provided for, and to indemnify and save harmless the Directors, officers and agents of Niagara Hudson Power Corporation against all loss, cost, expense or liability which might be incurred by any of them in connection with or arising out of the Plan.

The Certificate of Consolidation in respect of Part III of the Plan, copies of a preliminary draft of which are available for inspection in the office of Niagara Hudson Power Corporation, will be filed by amendment.

Part IV

Part IV of the Plan provides for the dissolution of Niagara Hudson Power Corporation and the distribution to its stockholders of the assets remaining after consummation of all other phases of the Plan. Such assets will consist of cash; 189,437.5 shares of the Preferred Stock, 5% Series, and 2,739,982.7 shares of the Common Stock of The Operating Company; 431,840 shares of Common Stock of Central Hudson Gas & Electric Corporation; 189,437.5 shares of the Common Stock of Consolidated Edison Company of New York, Inc.; and 958-100.85 shares of the capital stock of Northern Development Corporation. It is proposed to pay in cash all the liabilities of Niagara Hudson Power Corporation, including the costs and expenses attributable to it in connection with the development and consummation of the Plan.

It is proposed to distribute the foregoing assets of Niagara Hudson Power Corporation to the holders of the shares of its outstanding capital stock in the following manner:

(a) *First Preferred Stock Cumulative, \$100 Par Value—5% Series.* Each holder of shares of the First Preferred Stock of Niagara Hudson Power Corporation (378,875 shares are presently outstanding) shall be entitled to receive \$10.50 in cash, one share of Common Stock of The Operating Company (subject, however, to the exercise of subscription rights provided in paragraph (f) below), 1/2 share of Preferred Stock, 5% Series, of The Operating Company, one share of the Common Stock of Central Hudson Gas & Electric Corporation, 1/2 share of the Common Stock of Consolidated Edison Company of New York, Inc. for each share of such First Preferred Stock of Niagara Hudson Power Corporation and an amount in cash equal to the dividends accrued and unpaid on such First Preferred Stock to the date to be fixed for distribution.

(b) *Second Preferred Stock Cumulative, \$100 Par Value—5% Series A and 5% Series B.* Each holder of shares of the Second Preferred Stock, Series A (90,281 shares are presently outstanding) or Series B (15,619 shares are presently outstanding) of Niagara Hudson Power Corporation shall be entitled to

receive \$9 in cash, $4\frac{1}{2}$ shares of Common Stock of The Operating Company (subject, however, to the exercise of subscription rights provided in paragraph (f) below), $\frac{1}{2}$ share of the Common Stock of Central Hudson Gas & Electric Corporation, for each share of Second Preferred Stock of Niagara Hudson Power Corporation, and an amount in cash equal to the dividends accrued and unpaid on such Second Preferred Stock to the date to be fixed for distribution.

(c) *Common Stock.* Each holder of shares of Common Stock of Niagara Hudson Power Corporation shall be entitled to receive $\frac{1}{2}$ share of Common Stock of The Operating Company and $\frac{1}{10}$ share of Capital Stock of Northern Development Corporation for each share of Common Stock of Niagara Hudson Power Corporation.

(d) *Class A and Class B Option Warrants.* No distribution will be made to holders of outstanding Class A Option Warrants and Class B Option Warrants entitling the holders thereof to purchase respectively 2,784,905 $\frac{1}{4}$ shares of Common Stock of Niagara Hudson Power Corporation at \$105 per share to October 1, 1944, and 497,191 $\frac{1}{2}$ shares of Common Stock at \$50 for $1\frac{1}{2}$ shares at any time without limit.

(e) *Scrip Certificates.* Holders of Scrip Certificates for fractional shares of stock of Niagara Hudson Power Corporation, upon surrendering the same and other Scrip Certificates totaling one or more full shares, will be entitled to the distribution accorded holders of an equal number of full shares of stock of the same class of Niagara Hudson Power Corporation.

