

FEDERAL REGISTER



VOLUME 9

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Washington, Saturday, June 3, 1944

Regulations

TITLE 7—AGRICULTURE

Chapter IX—War Food Administration (Marketing Agreements and Orders)

PART 904—MILK IN THE GREATER BOSTON, MASSACHUSETTS, MARKETING AREA

ORDER SUSPENDING CERTAIN PROVISIONS

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.) and of the order, as amended, regulating the handling of milk in the Greater Boston, Massachusetts, marketing area, it is hereby found and determined that the provisions of such order which exclude from participation in the marketwide equalization pool the handling of milk of a handler who sells or distributes less than 10 percent of his total receipts of milk as Class I milk in the marketing area, are provisions which obstruct and do not tend to effectuate the declared policy of the act with respect to producers of milk under such order.

It is, therefore, ordered, That, effective as of 12:01 a. m., June 1, 1944, and continuing during the month of June 1944, §§ 904.8 (d) and 904.10 (g) of the order, as amended, regulating the handling of milk in the Greater Boston, Massachusetts, marketing area, are hereby suspended.

(E.O. 9322, 8 F.R. 3807, E.O. 9334, 8 F.R. 5423)

Issued at Washington, D. C., this 1st day of June 1944.

THOMAS J. FLAVIN,
Assistant to the
War Food Administrator.

[F. R. Doc. 44-7977; Filed, June 2, 1944;
11:37 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 30, Amdt. 4]

PART 1406—DEHYDRATED FRUIT, VEGETABLES, AND SOUPS

CONSERVATION AND DISTRIBUTION OF DEHYDRATED VEGETABLES

War Food Order No. 30, as amended, 9 F.R. 4319 (formerly designated as Food

Distribution Order No. 30, issued by the Secretary of Agriculture on March 19, 1943, 8 F.R. 3385, as amended, 8 F.R. 16887, is further amended to read as follows:

§ 1406.1 Dehydrated vegetables—(a)

Definitions. (1) "Dehydrated vegetables" means Irish potatoes, sweet potatoes, cabbage, carrots, beets, onions, and rutabagas (and such other vegetables as the Director may from time to time designate) that have been dried by artificially produced heat under controlled conditions of humidity, temperature, and air flow or that have been dried under reduced pressure ("vacuum") where the factors of humidity and air flow are not controlled.

(2) "Processor" means any person who (i) produces dehydrated vegetables for sale as such, or (ii) produces dehydrated vegetables for sale as a part of any food product.

(3) "Governmental agency" means (i) the Quartermaster Corps of the United States Army; (ii) the War Food Administration (including, but not restricted to, any corporate agency thereof); (iii) a consignee designated in written shipping instructions issued pursuant to a contract executed with a governmental agency specified in (a) (3) (i) or (a) (3) (ii) hereof; or (iv) any other instrumentality or agency designated by the War Food Administrator.

(4) "Director" means the Director of Distribution, War Food Administration.

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

(b) *Restrictions on processors.* Without regard to existing contracts, every processor shall set aside for sale and delivery to governmental agencies 100 percent of all dehydrated onions owned, controlled, or in his possession on, or processed by him after, the effective time hereof. All dehydrated Irish potatoes, dehydrated sweetpotatoes, dehydrated cabbage, dehydrated carrots, dehydrated beets, and dehydrated rutabagas heretofore set aside are hereby released, and no such dehydrated vegetables, produced heretofore or hereafter, need be set aside after the effective time hereof unless the Director, pursuant to the authority contained herein, so directs. The Director

(Continued on next page)

CONTENTS

REGULATIONS AND NOTICES

ALIEN PROPERTY CUSTODIAN:

	Page
Vesting orders:	
Andres, Louis	6042
Beck, Olga	6043
Cordes, Charles A.	6037
Ehlers, Walter	6038
Friend, Henrietta	6038
Kovats, Joseph	6039
Kowohl, Erwin A., et al	6039
Kuhmann, Alfred	6043
Lammich, Frank	6044
Meyer, Albert R.	6039
Paepcke, Hermann	6044
Pudlich, Max Ludwig Rudolph	6040
Schwanz, August	6040
Strauch, Elizabeth Agnes	6040
United States vs. Spokane County, Wash., et al	6041
Wagener, Barbera	6041
Wintjen, Johann	6041
Ziegler, Frieda	6042

ECONOMIC STABILIZATION OFFICE:

Agricultural labor, wages and salaries.	6035
---	------

FEDERAL POWER COMMISSION:

Susquehanna Power Co. and Philadelphia Electric Power Co., determination of actual legitimate original cost, etc.	6037
---	------

FEDERAL TRADE COMMISSION:

Cease and desist orders:	
Lawrence Blanket Co., et al.	6010
United Delivery System and Esther Kressin	6009

FOREIGN ECONOMIC ADMINISTRATION:

Exportations, prohibited	6012
Shipments not exceeding a specified value	6012

OFFICE OF PRICE ADMINISTRATION:

Adjustments, etc.:	
Grossman, L., Sons, Inc.	6045
Orr and Sembower, Inc.	6045
Prentiss Wabers Products Co.	6044
Fuel oil (Rev. RO 11, Am. 10)	6030
Gasoline rationing (RO 5C, Am. 128)	6030
Outerwear, fall and winter; manufacturers' prices (MPR 438, Am. 5)	6024

(Continued on next page)

6007



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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per book. The following are now available:

- Book 1: Titles 1-3 (Presidential documents) with tables and index.
- Book 2: Titles 4-9, with index.
- Book 3: Titles 10-17, with index.
- Book 4: Titles 18-25, with index.

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued.	Page
Petroleum, crude, and natural and petroleum gas (RMPR 436)	6024
Regional Administrators, delegation of authority (Rev. Gen. Order 32, Am. 12)	6045
Regional office order; victory type plumbing fixture trim, northern California	6046
Shrimp, sales by canners (MPR 311, Am. 1)	6023
Silver, newly-mined domestic (Order 62 under 3b, Rev.)	6028
PETROLEUM ADMINISTRATION FOR WAR:	
Production operations in California	6031
RECLAMATION BUREAU:	
Sunnyside Division, Yakima Project, Wash.; operation and maintenance charges	6036

CONTENTS—Continued

RURAL ELECTRIFICATION ADMINISTRATION:	Page
Allocation of funds for loans (4 documents)	6036, 6037
SECURITIES AND EXCHANGE COMMISSION:	
Hearings, etc.:	
Illinois Iowa Power Co.	6046
Laclede Gas Light Co., et al.	6048
Northern States Power Co. (Minnesota and Delaware)	6048
SELECTIVE SERVICE SYSTEM:	
Certificate for person not required to register, addition of new form	6012
WAR FOOD ADMINISTRATION:	
Agricultural labor, wages and salaries	6011
California WFA Wage Board, delegation of authority	6050
Cottonseed, peanut, soybean, and corn oil; use and distribution (WFO 29, Partial Suspension, Am. 3)	6009
Milk handling, Greater Boston, Mass., marketing area	6007
Vegetables, dehydrated; conservation and distribution (WFO 30, Am. 4)	6007
WAR PRODUCTION BOARD:	
Controlled materials plan, special procedure for use of abbreviated allotment number by utilities (CMP Reg. 6 Dir. 4)	6018
Discs, cut-away (L-257, Dir. 1)	6015
Packing quotas for second and third quarters of 1944 (M-81, Dir. 2)	6019
Suspension orders, etc.:	
Bromwell Wire Goods Co.	6050
Four Star Upholstery Co.	6013
Modern Custom Tailors, Inc., and Harry Berkowitz	6050
Ray Bros.	6013
Tanks, plumbing and heating (L-199; Int. 2) (2 documents)	6021
Textile, clothing and leather (M-328B, Sch. A)	6021
Tractors, track-laying; repair parts (L-53-b)	6015
Trucks, industrial power (L-112)	6017
V-board requirements, reports of reductions (M-290, Dir. 3)	6019
Water heaters (L-185)	6020
Windows, metal (L-77)	6019
Zinc (M-11-b)	6013

shall have the right to change at any time the above percentage applicable to dehydrated onions, and to fix percentages and change them from time to time on such other dehydrated vegetables as he may designate, pursuant to the authority contained in (a) (1) hereof. All dehydrated vegetables produced on, or subsequent to, the effective time hereof which are to be set aside for sale and delivery to governmental agencies shall, when the Director so determines, be processed, packaged, labeled, and cased in accordance with such directions as he may issue. Quantities of dehydrated

vegetables set aside may be released at any time by notice to that effect from the Director.