(f) *Subscription Rights of Holders of Common Stock.* It is proposed that, prior to the foregoing proposed distributions, the holders of shares of the Common Stock of Niagara Hudson Power Corporation will be given pro rata rights to subscribe, at the price of \$20.50 per share, to shares of Common Stock of The Operating Company owned by Niagara Hudson Power Corporation and otherwise allocable to the holders of the Preferred Stocks of Niagara Hudson Power Corporation in the ratio of 8/100 share of Common Stock of The Operating Company for each share of Common Stock of Niagara Hudson Power Corporation held of record as of a date to be determined by the Board of Directors of Niagara Hudson Power Corporation. Such rights will be evidenced by transferable Subscription Warrants and will expire within such time (not later than three weeks) as the Board of Directors of Niagara Hudson Power Corporation shall fix. In addition, it is proposed that all shares of Common Stock of The Operating Company allocable to the holders of the Preferred Stocks of Niagara Hudson Power Corporation and not so subscribed for pursuant to such subscription rights will be offered to the holders of shares of Common Stock of Niagara Hudson Power Corporation, subject to allotment, at the price of \$20.50 per share. To the extent such rights are exercised and purchases made, the cash received therefrom will be distributed first to holders of the First Preferred Stock of Niagara Hudson Power Corporation, and any balances remaining to the holders of the Second Preferred Stock in substitution for Common Stock of The Operating Company provided for in paragraphs (a) and (b) above, and for this purpose such Common Stock will be valued at \$20.50 per share.

Other General Provisions of the Plan

Consummation of the Plan, or of any part thereof, is made subject to the approval of this Commission, and insofar as Parts I and II are concerned the Public Service Commission of the State of New York. Such consummation is also subject to the obtaining of a satisfactory closing agreement with the United States Treasury as to taxes. The Boards of Directors of Niagara Hudson

Power Corporation and Buffalo, Niagara and Eastern Power Corporation reserve the right to amend, alter or modify the Plan at any time, in whole or in part.

The Plan further provides that, upon approval by the regulatory bodies having jurisdiction, the Plan will be submitted to the stockholders of Niagara Hudson Power Corporation and of Buffalo, Niagara and Eastern Power Corporation entitled to vote thereon, and if the Plan is approved by the requisite votes, as required by New York law, of the outstanding voting stock, voting together as a class, of each of said corporations, the necessary steps will be taken to consummate the Plan. Such vote will include, among other things, ratification and approval of the Plan, of the action of the respective Boards of Directors, and, in the case of the stockholders of Niagara Hudson Power Corporation in respect of the dissolution of Niagara Hudson Power Corporation. The Plan further provides for requisite stockholders' meetings or consents of stockholders of the several constituent companies in connection with the consolidations proposed under Parts I and III of the Plan and of The Operating Company, if necessary, in respect of the proposed refunding of callable mortgage debt.

It is stated that it is intended to consummate all parts of the Plan, including the refunding operation, as nearly simultaneously as possible. The right is reserved, upon approval of the Plan by this Commission, to request the Commission, pursuant to Section 11 (e) of the Act, to apply to a Federal Court to enforce and carry out the terms and provisions of the Plan or any part thereof, and, if such an application is made, the consummation of the Plan will be subject to the approval of such Court. Upon the plan being declared effective by the Boards of Directors of Niagara Hudson Power Corporation and Buffalo, Niagara and Eastern Power Corporation, the Plan provides that the outstanding shares of stock affected thereby shall represent no rights other than the rights accorded to the holders thereof under the Plan, and all other rights of such holders with respect to such stock shall thereupon cease and become void.

II

By order dated August 28, 1942, this Commission instituted a proceeding with respect to Niagara Hudson Power Corporation and its subsidiary companies (File No. 59-52) pursuant to sections 11 (b) (2), 12 (c), 12 (f), 15 (f) and 20 (a) of the Act. Hearings were held from time to time, and on March 23, 1943, the evidence was completed with respect to certain issues relating to Buffalo, Niagara and Eastern Power Corporation. Such issues have not been determined, and the hearings have not been completed with respect to all the issues in the proceeding instituted by our Order of August 28, 1942.

III

The Commission being required by the provisions of section 11 (c) of the Act, before approving any plan thereunder, to find, after notice and opportunity for hearing, that such plan, as submitted or modified, is necessary to effectuate the

provisions of section 11 (b) and is fair and equitable to the persons affected thereby; and

It appearing to the Commission that it is appropriate, in the public interest and in the interests of investors and consumers, that a hearing be held with respect to said plan; and

It further appearing to the Commission that the proceeding with respect to such plan and the proceeding instituted by the Commission's order of August 28, 1942 involve common questions of law and fact and that both proceedings should be consolidated for hearing and for consideration by the Commission;

It is ordered, That said proceedings be consolidated and that a hearing under the applicable provisions of the Act and the rules promulgated thereunder be held on the 19th day of October 1943 at 10 a. m. in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on that day by the hearing-room clerk in Room 318.