(c) *Exceptions.* (1) The restrictions of paragraph (b) hereof shall not apply to contracts now existing or hereafter made between processors and governmental agencies. In the event of any conflict between the specifications of a contract entered into between a processor and a governmental agency and directions issued under (b) hereof, the contract specifications shall prevail for the quantities of dehydrated vegetables specified in the contract.

(2) The restrictions of (b) hereof shall not apply to those quantities of dehydrated vegetables which properly fall within the two following categories: (i) Sample lots distributed in quantities not to exceed 25 pounds of any dehydrated vegetable to any one user, over a three-month period, for research or experimental purposes; and (ii) quantities of dehydrated vegetables needed as essential ingredients by food product manufacturers under existing contracts, or contracts that may hereafter be made, with a governmental agency: *Provided*, That processors first receive a certificate duly executed on Form FDO 30-3 by the purchasing officer of the contracting governmental agency specifying the total quantity of the restricted dehydrated vegetable needed by the manufacturer in the performance of his contract and that the processor immediately endorse and deliver said certificate to the Director.

(3) The Director may specify quotas and issue certificates of quotas, for the year beginning July 1, 1943, and ending June 30, 1944, and for any period or periods subsequent thereto, for industrial or commercial users of dehydrated vegetables, and each processor may, on or subsequent to July 1, 1943, sell and deliver to each such user a part or the whole of the quota of dehydrated vegetables allotted to said user: *Provided*, That processors (i) obtain from each such user purchasing dehydrated vegetables the certificate of quota issued by the Director on Form FDO 30-5; and (ii) immediately endorse and mail each such certificate to the Director.

(d) *Records and reports.* (1) All dehydrated vegetables disposed of by a processor pursuant to (c) (2) and (c) (3) hereof, shall be reported in detail by the respective processor to the Director at the end of each calendar month on Form FDO 30-1 and such supplements thereto as the Director may prescribe.

(2) Each processor of a dehydrated vegetable shall keep and preserve, for not less than 2 years, the following accurate records with respect to all dehydrated vegetables enumerated in (a) (1) hereof: (i) an inventory of each dehydrated vegetable, by styles (for example, shredded, sliced, diced, powdered, flaked, or stripped), which the respective processor had on hand on March 21, 1943; (ii) an inventory of each dehydrated vegetable, by styles, as aforesaid, which the respective processor has on hand at the close of each calendar month; (iii) the quantity of each dehydrated vegetable, by styles, as aforesaid, produced during each calendar month by

the respective processor; (iv) the shipments to governmental agencies, enumerated in (a) (3) hereof, of each dehydrated vegetable, by quantities and styles, as aforesaid, during each calendar month; and (v) the shipments and sales (including the name and address of each consignee and each purchaser) of all dehydrated onions, by quantities and styles, as aforesaid, during each calendar month. The foregoing records shall be kept with respect to each dehydrated vegetable without regard to whether it may be required to be set aside, under the provisions of this order, for sale to a governmental agency.

(3) Each processor of dehydrated vegetables shall mail to the Director, within two days (Sundays excepted), after the final date of each calendar month, a report on Form FDO 30-1 containing all of the information called for by Form FDO 30-1. A report, as aforesaid, shall be filed with respect to each dehydrated vegetable enumerated in (a) (1) hereof without regard to whether it is required, by the provisions of this order, to be set aside for sale to a governmental agency.

(4) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(e) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of dehydrated vegetables of any person, and to make such investigations, as may be necessary or appropriate, in the Directors' discretion, to the enforcement or administration of the provisions of this order.

(f) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the administrator of this order. Such petition shall be addressed to Administrator, War Food Order No. 30, Fruit and Vegetable Branch, Office of Distribution, War Food Administration, Washington 25, D. C. Petition for such relief shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator on the petition, he shall obtain, by requesting the Order Administrator therefor, a review of such action by the Director. The Director may, after said review, take such action as he deems appropriate, and such action shall be final. The provisions of this paragraph (f) shall not be construed to deprive the Director of authority to consider originally any petition for relief from hardship submitted in accordance herewith. The Director may consider any such petition and take such action

with reference thereto that he deems appropriate, and such action shall be final.

(g) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using dehydrated vegetables, or any other material subject to priority or allocation control by any governmental agency. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(h) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Director of Distribution, War Food Administration, Washington 25, D. C., Ref. WFO-30.

(j) *War Food Order No. 30-1, as amended, terminated.* War Food Order No. 30-1, as amended, 9 F.R. 4319 (formerly designated as Director Food Distribution Order 30-1, issued by the Director of Distribution on March 19, 1943, 8 F.R. 3386, as amended, 9 F.R. 1564), is hereby terminated.

(k) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 30, as amended, and War Food Order No. 30-1, as amended, rights accrued, liabilities incurred, or appeals taken under said orders, prior to the effective time of this order, all provisions of War Food Order No. 30, as amended, and War Food Order No. 30-1, as amended, in effect prior to the effective time of this order 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, liability, or appeal.

Note: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 30, 8 F.R. 3385, 16887, 9 F.R. 4319)

Issued this 31st day of May 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-7882; Filed, May 31, 1944;
8:35 p. m.]

[WFO 29, Partial Suspension, Amdt. 3]

PART 1460—FATS AND OILS

USE AND DISTRIBUTION OF COTTONSEED, PEANUT, SOYBEAN, AND CORN OIL

The order, as amended (8 F.R. 12255, 16353; 9 F.R. 2816), partially suspending War Food Order 29, is amended to read as follows:

Unless otherwise ordered by the Director of Distribution, War Food Administration, the restrictions of paragraph (b) of War Food Order 29 (8 F.R. 5619, 8623, 10970, 15551; 9 F.R. 651, 3252, 4319), § 1460.13 (b), shall not apply to the delivery of crude oil by any person to a refiner, or to the acceptance of delivery of crude oil by a refiner, when such delivery or acceptance of delivery occurs during the period beginning on October 1, 1943, and ending on September 30, 1944. The term "refiner", as used herein, means any person who is a refiner as defined in said War Food Order 29.

This amendment shall become effective at 12:01 a. m., e. w. t., May 30, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 30th day of May 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-7817; Filed, May 30, 1944;
3:30 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4873]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

UNITED DELIVERY SYSTEM AND ESTHER KRESSIN

§ 3.55 *Furnishing means and instrumentalities of misrepresentation or deception:* § 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Nature, in general:* § 3.72 (n 10) *Offering deceptive inducements to purchase or deal—Terms and conditions:* § 3.96 (b) *Using misleading name—Vendor—Nature, in general.* In connection with offer, etc., in commerce of cards, form letters, envelopes, or any other printed or written material for use in obtaining information concerning debtors or alleged debtors, (1) representing, or placing in the hands of others means of representing, directly or by implication, that persons concerning whom information is sought are the consignees of merchandise or other property being held for delivery to them; (2) using the name "United Delivery System," or any other name which imports or implies the shipment, transportation, or distribution of merchandise, to designate, describe, or refer to respondents' business insofar as said business is concerned with obtaining information to be used in the collection

of debts; and (3) using, or placing in the hands of others for use, cards, form letters, envelopes, or other printed or written material by means of which respondents' business of obtaining information for the purpose of facilitating the collection of debts is represented as a business of some other nature or character; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Maurice Kressin trading under the name United Delivery System and Esther Kressin, Docket 4873, May 1, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 1st day of May, A. D. 1944.

In the Matter of Maurice Kressin, an Individual, Trading Under the Name United Delivery System, and Esther Kressin

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondents, testimony and other evidence in support of and in opposition to the allegations of said complaint, report of the trial examiner and exceptions thereto, briefs filed herein, and the oral arguments of counsel; and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent Maurice Kressin, an individual, trading as United Delivery System or under any other name, and respondent Esther Kressin, an individual, jointly or severally, their representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of cards, form letters, envelopes, or any other printed or written material for use in obtaining information concerning debtors or alleged debtors, do forthwith cease and desist from:

1. Representing, or placing in the hands of others means of representing, directly or by implication, that persons concerning whom information is sought are the consignees of merchandise or other property being held for delivery to them.

2. Using the name "United Delivery System," or any other name which imports or implies the shipment, transportation, or distribution of merchandise, to designate, describe, or refer to respondents' business insofar as said business is concerned with obtaining information to be used in the collection of debts.