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 any such hearing is hereby authorized to exercise all the 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 aforesaid hearing by mailing a copy of this Notice and Order forthwith by registered mail to the above-captioned parties, as well as to all other parties and persons previously granted the right to be heard and participate in the above-described proceeding instituted by the Commission's Order of August 28, 1942; and that notice of said hearing is hereby given to all security holders of Niagara Hudson Power Corporation, Buffalo, Niagara and Eastern Power Corporation and their subsidiary companies, to all States, municipalities and foreign countries, or political subdivisions of States or foreign countries in which are located any of the assets of the Niagara Hudson Power Corporation holding company system, or under the laws of which said subsidiary companies are incorporated; to all State commissions or other regulatory bodies, and all agencies, authorities or instrumentalities of any State or foreign country and to all other interested persons, such notice to be given by a general release by the Commission distributed to the press and mailed to the mailing list for releases issued under the Act, and by publication of this Notice and Order in the *FEDERAL REGISTER*.

It is further ordered, That Niagara Hudson Power Corporation, Buffalo, Niagara and Eastern Power Corporation, Central New York Power Corporation and New York Power and Light Corporation mail a copy of this Notice and Order, together with a copy of the "Plan of Reorganization of the Niagara Hudson System" described above, to each of

its stockholders at his last known address at least 30 days prior to the 19th day of October 1943.

It is further ordered, That any person desiring leave to be heard in connection with these proceedings or permission to intervene therein shall, on or before the 14th day of October, 1943, file a written application with the Secretary of the Commission in accordance with the provisions of Rule XVII of the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of the issues presented at the consolidated proceeding, particular attention will be directed at the hearing to the following matters:

(1) Whether the proposed plan filed pursuant to section 11 (e) of the Act is necessary to effectuate the provisions of section 11 (b) of said Act;

(2) Whether the proposed plan is fair and equitable to the persons affected thereby;

(3) Whether the transactions proposed in said Plan comply with all of the requirements of the applicable provisions of the Act and Rules promulgated thereunder;

(4) Whether the fees, expenses and other considerations to be paid or received, directly or indirectly, in connection with the proposed plan and the transactions incidental thereto, are for necessary services or purposes, reasonable in amount and properly allocated;

(5) Whether, in connection with the issuance or sale of all securities under the Plan, it is appropriate and in the public interest to grant an exemption from the competitive bidding requirements of Rule U-50;

(6) Whether and to what extent the plan should be modified or terms and conditions imposed to ensure adequate protection of the public interest and the interests of investors and consumers and compliance with all applicable provisions of the Act.

It is further ordered, That jurisdiction be and is hereby reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters hereinbefore set forth or which may arise in this proceeding, or to consolidate with this proceeding other filings or matters pertaining to said Plan or to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved.

By the Commission:

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 43-10512; Filed, June 30, 1943;
12:16 p. m.]

[File Nos. 59-39, 54-50, 59-10]

NORTH AMERICAN LIGHT & POWER HOLDING-COMPANY SYSTEM, ET AL.

MEMORANDUM OPINION AND ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 29th day of June, A. D. 1943.

In the matter of North American Light & Power Company Holding-Company

System and The North American Company, File No. 59-39; North American Light & Power Company, File No. 54-50; The North American Company, et al., File No. 59-10.

APPEARANCES

Frederick Zazove, for the Public Utilities Division of the Commission.

Sydney K. Schiff of Pam, Hurd & Reichman, and M. B. Kennedy of Mayer, Meyer, Austrian & Platt, for Illinois Iowa Power Company.

Lawrence R. Condon, for Nellie B. Walters and others, holders of preferred stock of North American Light & Power Company.

Clayton E. Kline, for North American Light & Power Company.

Stoddard M. Stevens, Jr., and Houston H. Wasson of Sullivan & Cromwell, for The North American Company.

On December 28, 1942, we entered an interim order suspending the payment of interest due January 1, 1943, by North American Light & Power Company (Light & Power) on \$5,623,500 principal amount of Light & Power's debentures owned by its parent, The North American Company (North American). Said debentures represent all the outstanding debentures of Light & Power. The reasons which necessitated the entry of the interim order were fully stated in our opinion accompanying such order. (Holding Company Act Release No. 4023.)

The next regular date for the payment of interest on the debentures is July 1, 1943, and, therefore, we are again presented with the question of whether this interest payment and all subsequent payments that may become payable during the pendency of the liquidation of Light & Power should likewise be prohibited. Accordingly, a hearing was held pursuant to appropriate notice to determine whether a further interim order should issue and, if so, whether Light & Power should again be required to segregate from its other funds a sum equal to the amount of such interest, such sum to be held subject to the further order of the Commission.¹

The extent of North American's right to receive either principal or interest on the debentures is still an open question; and, similarly, various claims asserted against Light & Power and North American by their subsidiary, Illinois Iowa Power Company, have not, as yet, been determined either as to their validity or their amount, if any.² Hearings on these questions are proceeding but are not completed. It is obvious that, since the same reasons presently exist which required the entry of our previous order, a further interim order prohibiting Light & Power from paying to North American the interest due on July 1, 1943 is necessary. Since it is impossible to determine at this time when the proceedings will be ultimately concluded, our order will also be directed to all interest on said debentures that may become payable during the pendency of the liquidation proceedings of Light & Power. We will again require that such

funds be segregated from the other funds of Light & Power and held subject to our further order.

In accordance with the requirement of our previous order prohibiting the payment of the interest due January 1, 1943, Light & Power has deposited approximately \$154,000 in a non-interest bearing special deposit. Light & Power now requests that it be permitted, in the alternative, to pay the interest due on its debentures to North American with the proviso that North American will repay the same if it is ultimately determined that North American is not entitled thereto; or, that it be permitted to invest the segregated funds in interest bearing securities. We deem it advisable and in accordance with the standards of the Public Utility Holding Company Act of 1935, particularly sections 11 (b), 11 (d), 11 (e), and 12 (f) thereof, to permit Light & Power to invest the segregated funds in obligations of the United States Government.

It is therefore ordered, That North American Light & Power Company be, and it hereby is, (a) prohibited until further order of the Commission, from paying to The North American Company, its agents, representatives, assigns, or transferees, the interest due on July 1, 1943, and also all interest which may thereafter become payable on the debentures of North American Light & Power Company now held by The North American Company; and (b) required to segregate from its other funds a sum equal to the interest so to be withheld, which funds together with the funds heretofore segregated by virtue of our previous order of December 28, 1942, may be invested by North American Light & Power Company in obligations of the United States Government, such funds or securities to be held subject to the further order of the Commission.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 43-10518; Filed, June 30, 1943;
12:17 p. m.]

[File No. 70-751]

NORTHERN INDIANA PUBLIC SERVICE COMPANY

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 28th day of June 1943.

Notice is hereby given that an application has been filed pursuant to the Public Utility Holding Company Act of 1935 by Northern Indiana Public Service Company, a subsidiary of Clarence A. Southland and Jay Samuel Hartt, Trustees of the Estate of Midland Utilities Company, a registered holding company;

All interested persons are referred to said application, which is on file in the offices of the Commission, for a statement of the transactions therein proposed which are summarized as follows:

Northern Indiana Public Service Company proposes to issue and sell First Mortgage Bonds, Series C, dated August 1, 1943, due August 1, 1973, in the aggregate principal amount of \$45,000,000.

¹ See our Notice of June 21, 1943, Holding Company Act Release No. 4367.

² We have heretofore held that we have jurisdiction to determine the issues with respect to the claims of Illinois Iowa Power Company. See Holding Company Act Release No. 4066.

bearing interest at the rate of not more than 3 1/4%, per annum, from the date thereof, payable semi-annually.

The proceeds to be derived from the sale of such securities are to be used for the purpose of redeeming the company's presently outstanding First Mortgage Bonds, Series A, 3 3/4%, dated August 1, 1939, due August 1, 1969, in the principal amount of \$45,000,000.

The application indicates that the company proposes to offer the bonds for competitive bidding pursuant to Rule U-50 promulgated under the Public Utility Holding Company Act of 1935.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to such matters and that the application shall not be granted except pursuant to further order of the Commission;

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 July 19, 1943, at 10 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as the hearing room clerk in room 318 will at that time advise. At such hearing cause shall be shown why such application shall be granted. Any person desiring to be heard or otherwise participate in the proceedings should file with the Secretary of the Commission, on or before the 14th day of July 1943, his request or application therefor as provided by Rule XVII of the Rules of Practice of the Commission.