3. Using, or placing in the hands of others for use, cards, form letters, envelopes, or other printed or written material by means of which respondents' business of obtaining information for the purpose of facilitating the collection of debts is represented as a business of some other nature or character.

It is further ordered, That respondents shall, within sixty (60) days after the service upon them of this order, file with the Commission a report in writing set-

ting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-7970; Filed, June 2, 1944;
11:15 a. m.]

[Docket No. 4946]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

LAWRENCE BLANKET COMPANY, ET AL.

§ 3.66 (a 7) *Misbranding or mislabeling—Composition—Wool Products Labeling Act: § 3.71 (a) Neglecting, unfairly or deceptively, to make material disclosure—Composition—Wool Products Labeling Act.* In connection with the introduction or manufacture for introduction into commerce or the sale, transportation or distribution in commerce, misbranding blankets or other "wool products", as such products are defined in the Wool Products Labeling Act of 1939, which contain, purport to contain, or in any way are represented as containing "wool", "reprocessed wool", or "reused wool", as defined therein, by failing to securely affix to or place on such products a stamp, tag, label or other means of identification showing in a clear and conspicuous manner, (a) the percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five per centum of said total fiber weight of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five percentum or more, and (5) the aggregate of all other fibers; (b) the maximum percentage of the total weight of such wool products of any non-fibrous loading, filling, or adulterating matter; (c) the name of the manufacturer of such wool products; or the manufacturer's registered identification number and the name of a seller of such wool product; or the name of one or more persons introducing such wool product into commerce, or engaged in the sale, transportation, or distribution thereof in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939; prohibited, subject to the proviso, however, that the foregoing provisions concerning misbranding shall not be construed to prohibit acts permitted by paragraphs (a) and (b) of section 3 of the Wool Products Labeling Act of 1939; and to the further proviso, that nothing contained in the order shall be construed as limiting any applicable provisions of said act or the rules and regulations promulgated thereunder. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b; 54 Stat. 1128; 15 U.S.C., Sec. 68) [Cease and desist order, Lawrence Blanket Company, et al., Docket 4946, May 6, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of May A. D. 1944.

In the Matter of Lawrence Blanket Company, a Corporation, Thomas B. Keen and Marian C. Keen, Individually and as Copartners Trading Under the Name Thomas B. Keen Company, and Robert Mars, an Individual

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answers of respondents, in which answers respondents admit all the material allegations of fact set forth in said complaint and state that they waive all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act, and the provisions of the Wool Products Labeling Act of 1939;

It is ordered, That respondents Lawrence Blanket Company, a corporation, Thomas B. Keen and Marian C. Keen, individually and as copartners trading under the name Thomas B. Keen Company, or trading under any other name, and Robert Mars, an individual, jointly or severally, their respective agents and employees, directly or through any corporate or other device in connection with the introduction or manufacture for introduction into commerce or the sale, transportation or distribution in commerce, as "commerce" is defined in the aforesaid acts, do forthwith cease and desist from misbranding blankets or other "wool products", as such products are defined in the Wool Products Labeling Act of 1939, which contain, purport to contain, or in any way are represented as containing "wool", "reprocessed wool", or "reused wool", as those terms are defined in said act, by failing to securely affix to or place on such products a stamp, tag, label or other means of identification showing in a clear and conspicuous manner:

(a) The percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five percentum of said total fiber weight of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five percentum or more, and (5) the aggregate of all other fibers.

(b) The maximum percentage of the total weight of such wool products of any non-fibrous loading, filling, or adulterating matter.

(c) The name of the manufacturer of such wool product; or the manufacturer's registered identification number and the name of a seller of such wool product; or the name of one or more persons introducing such wool product into commerce, or engaged in the sale, transportation, or distribution thereof in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939.

Provided, That the foregoing provisions concerning misbranding shall not be construed to prohibit acts permitted by Paragraphs (a) and (b) of section 3 of the Wool Products Labeling Act of 1939; *And provided, further*, That nothing con-

tained in this order shall be construed as limiting any applicable provisions of said act or the rules and regulations promulgated thereunder.

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

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-7971; Filed, June 2, 1944;
11:15 a. m.]

TITLE 29—LABOR

Chapter IX—War Food Administration (Agricultural Labor)

PART 1100—REGULATIONS RELATIVE TO SALARIES AND WAGES OF AGRICULTURAL LABOR

SALARY OR WAGE INCREASES REQUIRING APPROVAL

The regulations relative to salaries and wages of agricultural labor issued by the War Food Administrator on January 17, 1944 (9 F.R. 655) are hereby amended as follows:

1. The fifth sentence of § 1100.8 is amended to read as follows: "The hearing shall be conducted by two or more members of the board as the board shall direct."

2. Section 1100.9 is amended to read as follows:

§ 1100.9 *Salary or wage increases requiring approval.* Section 4001.7 of the general regulations provides that salaries or wages of agricultural labor may be increased up to \$2,400.00 without approval, unless the Administrator has issued a specific wage ceiling regulation as described in § 1100.7 hereof. That section of the general regulations provides that the phrase "\$2,400.00 per annum" shall mean \$200.00 a month or the equivalent weekly, hourly, piece work rate or comparable basis.

However, no increase in salary or wage payments may be made to employees engaged in agricultural labor who, on December 9, 1943, received such payments in the amount of \$2,400.00 per annum or more, or when the effect of the increase will be to increase salary or wage payments to more than \$2,400.00 per annum, without the prior approval of the Administrator. It makes no difference whether the salary or wage increase is accomplished by salary or wage increases per se, or by means of bonuses or other forms of additional compensation. All such payments which will have the effect of raising the earnings of an employee who earns \$2,400.00 per annum or more, or of raising the earnings of the employee to more than \$2,400.00 per annum, must be approved to be lawful.

Any increase in the rate of overtime or any payment of overtime where it was not the practice of the employer to pay overtime prior to December 9, 1943, may

not be made without prior approval of the Administrator. Lawful overtime payments need not be included in determining whether an employee receives "\$2,400.00 per annum", but all other additional forms of compensation such as bonuses, perquisites and the like, must be included.

Payments by the same employer of the same salary rates or wage rates for the same type of work for the similar period or season made lawfully between December 9, 1942 and December 9, 1943, may be made without approval of the Administrator. Increases in such rates to more than the rate of \$2,400.00 or increases in such rates which are a rate of \$2,400.00 or more per annum must be approved to be lawful: *Provided, however*, That nothing in these regulations is to be construed to prevent an increase, without prior approval, in the hours of employment or amount or volume of work performed on a piece rate basis.

Payment of total compensation, including bonuses, perquisites, and other additional forms of compensation in the same amount or at the same rates as those made lawfully between December 9, 1942 and December 9, 1943, may be made without approval even though that compensation is more than \$2,400.00 per annum. Bonus payments lawfully in existence before December 9, 1943, based on a percentage of business or profits or other factor, may be paid without approval regardless of the dollar amount of the bonus, as long as the basic salary or wage rate and the method of computing the bonus are not changed, even though the total compensation is more than \$2,400 per annum. A change from a salary to a commission basis of pay, however, requires prior approval.

An employer who has established a new job classification or who has begun business after December 9, 1943, must obtain approval of the Administrator for the payment of wages or salaries in excess of \$2,400 per annum for such job classification, or in such new business: *Provided, however*, In the case of new employees, that if the wage or salary rates in question are not in excess of the maxima of those prevailing for similar job classifications within his own organization, or if no such rates are available, then within the local area in the year preceding December 9, 1943, the approval of the Administrator is not required. An increase in the wage or salary rate for job classifications established after December 9, 1943, where the rate of payment is \$2,400 or more per annum or where the proposed increase will make the rate of payment more than \$2,400 per annum, must have prior approval. Additional new workers may be employed to do the same type of work that other employees are performing without approval: *Provided*, That payments are made at the same rate as that made to such other workers doing the same type of work. Approval is not required to fill a vacancy in a position as long as no greater payments are made to the new employee hired to fill the vacancy than were paid to the employee who last previously occupied the position.

Adjustments in instances of promotions, reclassifications, merit increases and the like, may be made only with the approval of the Administrator, when such adjustments are with reference to wages or salaries which are at the rate of \$2,400.00 or more per annum, or if the proposed adjustment will increase the rate to more than \$2,400.00. However, reasonable adjustments for the following purposes may be made without approval of the Administrator if made pursuant to a salary or wage plan or schedule submitted to and approved by the Administrator:

(a) Individual promotions or reclasifications.