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 in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of 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 the application otherwise to be considered in these proceedings, particular attention will be directed at the hearing to the following matters and questions:

1. Whether it is in the public interest and the interest of investors and consumers and in conformity with the applicable provisions of the Act to grant the application.

2. Whether all fees in connection with the proposed transactions are fair and reasonable.

3. Whether and to what extent it is appropriate in the public interest or for the protection of investors and consumers to impose terms and conditions with respect to the proposed transactions.

4. Generally, whether the proposed transactions meet the appropriate provisions of the Act and Rules and Regulations promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 43-10513; Filed, June 30, 1943;
12:16 p. m.]

[File No. 812-316]

TRI-CONTINENTAL CORPORATION
NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 29th day of June, A. D. 1943.

Tri-Continental Corporation, a registered management investment Company, has filed an application pursuant to section 17 (b) of the Investment Company Act of 1940 for an order exempting from the provisions of section 17 (a) of said Act a transaction in which applicant proposes to grant an irrevocable option to O. L. Brooks, President of Globe and Rutgers Fire Insurance Company, to purchase from applicant at \$13.75 per share 2,500 shares of the common stock of Globe and Rutgers Fire Insurance Company. The option may be exercised in whole or in part at any time on or before February 26, 1948, provided O. L. Brooks is in the employ of Globe and Rutgers Fire Insurance Company at the time of the exercise of the option. Tri-Continental Corporation is an affiliated person of Globe and Rutgers Fire Insurance Company of which O. L. Brooks is an affiliated person.

It is ordered, Pursuant to section 40 (a) of said Act, that a hearing on the aforesaid application be held on July 5, 1943, at 10:15 o'clock, a. m., Eastern War Time in Room 318 Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania; and

It is further ordered, That Charles S. Lobinger, Esquire, or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to Tri-Continental Corporation, and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 43-10515; Filed, June 30, 1943;
12:16 p. m.]

[File No. 70-745]

INTERNATIONAL UTILITIES CORP. AND DOMINION GAS AND ELECTRIC CO.
ORDER PERMITTING DECLARATIONS TO BECOME
EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 30th day of June, A. D. 1943.

International Utilities Corporation, a registered holding company, and its subsidiary, Dominion Gas and Electric Company, also a registered holding company, having filed declarations pursuant

to the applicable provisions of the Public Utility Holding Company Act of 1935 and the general rules and regulations promulgated thereunder, relating to the proposal of International Utilities Corporation to make a capital contribution to the capital surplus of Dominion Gas and Electric Company of \$100,000 by delivering to Dominion \$100,000 in principal amount of the 6 1/2% Collateral Trust Bonds of Dominion; and

Said declarations having been filed on the 21st day of June 1943, and amended on the 28th day of June 1943, and notice of said filing having been duly given in the manner and form prescribed by Rule U-23 under said Act, and the Commission not having received a request for a hearing with respect to said declarations within the period specified in such notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of sections 12 (b) and 12 (c) and Rules U-42 and U-45 are satisfied and that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declarations to become effective;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24 that the said declarations be and the same are hereby permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 43-10581; Filed, July 1, 1943;
10:02 a. m.]

[File No. 70-282]

COMMUNITY POWER AND LIGHT CO., ET AL.
NOTICE OF FILING OF APPLICATION FOR EXTENSION OF TIME AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 29th day of June, A. D., 1943.

In the matter of Community Power and Light Company, General Public Utilities, Inc., Southwestern Public Service Company, et al.; File No. 70-282.

The Commission having entered its order in the above styled and numbered proceedings on July 8, 1942 approving a voluntary plan of reorganization and simplification submitted by the above-named companies pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, and having directed in said order that within one year from the date thereof, Southwestern Public Service Company, the surviving company, should take such action as might be necessary to divest itself of all ownership and all control of certain specified securities and physical assets;

Notice is hereby given that on June 21, 1943 Southwestern Public Service Company filed an application requesting the entry of an order by this Commission

extending for one year the time in which to comply with the directions contained in said order of July 8, 1942.

All interested persons are referred to said application which is on file in the office of the Commission for full details concerning the contents thereof.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held for the purpose of considering said application and for other purposes;

It is ordered. That a hearing in this proceeding be held at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania at 2 p. m., e. w. t. on July 15, 1943, in such room as may be designated on such day by the hearing room clerk.

All persons desiring to be heard or otherwise wishing to participate should notify the Commission in the manner provided by Rule XVII of the Commission's Rules of Practice on or before July 8, 1943.

It is further ordered. That, without limiting the scope of the issues presented by said application, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether Southwestern Public Service Company has exercised due diligence in its efforts to comply with the directions contained in the Commission's order of July 8, 1942, and

(2) Whether an extension of time for compliance with the directions contained in said order is necessary or appropriate in the public interest or for the protection of investors or consumers

It is further ordered. That Charles S. Lobinger or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered. That the Secretary of the Commission shall serve notice of this order by mailing a copy thereof by registered mail to Southwestern Public Service Company and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-10579; Filed, July 1, 1943;
10:02 a. m.]

[File No. 70-754]

INTERNATIONAL UTILITIES CORP.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 29th day of June, A. D. 1943.

Notice is hereby given that a declaration or application (or both) has been

filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above-named party; and

Notice is further given that any interested person may, not later than July 14, 1943, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request, that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

International Utilities Corporation, a registered holding company, proposes to pay out of capital or unearned surplus a regular quarterly dividend on its \$3.50 Prior Preferred Stock at the rate of 87½¢ per share on the 95,946 shares of such stock presently outstanding. The aggregate amount of this dividend will be \$83,952.75.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-10583; Filed, July 1, 1943;
10:02 a. m.]

[File Nos. 54-74, 59-69]

NORTH CONTINENT UTILITIES CORP., ET AL.
NOTICE OF FILING AMENDMENT AND ORDER
RECONVENING HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 30th day of June A. D. 1943.

In the matter of North Continent Utilities Corporation and subsidiary companies, File No. 54-74; in the matter of North Continent Utilities Corporation and subsidiary companies, File No. 59-69.

Notice is hereby given that North Continent Utilities Corporation, a registered holding company, has filed an amendment to its application heretofore filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, for approval of a plan to effectuate the provisions of section 11 (b) of the Act. This Commission on May 20, 1943 instituted proceedings directed to North Continent and its subsidiary companies pursuant to sections 11 (b) (1), 11 (b) (2), 15 (f) and 20 (a) of the Act, which proceedings were consolidated by order dated May 20, 1943 with the proceedings relating to the plan filed under section 11 (e).

All interested persons are referred to said amendment which is on file in the

office of this Commission for a statement of the transactions therein proposed which are summarized as follows:

North Continent proposes the disposition of its interests in its subsidiary companies, either through the sale of their securities or their assets, and the liquidation and dissolution of North Continent. The proceeds of such sales are first to be used to retire or redeem its First Lien Collateral and Refunding 5½% Bonds, due 1948, and thereafter, to retire, on a fair and equitable basis, its \$7 non-cumulative convertible preferred stock. If, when all of the outstanding bonds and preferred stock shall have been retired, there should be any remaining assets, such remaining assets will be distributed (either in kind or after sale, the proceeds thereof) pro rata among the holders of the common stock.

In connection with the said sale of subsidiary securities or assets and the retirement of the said bonds, North Continent proposes in the said amendment to its plan to deposit the proceeds of any such sales with the trustee under the bond indenture. The trustee, within forty-five days thereafter, is to apply said proceeds towards making ratable payments in the amount of \$5.00 or any multiple thereof, from time to time, on the principal of the bonds or to the payment of accrued interest to the extent hereinafter provided. In the event that the amount of the proceeds of such sales deposited with the trustee is insufficient to make a ratable payment in the amount of \$5.00 or any multiple thereof, North Continent may deposit other funds available therefor with the Trustee for the purpose of making possible a ratable payment as above stated.

Interest shall continue to accrue on the unpaid principal of the bonds at the rate of 5½%, which is the present coupon rate of the bonds. Interest shall cease to accrue (1) on the paid-up principal amount of the bonds, and (2) as of the date set for the distribution to bondholders, on that portion of the unpaid principal amount with respect to which funds have been deposited with the Trustee for the said distribution.