(b) Individual merit increases within established wage or salary rate ranges.

(c) Operation of an established plan of wage or salary increases based on length of service.

(d) Increased productivity under incentive plans.

(e) Operation of a trainee system.

(f) Such other reasons or circumstances as may be prescribed in rules or regulations of the Administrator from time to time.

Promotions and reclassifications for the purposes of the preceding paragraph comprehend only cases involving materially increased responsibilities or a substantial change in the nature of the work performed. Merit increases within a given salary range and increases based upon length of service shall not exceed in frequency or in maximum amount the frequency or maximum amount given in such positions in that salary or wage range during a normal period, and there shall be no substantial increase in the average salary rate in any given job classification range. Changes in salary rates in a single job classification may not be increased without approval, even though the salary or wage schedule has been approved by the Administrator.

When a specific wage ceiling regulation relating to an area, crop, class of employer, or otherwise, is issued, as described in § 1100.7 hereof, no payments above the rates described in such specific regulation may be made without the prior approval of the Administrator: *Provided*, That, if an employer was paying a particular employee doing the same type of work at a higher wage or salary rate between January 1, 1942 and September 15, 1942, such employer may pay such employee at the wage or salary rate paid during that period. Payments may be made by those affected, up to and including the rates prescribed by such specific wage ceiling regulations, without the approval of the Administrator. Except in those instances where a lower rate has been established by a specific wage ceiling regulation, no approval is required to increase salary or wage payments to agricultural labor up to \$2,400.00 per annum (\$200.00 per month).

The existence of prior contracts for salary or wage payments or increases will not justify payments or increases without the prior approval of the Administrator where such approval is required by these regulations or by any specific wage ceiling regulation.

Any increases in wage or salary payments where approval is required will be

in contravention of the act, if made without approval. Any increase will be lawful only from the date specified in the approval, if prior approval is required.

3. Section 1100.10 is amended by adding the following at the end thereof:

(d) Wage or salary adjustments may be made with the approval of the Administrator to correct inequalities between immediately inter-related job classifications where such inequalities have arisen because of elimination of substandards of living or because of the applicability of the Little Steel formula, but only to the extent required to keep the minimum differentials necessary to maintain productive efficiency. Such adjustments are to be tapered off rigorously when applied to higher job classifications.

4. Section 1100.12 is amended by changing the first sentence to read as follows:

In the case of salary or wage payments existing on December 9, 1943, by means of which an employee is paid \$5,000.00 or less per annum for any particular work, the general rule is that no decrease can be made by an employer in such salary or wage rate paid for such work in the local area between January 1, 1942 and September 15, 1942.

5. Paragraph (a) of § 1100.16 is amended by adding the following at the end thereof:

Where the hearing is conducted by a Wage Board, three members of the Wage Board shall constitute a quorum authorized to conduct such hearing, and the chairman of the Wage Board, or temporary chairman in the absence of the regular chairman, shall act as presiding officer at the hearing, administer oaths and affirmations and rule on motions, requests, and on the admission and exclusion of evidence.

6. The first sentence of paragraph (d) of § 1100.16 is amended to read as follows:

Upon conclusion of the hearing, if the Director or a majority of the Board, as the case may be, is satisfied that the charge is supported by substantial evidence, the Director or the Board, as the case may be, shall find accordingly.

7. The last sentence of paragraph (e) of § 1100.16 is amended to read as follows:

The determination of the Administrator shall be final and shall not be subject to review by The Tax Court of the United States or by any court in any civil proceedings except as set forth in § 1100.14 (b) hereof.

(56 Stat. 765, 50 U.S.C. Supp. II 961 et seq., as amended by Pub. Law No. 34, 78th Cong.; E.O. 9328, 8 F.R. 9681; regulations of Economic Stabilization Director, dated August 28, 1943, as amended, 8 F.R. 11960, 12139, 16702.)

Issued this 1st day of June 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-7976; Filed, June 2, 1944, 11:36 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 250]

CERTIFICATE OF PERSON NOT REQUIRED TO REGISTER

ORDER PRESCRIBING FORM

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Addition of a new form designated as DSS Form 357, entitled "Certificate For Person Not Required to Register," effective immediately upon the filing hereof with the Division of the Federal Register.¹

The foregoing addition shall become a part of the Selective Service Regulations effective within the Continental United States immediately upon the filing hereof with the Division of the Federal Register and effective outside the Continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHY,
Director.

JUNE 1, 1944.

[F. R. Doc. 44-7989; Filed, June 1, 1944;
3:44 p. m.]

"preparations" which are on dock, on lighter, laden aboard the exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions. Shipments moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions. This amendment shall be effective immediately upon publication except with respect to those commodities listed under the heading "Grains and preparations" as to which this amendment shall become effective on June 10, 1944.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: May 30, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-7969; Filed, June 2, 1944;
11:09 a. m.]

[Amdt. 179]

PART 802—GENERAL LICENSES

SHIPMENTS NOT EXCEEDING SPECIFIED VALUE

Paragraph (a) of § 802.10 General licenses which permit shipments not exceeding a specified value is hereby amended by adding to the commodities listed therein the following commodity:

Commodity _____ Schedule B Number
Freon refrigerants 8391.00

Shipments of the above commodity which are on dock, on lighter, laden aboard the exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment, may be exported under the previous general license provisions. Shipments moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may be exported under the previous general license provisions. This amendment shall become effective June 10, 1944.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: May 30, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-7968; Filed, June 2, 1944;
11:09 a. m.]

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 180]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

In the column headed "General License Group" the group and country designations assigned to the commodities listed below, at every place where said commodities appear in said section, are hereby amended to read as follows:

Commodity and Department of General Commerce No.	General License Group
Animals, edible:	
Cattle for breeding, 0010.00	K
Hogs (swine), 0013.00	K
Sheep (include Karakul sheep), 0016.00	K
Grains and preparations:	
Buckwheat (bu. 48 lbs.), 1021.00	None
Corn cereal foods, ready to eat, 1037.00	None
Cornmeal (bbl. 196 lbs.), 1032.00	None
Hominy and corn grits, 1033.00	None
Kafir and milo (bu. 56 lbs.), 1036.00	None
Macaroni, spaghetti, noodles, vermicelli and macaroni products, 1077.00	None
Oatmeal, groats and rolled oats, in bulk, 1043.00	None
Oatmeal, groats and rolled oats, in packages (cases or cartons), 1044.00	None
Oats (bu. 32 lbs.) 1041.00	None
Rye (bu. 56 lbs.) 1061.00	None
Wheat (bu. 60 lbs.), 1071.00	None

Shipments of the above commodities listed under the heading "Grains and

¹ Form filed as part of original document.

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-554]

FOUR STAR UPHOLSTERY COMPANY

The Four Star Upholstery Co., a partnership composed of Benny Barmash and Lawrence Kaplan is engaged in the business of manufacturing furniture at 753 Broadway, New York, New York. During the period beginning February 3, 1943 and ending August 26, 1943, the respondents processed, fabricated, worked on and assembled 150 pieces of new wood upholstered furniture containing steel springs and coils in violation of Limitation Order L-135. Since the respondents were familiar with the provisions of Limitation Order L-135, their actions must be deemed to constitute wilful violations of that order.

These violations of Limitation Order L-135 diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.554 Suspension Order No. S-554.
(a) Benny Barmash and Lawrence Kaplan, individually, and as partners doing business as Four Star Upholstery Company, or under any other name, their and its successors or assigns, during the three months period beginning July 1, 1944 and ending September 30, 1944, shall not use in the production of upholstered furniture more metal upholstery springs than 7½% by weight of the total weight of metal upholstery springs used by them in the year 1941.

(b) Nothing contained in this order shall be deemed to relieve Benny Barmash and Lawrence Kaplan, individually, and as partners doing business as the Four Star Upholstery Company, or under any other name, their and its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on July 1, 1944, and shall expire on December 31, 1944.

Issued this 25th day of May 1944.

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

[F. R. Doc. 44-7945; Filed, June 1, 1944;
4:22 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-555]

RAY BROTHERS

Abraham Harry Ray and Moses Ray, co-partners, are furniture manufacturers doing business as the Ray Brothers located at 131 Prince Street, New York, New York. During the period beginning November 1, 1942 through May 25, 1943, the respondents processed, fabricated, worked on and assembled more than 1,080 pieces of new wood upholstered furniture containing steel springs and coils, in violation of Limitation Order L-135. Respondents were aware of the provisions of Limitation Order L-135 and their actions constituted a wilful violation of that order.