If North Continent should be in default of its obligation to deposit with the Trustee, on or prior to January 1st and July 1st, respectively, in each year, funds for the payment of accrued interest to said dates, the Trustee is to apply the proceeds of such sales deposited with it, first, to the payment of accrued interest, and, secondly, to the payment of unpaid principal. Any sinking fund moneys deposited with the Trustee shall be applied to the payment of principal of the bonds through the medium of ratable payments as provided by the plan as amended, except that such sinking fund moneys shall not be applied to the payment of accrued interest.

Within ten days after the plan becomes effective, North Continent proposes that notices be published in both Chicago and New York newspapers stating that the plan has become effective, that ratable payments on principal and accrued interest will thereafter be made to the registered owners of the North Continent bonds, and requesting

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that the bonds be temporarily surrendered to the trustee for registration. After such registration no transfer of the bonds shall be valid unless made on the registration books and similarly noted upon the bonds. Each bond so surrendered shall have stamped or affixed thereto by the trustee under the bond indenture, an appropriate legend and/or certificate setting forth a summary of the terms and provisions of the plan.

It is proposed that all payments of principal or interest will thereafter be made by check, at the office of the trustee, payable to the registered owners, as of the date on which such distribution is payable, without presentation of bonds for endorsement of payments thereon; however, the final payment of the principal and interest shall be made only upon surrender of the bonds.

The net proceeds from sales of the unpledged assets of North Continent shall be deposited with the trustee and applied ratably as above provided.

No premiums are to be paid on account of the retirement of the bonds prior to the maturity date thereof.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that the hearing be reconvened with respect to the said plan, as amended, and the said proceedings instituted under sections 11 (b) (1), 11 (b) (2), 15 (f), and 20 (a) of the Act;

It is therefore ordered, That the hearing in these proceedings shall be reconvened on July 13, 1943 at 10:00 a. m., e. w. t., at the offices of this Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On that date the hearing room clerk in Room 318 will advise as to the room where such hearing will be held.

It is further ordered, That Willis E. Monty, or any other officer or officers designated by the Commission to preside at such hearing, shall exercise all powers granted to the Commission under section 18 (c) of the Act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues otherwise to be considered in these proceedings, particular attention will be directed at the reconvened hearings, in addition to the matters specified in the notice of hearing dated May 20, 1943, to the following questions:

(1) Whether the terms of the amended plan are fair and equitable to the persons affected thereby.

(2) Whether the proposed method of satisfying and retiring the said bonds is feasible and practical;

Notice of such hearing is hereby given to North Continent Utilities Corporation and each of its subsidiary companies, City National Bank and Trust Company, Trustee of the said North Continent bonds, and to any other person whose participation in such proceedings may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to

such proceeding shall notify the Commission to that effect by letter or telegram received by the Commission on or before July 10, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-10578; Filed, July 1, 1943;
10:02 a. m.]

[File No. 70-720]

ROCHESTER GAS AND ELECTRIC CORP., ET AL.
ORDER PERMITTING DECLARATION TO BECOME
EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 29th day of June, 1943.

In the matter of Rochester Gas and Electric Corporation, NY PA NJ Utilities Company, Associated Utilities Corporation, and New Jersey Power & Light Company.

A declaration having been filed with this Commission, pursuant to section 12 (c) of the Public Utility Holding Company Act of 1935 and Rule U-42, promulgated thereunder, by Rochester Gas and Electric Corporation, a subsidiary of NY PA NJ Utilities Company, a registered holding company, which, in turn, is a subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company; and said declaration being in regard to the redemption, as of September 1, 1943, at the call price of 105% of the par amount thereof, plus accrued dividends to the redemption date, of certain of the preferred stock of the declarant, as follows: (a) the entire issue of 27,000 shares of 6% Cumulative Preferred Stock, Series C (\$100 par value), of which 9,217 shares are owned by associate companies and 17,783 shares are publicly owned; and (b) 11,871 shares (to be selected by lot) of the 171,871 shares of 6% (\$100 par value) Cumulative Preferred Stock, Series D (of which 805 shares are owned by associate companies and 171,066 are publicly owned); the funds for the redemption to be provided by the company from cash in its treasury; and

Said NY PA NJ Utilities Company, and its wholly-controlled subsidiary, New Jersey Power & Light Company, and Associated Utilities Corporation, a registered holding company, which is wholly owned by said Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, having jointly requested that they be made parties declarant to these proceedings; and

A public hearing having been held after appropriate notice, the Commission having considered the record in this matter and having made and filed its findings and opinion therein;

It is ordered, That said NY PA NJ Utilities Company, New Jersey Power & Light Company, and Associated Utilities Corporation be, and hereby are, made parties to these proceedings as declarants herein; and

It is further ordered, That pursuant to the applicable provisions of said Act the aforesaid declaration, as amended, be, and hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 of the general rules and regulations.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-10580; Filed, July 1, 1943;
10:02 a. m.]

[File No. 1-618]

THE CONNECTICUT AND PASSUMPSIC RIVERS RAILROAD CO.

ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 29th day of June, A. D. 1943.

In the matter of The Connecticut and Passumpsic Rivers Railroad Company First Mortgage 4% Bonds, due April 1, 1943.

The New York Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the First Mortgage 4% Bonds, due April 1, 1943, of The Connecticut and Passumpsic Rivers Railroad Company; and

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on July 9, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-10577; Filed, July 1, 1943;
10:03 a. m.]

[File No. 70-747]

UNITED GAS PIPE LINE CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 29th day of June, A. D. 1943.

Notice is hereby given that an application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by United Gas Pipe Line Company, a wholly-owned subsidiary of United Gas Corporation, a subsidiary of Electric Power & Light Corporation, a registered holding company, which in turn is a subsidiary of Electric Bond and Share Company, also a registered holding company. All interested persons are referred to the said document which is

on file in the office of this Commission for a statement of the transaction therein proposed which is summarized as follows:

United Gas Pipe Line Company proposes to acquire from Willmurt Gas & Oil Company an 8½" natural gas transmission line, approximately eighty-four miles in length, extending from the Jackson Gas Field in Rankin County, Mississippi to a point near Hattiesburg, Forrest County, Mississippi for a purchase price of \$350,000; \$100,000 to be paid at the date said transmission line is conveyed and the balance of \$250,000 to be payable in installments as follows: \$100,000 on January 15, 1944, \$50,000 on January 14, 1945, \$50,000 on January 15, 1946, and \$50,000 on January 15, 1947, such installments to bear no interest except after maturity and then at the rate of 6% per annum.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to said matters and that said declaration shall not become effective nor said application be granted except pursuant to further order of this Commission;

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 July 20, 1943 at 10:00 A. M. e. w. t., in 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 in which such hearing will be held. At such hearing cause shall be

shown why such declaration or application (or both) shall become effective or shall be granted. Notice is hereby given of said hearing to the above-mentioned declarant or applicant and to all interested persons, said notice to be given to said declarant or applicant by registered mail and to all other persons by publication in the *FEDERAL REGISTER*;

It is further ordered, That any person desiring to be heard in connection with this proceeding or proposing to intervene herein shall file with the Secretary of the Commission on or before July 18, 1943, his request or application therefor as provided by Rule XVII of the rules of practice of the Commission;

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing 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;

It is further ordered, That without limiting the scope of issues presented by said declaration or application (or both) otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the consideration proposed to be paid is reasonable and bears a fair relation to the sums invested in or the earning capacity of the asset proposed to be acquired.

2. Whether the proposed acquisition will serve the public interest by tending toward the economical and efficient de-

velopment of an integrated public utility system and will not be detrimental to the carrying out of the provisions of section 11 of the Act.

3. Whether the proposed accounting treatment of the transaction on the books of the applicant or declarant is proper.

4. What, if any, terms and conditions with respect to such acquisition should be prescribed in the public interest or for the protection of investors or consumers.

By the Commissioner:

[SEAL]

ORVAL L. DUBois,
Secretary.

[F. R. Doc. 43-10582; Filed, July 1, 1943;
10:03 a. m.]

WAR FOOD ADMINISTRATION.

[License No. 70]

ORDER TERMINATING THE LICENSE FOR MILK, KALAMAZOO, MICHIGAN, SALES AREA

The license for milk in Kalamazoo, Michigan, sales area, issued by the Secretary of Agriculture on June 30, 1934, pursuant to powers vested in him by the terms and provisions of Public Act No. 10, 73rd Congress, May 12, 1933 (which license was suspended by the Secretary of Agriculture on July 31, 1941¹ is hereby terminated effective as of the date of the execution hereof.

Done at Washington, D. C., this 29th day of June, 1943.

[SEAL] JESSE W. TAPP,
Acting War Food Administrator.

[F. R. Doc. 43-10560; Filed, June 30, 1943;
11:10 a. m.]

¹ 6 F.R. 5323.