These violations of Limitation Order L-135 diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.555 Suspension Order No. S-555. (a) Abraham Harry Ray and Moses Ray doing business as the Ray Brothers, or otherwise, their successors or assigns, during the three months period beginning July 1, 1944 and ending September 30, 1944, shall not use in the production of upholstered furniture more metal upholstery springs than 5% by weight of the total weight of metal upholstery springs used by them in the year 1941; and during the three months period beginning October 1, 1944 and ending December 31, 1944, the respondents shall not use in the production of upholstered furniture more metal upholstery springs than 7½% by weight of the total weight of metal upholstery springs used by them in the year 1941.

(b) Nothing contained in this order shall be deemed to relieve Abraham Harry Ray and Moses Ray, doing business as the Ray Brothers, or otherwise, their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions of this order.

(c) This order shall take effect on July 1, 1944 and shall expire on December 31, 1944.

Issued this 25th day of May 1944.

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

[F. R. Doc. 44-7946; Filed, June 1, 1944;
4:22 p. m.]

PART 937—ZINC

[Conservation Order M-11-b, as Amended
June 2, 1944]

§ 937.3 Conservation Order M-11-b—

(a) **Prohibition on use of zinc or zinc products in articles appearing on List A.** (1) No person shall use any zinc or zinc products to make any item on List A. Additional items may, from time to time, be added to List A by amendment and

the restrictions of this order made applicable to such items after a specified date. In each such case the effective date for the particular item will be indicated in parenthesis after the item.

(2) No person shall use any metal which has a protective coating or plating (other than paint) of zinc to make any item on List A and no person shall apply a protective coating or plating (other than paint) of zinc to any item on List A unless the item on List A has a notation to the contrary.

(b) **Limitation of use of zinc or zinc products to make items not on List A.** In addition to the prohibitions of paragraph (a) above no person shall, during any calendar quarter, use more:

(1) Zinc products in the manufacture of any item, or

(2) Zinc in the production of any zinc product not requiring further processing, assembling, or finishing, or

(3) Zinc or zinc products for the purpose of applying a protective coating or plating (other than paint),

than 15% of the amount by weight of zinc or zinc products, respectively, used by him for such purpose during the entire calendar year 1941.

(c) **General exceptions.** The prohibitions and restrictions in paragraphs (a) and (b) shall not apply to the use of zinc or zinc products for the manufacture of any of the items or for any of the purposes following:

(1) Under a specific contract or subcontract covering the manufacture of any product, or any component to be physically incorporated into such product, produced by or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration to the extent required by specifications, including performance specifications, applicable to the contract, sub-contract or purchase orders.

(2) For use to comply with safety regulations issued under government authority which require the use of zinc to the extent employed, or in safety equipment as permitted by General Limitation Order L-114, where and to the extent the use of any less scarce material is impractical.

(3) For use in chemical and industrial plants to the extent that corrosive or chemical action makes the use of any other material impractical.

(4) For use in research laboratories where and to the extent that the physical or chemical properties make the use of any other material impractical.

(5) For health supplies of the following types only:

(i) Dental instruments, apparatus and equipment;

(ii) Dental supplies and appliances;

(iii) Lamps, health electric;

(iv) Medicinal chemicals (limited to medical uses only);

(v) Ophthalmic products and instruments;

(vi) Physiotherapy products, electrical;

(vii) Surgical and medical instruments, equipment and supplies;

(viii) Orthopedic appliances;

(ix) X-Ray apparatus and tubes;

(6) For precision measuring, recording and control instruments, systems or equipment for use in industrial processes.

(7) For stamping and forming dies.

(8) For use as zinc dust in the following:

- (i) Metal refining and recovery;
- (ii) Smoke mixtures;
- (iii) Rubber processing;
- (iv) Chemicals for medicinal products;
- (v) Sodium hydrosulfite and sulfoxylate and zinc hydrosulfite;
- (vi) Dyestuffs, intermediates and dyes;
- (vii) Electroplating.

(9) For adjustable stencils for marking shipments and products.

(10) For applying a protective coating or plating (other than paint) of zinc to any item for which the processor has used cadmium for the same purpose after September 1, 1943.

(11) For protective coatings on coins made by the Bureau of the Mint or on fare tokens.

(12) For dry cell batteries and portable electric lights. (See, however, General Limitation Order L-71.)

(13) For printing plates. (See, however, General Limitation Order M-339.)

(14) For the manufacture of zinc oxide.

(15) For eyelets and grommets.

(16) For applying a protective coating or plating of zinc on plumbing fixture fittings and trim.

(17) For universal portable electric tools as defined in Schedule I to Limitation Order L-216.

(18) For portable pneumatic tools which, in the course of normal use, are lifted, held, and operated by not more than two persons.

(19) For light power driven tools as defined in General Limitation Order L-237.

(20) For data, instruction and identification plates.

(21) For air compressors (functional parts).

(22) For airline, water, and oil separators.

(23) For air regulators, as part of spraying equipment.

(24) For closures for glass containers. (See, however, General Limitation Order L-103-b.)

(25) For repair parts to replace similar parts of zinc.

(26) For motors, electric.

(27) For pulleys for power transmission.

(28) For flexible couplings.

(29) For coal stokers. (See, however, General Limitation Order L-75.)

(30) For domestic electric ranges.

(See, however, Limitation Order L-23-b.)

(31) For electric fans. (See, however, General Limitation Order L-176.)

(32) For mechanical pencils. (See, however, General Limitation Order L-227.)

(33) For motorized fire apparatus. (See, however, General Limitation Order L-43.)

(34) For applying a protective coating or plating of zinc on loose leaf metal parts and units. (See, however, General Limitation Order L-188.)

(35) For air brakes.

(36) For communication equipment.

(37) For condensers.

(38) For fare boxes for public conveyances.

(39) For sterilizer equipment (See Limitation Order L-266).

(40) For temperature, humidity, and pressure control devices.

(41) For textile machinery.

(42) For industrial turbines.

(43) For protective coating on railroad freight car running boards.

(44) For fire protective, signal and alarm equipment. (See General Limitation Order L-39.)

(45) For research, developmental or experimental activities. Zinc may be used to make experimental models or test runs, but only the minimum number of models or minimum size run needed to determine the suitability of the item for commercial production. Such models or materials shall not be distributed for the purpose of promoting sales or creating a consumer demand for such items, nor shall such item designed primarily for future civilian markets, be exhibited to the public. Research, developmental or experimental activities in connection with products or materials designed primarily for future civilian markets must be carried on without diverting any manpower, technical skill, or facilities from activities connected with the war effort.

(d) *Prohibitions against sales or deliveries of zinc or zinc products.* No person shall sell or deliver any zinc or zinc products to any person if he knows, or has reason to believe, such material is to be used in violation of the terms of this order.

(e) *Miscellaneous provisions*—(1) *Appeals.* Any appeal from the provisions of this order must be by letter, in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal, filed with the field office of the War Production Board for the District in which is located the plant or branch of the appellant to which the appeal relates. The appeal shall contain, in addition, the following: (i) Zinc consumed in the year 1941 to the purpose for which the appeal is made; (ii) whether the quantity appealed for is to establish or exceed quota; (iii) the reason why zinc must be used if it was not consumed during the base period. The reporting requirements of paragraph (e) (1) of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) *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.

(3) *Definitions.* (i) "Zinc" means zinc metal which has been produced by any electrolytic, electro-thermic, or fire refining process. It shall include zinc scrap and zinc metal produced from scrap and any alloy in the composition of which the percentage of zinc metal by weight equals or exceeds the percentage of all other metals.

(ii) "Zinc products" means zinc in the form of sheet, strip, rod, wire, castings, or dust.

(iii) "Use" means to process, assemble, or finish zinc products or to consume zinc.

(iv) "Item" means any article or component part thereof.

Issued this 2d day of June 1944.

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

LIST A

NOTE: List A amended June 2, 1944.

The use of zinc in the items below and in all component parts of such items is prohibited except to the extent permitted by the foregoing Conservation Order M-11-b. Where sublistings appear under a general heading on this list, the prohibition against the use of zinc and zinc products applies only to the sublisted items.

Art craft and furnishings:

- Andirons.
- Bookends.
- Candlesticks.
- Coat hooks.
- Door chimes.
- Fireplace fittings.
- Mirror frames.
- Picture frames.
- Statues.

Automotive (except mechanical or functional items and except motorized fire apparatus):

- Diesel engines.
- Locking devices for wheels, tires or gasoline tanks.
- Passenger cars.
- Trailers.
- Tractors.
- Trucks.
- Truck tractors.

Banks, personal, toy, miniature.

Beauty shop and barber shop equipment and supplies (whether for home or business uses):

- Hair curlers.
- Hair dryers.
- Lotion dispensers.
- Permanent waving machines.

Bicycles and Tricycles:

- Bicycles (except for protective coatings on wire for spokes).
- Tricycles.

Binoculars.

Builders' finishing hardware (except as permitted by General Limitation Order L-236, Schedule I, whether specifically or by reference to this order)

Builders' supplies (except protective coatings):

- Down spouts.
- Drainage fittings.
- Flashing.
- Gutters.
- Metal plastering bases.

Roofing

Bulletin and menu boards, directories and similar items, and letters for same

Burial equipment:
 Caskets
 Casket hardware
 Markers
 Vaults

Coin operated devices:
 Automatic phonographs
 Gaming machines
 Vending machines (except sanitary napkin machines as permitted by General Limitation Order L-27)

Clock & watch cases

Closures and associated items (except as permitted by General Limitation Order L-68)

Cosmetics:
 Cosmetic containers, compacts and lipstick holders
 Lotion dispensers
 Perfume dispensers
 Costume jewelry

Electrical household appliances

Gas-fired stoves and ranges

Grilles

Handbag fittings

Health supplies (except as permitted by paragraph (c) (5) of this order)

Insignia

Insulation

Key blanks (except protective coatings)

Kitchen, household, restaurant & soda fountain items:
 Butter chippers
 Can openers
 Coffee grinders
 Coffee urns
 Dishwashing machines (except protective coatings)
 Drink mixers and shakers
 Egg slicers
 Food mixers
 Fruit juicers
 Grilles
 Ice cream cabinets
 Ice crushers
 Meat slicers
 Patent medicine dispensing machines
 Potato slicers & mashers
 Toasters
 Lamps (except protective coatings)
 Lawn mowers and lawn sprinklers

Lighting equipment, interior (except protective coating)

Luggage:
 Fittings
 Hardware

Metal furniture

Musical instruments

Novelties:
 Advertising novelties
 Jewelry cases
 Letter openers
 Novelty jewelry
 Souvenirs

Office supplies:
 Box openers
 Calendar bases & holders
 Envelope openers
 Envelope sealing machines
 List finders
 Paper weights
 Pen bases
 Pencil sharpeners
 Stapling machines

Ornamental and decorative uses (whether or not the item is included in List A)

Outboard motors

Paper and paper product dispensing machines and devices (except protective coatings)

Paper coatings

Parking meters

Photographic equipment, accessories, and parts (except as permitted by General Limitation Order L-267)

Portable and standing lamps (except protective coatings)

Portable gasoline and Diesel engines (except mechanical or functional items)

Radios and non-coin operated phonographs

Refrigerators, mechanical, electric or gas (except for essential food storage, food transportation and industrial uses)

Sewing machines

Signs:
 Advertising specialities
 Billboards
 Merchandise displays of all kinds
 Name plates

Smokers' supplies:
 Ash trays
 Cigar and cigarette lighters
 Smokers' accessories

Soap dispensers

Slugs and tokens of all kinds (except as permitted by paragraph (c) (11) of this order)

Soot removers (except as produced from scrap)

Spittoons

Stair treads and thresholds

Stationary gasoline and Diesel engines (except mechanical and functional items)

Stenciling devices (except as permitted by paragraph (c) (9) of this order)

Ticket vending machines

Toys and games

Vacuum cleaners and sweepers

Venetian blind slats and hardware (except protective coatings)

Washing machines

[F. R. Doc. 44-7986; Filed, June 2, 1944;
 11:46 a. m.]

PART 1157—CONSTRUCTION MACHINERY

[General Limitation Order L-53-b, as Amended June 2, 1944]

REPAIR PARTS FOR TRACK-LAYING TRACTORS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain repair parts necessary to service track-laying tractors 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:

§ 1157.7 General Limitation Order L-53-b—(a) What this order does. The purposes of this order are to regulate the sale and delivery of repair parts for track-laying tractors; to prohibit dealers and distributors from obtaining excessive inventories of repair parts; to prohibit tractor owners from getting more repair parts than they actually need; and to allocate deliveries of repair parts between military and non-military purchasers. The order tells how repair parts can be sold and who can buy them.

(b) Restrictions on sales and deliveries of repair parts. (1) A producer, dealer or distributor located in the United States must not sell or deliver repair parts to any person except for export unless he has received from such person an emergency certificate. (Certain exemptions are explained in paragraph (c) below and special restrictions on export sales are explained in paragraph (d) below.) The emergency certificate must be in substantially the form set forth below, signed by hand or signed as provided in Priorities Regulation 7:

In accordance with Order L-53-b, I certify, subject to criminal penalties for misrepresentation, that all the repair parts covered by this order are immediately necessary to put my tractor(s) in serviceable condition and are not for stock; that I do not have like parts on hand; that I have not placed another order for any of these parts with any other person, and that the parts will only be used on the following tractor(s).
 (Give serial number(s))

Name of Purchaser

Address of Purchaser

The certificate shall constitute a representation to the seller and to the War Production Board that all the statements in it are true. Any producer, dealer or distributor who receives this certificate may rely on it unless he knows or has reason to believe it to be false.

(2) The standard certification of Priorities Regulation 7 must not be used instead of the emergency certificate provided for above. The emergency certificate must not be waived in the manner provided in Priorities Regulation 7; however, the seller may sign the emergency certificate in his own name for the buyer if he knows all the facts and is willing to assume full responsibility for the truth of every statement contained in it. Telegraph, telephone and verbal orders may be accepted by complying with the applicable provisions for telegraph, telephone and verbal orders of Priorities Regulation 7.

Issued this 2d day of June 1944.

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

[F. R. Doc. 44-7985; Filed, June 2, 1944;
 11:46 a. m.]

(c) *Exemptions.* The following sales and deliveries are exempt from the requirement of an emergency certificate:

(1) Where the producer, dealer or distributor receives from the purchaser Form WPB-1319 approved by the War Production Board. Any person who is unable to furnish an emergency certificate may apply for this approval by filing the required number of copies of this form in accordance with the current instructions for the form;

(2) Where the purchaser is a producer, or a dealer or distributor located in the United States or Canada;

(3) Where a military agency is buying repair parts direct from a producer;

(4) Where the order is for fuel filters or oil filters in a quantity to permit not more than 500 hours operation.

(d) *Repair parts for export.* (1) A producer, dealer or distributor located in the United States must not sell or deliver repair parts for export outside the United States unless he receives from the purchaser Form WPB-1319 approved by the War Production Board. Application for this approval may be made by filing the required number of copies of this form in accordance with the current instructions for the form.

(2) The following sales and deliveries for export are exempt from this requirement:

(i) Sales and deliveries to dealers and distributors located in Canada;

(ii) Sales and deliveries by a producer to an export dealer or distributor within the dealer's or distributor's annual quota as approved by the War Production Board pursuant to a quota application filed by the producer on Form WPB-1319 in accordance with the current instructions for the form;

(iii) Direct sales to military agencies by producers;¹

(iv) Any sale or delivery not exceeding \$100 to any other person for export;²

(e) *Allocation of repair parts deliveries by manufacturers of track-laying tractors.* (1) Unless otherwise directed by the War Production Board, each manufacturer of track-laying tractors must deliver to the military agencies during the period from July 1, 1944, to December 31, 1944, and during each succeeding calendar year, all repair parts ordered by them in sufficient time for delivery in each such period except that such deliveries must not exceed 65% of his total deliveries of repair parts by value at invoice price during any such period.

(2) Whenever unfilled orders in the hands of a manufacturer of track-laying tractors calling for immediate delivery of any repair part shall exceed his in-

¹ Military agencies must not purchase repair parts for overseas use from dealers or distributors located in the United States unless the purchases are approved on Form WPB-1319 in accordance with paragraph (d) (1). (See paragraph (f) for effect of such purchases on dealers' and distributors' quotas.)

² A producer, dealer or distributor must not accept any order under this provision if he knows or has reason to believe that the purchaser has subdivided his purchase for the purpose of coming within the exemption.

ventory of that repair part, he shall, so long as such condition exists, make no delivery of that part to dealers or distributors in the United States and Canada for stock until he has filled all other orders and shall apportion his deliveries of such repair part as follows:

(i) Deliveries directly to military agencies: not more than 65% of his total deliveries of such repair part, if there are unshipped orders on hand from other persons for such repair part.

(ii) Deliveries to or for the account of other persons: not more than 35% of his total deliveries of such repair part, if there are unshipped orders on hand from military agencies for such repair part.

(3) Whenever a manufacturer of track-laying tractors receives a repair parts order from a dealer or distributor located in the United States or Canada, he must, for the purposes of paragraph (e) (2) above, treat it as a stock order unless the dealer or distributor states that the parts are to fill customers' orders actually received which he is unable to fill from his stock. Each such statement shall constitute a representation of the truth thereof, and any producer may rely on it unless he knows or has reason to believe it to be false.

(f) *Quotas for dealers and distributors in the United States and Canada.* Unless specifically authorized in writing by the War Production Board, a producer must not, during any calendar quarter, ship to any dealer or distributor located in the United States or Canada, more than \$10,000 worth of repair parts at invoice price or 50% of the value of his shipments to such dealer or distributor during the preceding six calendar months, whichever is the greater. However, a producer may ship to any such dealer or distributor during any calendar quarter 10% more than the quota of such dealer or distributor but such excess shipments must be charged against the quota of the dealer or distributor for the next calendar quarter and must not be counted in computing any future quotas. Similarly, excess shipments made during the second quarter of 1944 or any prior quarter under paragraph (b) (5) of Order L-53-b, as amended March 6, 1944, must not be counted in computing any quotas. It will be against the policy of the War Production Board to authorize any increase in quotas on account of sales by such dealers or distributors for overseas use.

(g) *Filling orders upon specific direction of the War Production Board.* A producer, dealer or distributor shall, upon specific direction of the War Production Board, make delivery of any repair part in accordance with such direction.

(h) *Preference ratings.* No person shall apply or extend any rating to get any repair parts from a producer, dealer or distributor, and no producer, dealer or distributor shall require a rating as a condition of the sale or delivery of repair parts. Any rating purporting to be applied or extended to any such transaction shall be void and no producer,

dealer or distributor shall give any effect to it in filling an order.

(i) *Definitions.* (1) "Track-laying tractor" means a vehicle powered by an internal combustion engine, used for pushing or pulling heavy loads, obtaining traction and steered by a full crawler or track-type device; but not Ordnance models of tank-type construction such as models M-2, M-4, M-5 and M-6 or U. S. Engineer models specifically designed for transport by air (airborne tractors).

(2) "Repair part" means:

(i) Any part manufactured or sold by a producer, for use in the repair of track-laying tractors, but not parts sold by a producer to other manufacturers for incorporation into or for repair of other products manufactured by them;

(ii) Tools which bear a producer's standard parts number and which are used in servicing track-laying tractors.

(3) "Producer" means any person engaged in the business of manufacturing track-laying tractors; it also includes any other person to the extent that he is engaged in the business of manufacturing parts specifically designed for use in the repair of track-laying tractors. It does not include any person primarily engaged in the business of manufacturing common components or any person to the extent that he supplies parts to a manufacturer of track-laying tractors.

(4) "Dealer or distributor" means any person engaged in the business of buying repair parts for the purpose of resale but the term does not include any producer.

(5) "Export dealer or distributor" means any dealer or distributor who is engaged in the business of selling repair parts outside the United States and Canada.

(6) "United States" means the forty-eight states of the United States and the District of Columbia.

(7) "Military agency" means the Army, Navy, Maritime Commission, War Shipping Administration and any other agency or person so designated by the War Production Board.

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

(2) *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.

(3) *Reporting requirements.* The form of application (Form WPB-1319) provided for in this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(4) *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. The letter must be filed with the field office of the War Production Board in the district in which is located the plant or branch of the appellant to which the appeal relates.

(5) *Communications.* All reports required to be filed hereunder and all other communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Construction Machinery Division, Washington 25, D. C., Ref: L-53-b.

(6) *Effective date.* Paragraph (e) of this order shall become effective June 2, 1944, and all other provisions shall become effective July 3, 1944. All provisions of Order L-53-b, as amended March 6, 1944, except paragraph (e) of that amendment, shall remain in full force and effect until July 3, 1944.

Issued this 2d day of June 1944.

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

[F. R. Doc. 44-7979; Filed, June 2, 1944;
11:45 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L-112 as Amended June 2, 1944]

INDUSTRIAL POWER TRUCKS

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

§ 1226.117 General Limitation Order L-112—(a) *Definitions.* For the purpose of this order:

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

(2) "Industrial power truck" means any self-power-propelled industrial truck or wheel tractor designed primarily for handling material (either by carrying or towing) on floors or paved surfaces in and around industrial plants, warehouses, docks, airports or depots. The term shall not include automotive tractors, trucks, or wheeltypes industrial tractors designed for use on tax-built highways, or in such operations as construction, earth-moving, mining, logging, industrial yard work, or petroleum development.

(3) "Manufacturer" means any person who manufactures, fabricates or assembles new industrial power trucks, and includes any sales and distribution outlets of a manufacturer.

(4) "Parts producer" means any person, other than a manufacturer, who

manufactures parts to be incorporated in industrial power trucks.

(5) "Standard model" as applied to a manufacturer, means one model only of each type and capacity of industrial power truck listed in List A attached hereto, described in such manufacturer's catalogue or bulletin on July 10, 1942.

(6) "Approved standard model" means a standard model listed hereafter and from time to time by supplementary order or orders, as provided in paragraph (d) (2).

(7) "New", when applied to any industrial power truck, means any truck which has never been sold to a person acquiring the same for use. "Used" means any such truck which has been sold to a person acquiring the same for use, whether or not such truck has subsequently been reconditioned or rebuilt.

(8) "Dealer" means any person, other than a manufacturer, engaged in the business of selling or distributing new or used industrial power trucks, whether at wholesale, retail, or otherwise.

(9) "Owner" means any person (including a manufacturer or dealer) who owns any industrial power truck, regardless of whether such truck was acquired for resale or for use by such person.

(b) *Restrictions on orders and deliveries*—(1) *New trucks.* (i) No manufacturer shall accept any order for a new industrial power truck unless such order is accompanied by the authorization of the War Production Board provided for in paragraph (b) (3) below. Orders so authorized shall be placed only with the supplier specified by the War Production Board.

(ii) No manufacturer shall hereafter deliver any new industrial power truck, except in fulfillment of an order (a) accepted before October 15, 1942, and rated A-9 or better on Form WPB-541 (formerly PD-1A) or WPB-542 (formerly PD-3A or on a form in the WPB-837 (formerly PD-408), or (b) accepted on or after October 15, 1942, and accompanied by the authorization of the War Production Board provided for in paragraph (b) (3) below.

(2) *Used trucks.* (i) On and after July 20, 1943 no manufacturer, dealer or owner shall accept any order for a used industrial power truck unless such order is accompanied by the authorization of the War Production Board provided for in paragraph (b) (3) below. Orders so authorized shall be placed only with the supplier specified by the War Production Board.

(ii) On and after July 20, 1943, no manufacturer, dealer or owner shall deliver any used industrial power truck, except in fulfillment of an order accompanied by the authorization of the War Production Board provided for in paragraph (b) (3) below.

(iii) Any manufacturer, dealer or owner specified as a supplier in the authorization for a used truck shall accept any order placed with him for such truck (if the order is accompanied by the authorization), as if such order bore a preference rating, unless he is permitted to, and does, reject the same under the

provisions of Priorities Regulation No. 1, § 944.2. However, nothing herein shall require the sale of any used industrial power truck by any person who acquired and holds such truck for his own use and not for resale.

(iv) The restrictions contained in (i), (ii), and (iii) of this paragraph (b) (2) shall not apply to deliveries of used industrial power trucks made by one branch, division, or section of a single enterprise to another branch, division, or section of the same enterprise under common ownership where no transfer of title or ownership of such trucks is involved, or to deliveries of any used industrial power trucks owned by the Army, Navy, Maritime Commission or War Shipping Administration, from one department to another within any such agency, or from any of such agencies to any other of such agencies.

(3) *Authorizations.* Application for authorization of the War Production Board required by paragraph (b) (1) and (2) shall be made by the purchaser on Form WPB-1319 prepared in accordance with the instructions for such form. The War Production Board may grant such application unconditionally or upon specified conditions, including the requirement that the order be placed with a supplier named by the War Production Board, or that the order shall only cover such model, type or size of truck as may be designated by such Board.

(c) [Deleted Mar. 16, 1944]

(d) *Standardization of models.* (1) No manufacturer shall after July 10, 1942 begin the manufacture of any industrial power truck which is not a standard model. The design and structure of any standard model shall be only as specified or described in such manufacturer's catalogue or bulletin; except that electric fork trucks with capacities from 2,000 pounds to 6,000 pounds may be built in both center and end control types; and that alterations may be made in counter weights, die pullers (power winch), height of lift, voltage, battery capacity, explosion or fire prevention features, and the length or width or type of fork or ram.

(2) On and after August 15, 1942, no manufacturer shall begin the manufacture of any standard model which is not an approved standard model. Approved standard models for each manufacturer shall be only those industrial power trucks listed hereafter and from time to time by order or orders supplementary to this order. The provisions of paragraph (d) (1) hereof relative to changes in design and structure shall be applicable to approved standard models.

(3) On or before the 15th day of October and of each succeeding calendar month, every manufacturer shall file with the War Production Board a report on Form WPB-1262 (formerly PD-385), which shall include (i) such manufacturer's proposed production schedules so far as then planned, but in any event, for not less than the three calendar months following the filing of the report; and (ii) his proposed delivery schedules so far as then planned, but in any event for not less than the one calendar month

following such filing. The production schedules for the three calendar months, and the delivery schedules for the one calendar month following the filing of the report shall be deemed to be approved by the War Production Board upon the receipt of the report by the War Production Board, unless the War Production Board shall otherwise direct. The War Production Board may, at any time, change any schedules; direct the cancellation of any order shown on any schedule; prescribe any other schedule for production or deliveries for any period, regardless of whether a schedule for such period, or any part thereof, has been reported by the manufacturer, or theretofore approved by the War Production Board; allocate any order listed on the report to any other manufacturer; or direct the delivery of any industrial power truck so listed to any other person, at the established price and terms. No manufacturer shall produce or deliver any industrial power truck except in accordance with schedules approved or prescribed by the War Production Board, as above provided; and no manufacturer shall alter any such approved or prescribed production or delivery schedules unless authorized or directed to do so by the War Production Board.

(e) Experimental models. In addition to the approved standard models of industrial power trucks which a manufacturer is permitted to produce under paragraph (d) of this order and Order L-112-a, a manufacturer may also produce experimental models (in any design and structure), if he does so in accordance with all of the following restrictions:

(1) He may not produce more than the minimum number of experimental models or any larger ones than the minimum capacity, required to determine their suitability for commercial production, operation, and application; in no case may he produce more than two units of the same model and capacity;

(2) He may not acquire for such purpose any facilities which are capital additions;

(3) He may not produce any such model if he knows or has reasonable cause to believe that such action would divert any materials, manpower, technical skill, or other facilities needed by him or any other person for any defense order (as defined in Priorities Regulation 1) or for any order rated AA-5 or higher, or to fill any order specifically authorized by the War Production Board; and he shall immediately discontinue such production whenever and as long as it causes or threatens to cause such diversion;

(4) Such experimental models may not be offered for sale or be demonstrated, displayed or distributed.

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

(2) Existing contracts. Fulfillment of contracts in violation of this order is prohibited regardless of whether such contracts are entered into before or after July 10, 1942. No person shall be held liable for damages or penalties for default under any contract or order, which shall result directly or indirectly from his compliance with the terms of this order.

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

[NOTE: Paragraphs (4), (5) and (6), formerly (5), (6) and (7), redesignated June 2, 1944.]

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

(5) 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. This letter must be filed with the field office of the War Production Board for the district in which is located the plan or branch of the appellant to which the appeal relates.

(6) Communications. All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C.; Ref.: L-112.

Issued this 2d day of June 1944.

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

LIST A

No lift, high platform	1,000 lbs. to 20,000 lbs.
No lift, low platform	1,000 lbs. to 20,000 lbs.
Low lift, high platform	2,000 lbs. to 20,000 lbs.
Low lift, low platform	2,000 lbs. to 20,000 lbs.
High lift, low platform	2,000 lbs. to 10,000 lbs.
Fork or ram	2,000 lbs. to 60,000 lbs.
Crane	2,000 lbs. to 20,000 lbs.
Tractor	¹ 1,500 lbs. to 6,000 lbs.
Motorized low lift	2,000 lbs. to 6,000 lbs.
Straddle trucks	10,000 lbs. to 30,000 lbs.

¹ Max D.B.P.

[F. R. Doc. 44-7981: Filed, June 2, 1944;
11:45 a. m.]

PART 3175—REGULATIONS APPLICABLE TO
THE CONTROLLED MATERIALS PLAN
[CMP Reg. 6, Direction 4]

SPECIAL PROCEDURE FOR USE OF ABBREVIATED
ALLOTMENT NUMBER U-2 BY UTILITIES

The following direction is issued pursuant to CMP Regulation 6:

(a) Scope of this direction. This direction applies to construction, installations and purchases by utilities, which are authorized by the War Production Board on Form WPB-2774, except as provided in paragraph (f) below. The term "utilities" includes all producers as defined in Utilities Order U-1 and operators as defined in Utilities Order U-3 or U-4.

(b) Use of abbreviated allotment number U-2 by utilities. The abbreviated allotment number U-2 may be used by utilities to obtain controlled materials and Class A products when such number is assigned on Form WPB-2774 by the War Production Board. The utility may not order controlled materials or use the statement described in paragraph (d) below on a contract or purchase order until it has received its approved Form WPB-2774.

(c) Use of abbreviated allotment number U-2 by contractors and manufacturers. The abbreviated allotment number U-2 may be used by contractors, subcontractors and manufacturers of Class A products to obtain controlled materials or Class A products needed for incorporation into utility construction, installations or purchases authorized on Form WPB-2774 when such persons have received a contract or order bearing the statement described in paragraph (d) below. A contractor, subcontractor, or manufacturer of Class A products may not order controlled materials or Class A products for the construction, installation or purchase until he has received a contract or order endorsed with such statement.

(d) Statement to be placed on contracts or purchase orders. The following statement, in addition to the certification required by Priorities Regulation No. 7, should be placed on contracts or purchase orders when required for the purpose of paragraph (c) above:

WPB-2774, OWU Serial Number_____
You are hereby authorized to use the abbreviated allotment number U-2 to order controlled materials and Class A products needed to fill this contract or order.

The standard form of certification described in Priorities Regulation No. 7 may not be used instead of the above statement.

(e) Status of orders for controlled materials bearing abbreviated allotment number U-2. Delivery orders for controlled materials, bearing the abbreviated allotment number U-2 in accordance with this direction, are authorized controlled materials orders if they are in sufficient detail to be placed on a mill schedule and if they specify the month in which delivery is requested. The use of the abbreviated allotment number U-2 is not limited to any particular month or quarter, and no quarterly identification need be shown on orders bearing such number.

(f) Specific allotments. This direction does not apply in the case of any controlled materials or Class A products for which allotments are made on Form WPB-2774 in specific quantities and for specific quarters, with the allotment identified by a seven-digit allotment number. The procedures to be used to obtain such controlled materials

or Class A products are described in CMP Regulation 6.

(g) Nothing in this direction shall affect any restriction contained in any E, L, or M order.

Issued this 1st day of June 1944.

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

[F. R. Doc. 44-7912; Filed, June 1, 1944;
11:08 a. m.]

PART 3270—CONTAINERS

[Conservation Order M-81, Direction 2, as
Amended June 2, 1944]

PACKING QUOTAS FOR THE SECOND AND THIRD
QUARTERS OF 1944

Direction 2, issued April 7, 1944, with
respect to Conservation Order M-81 is
hereby amended to read as follows:

(a) Notwithstanding the provisions of
paragraph (b) of this order putting packing
quotas on an annual basis, no person shall,
during the second quarter of 1944, purchase,
accept delivery of or use for packing any
product which is listed in Schedule III of
the order, more cans than (1) 25% of his
1944 packing quota for that product, or (2)
50% of his 1944 packing quota for that
product less what he packed in the first
quarter, whichever is larger. In the case
of paints or paint products he may pur-
chase, accept delivery of or use 65% of his
1944 packing quota, less what he packed in
the first quarter, if this is larger than 25%
of his 1944 packing quota.

(b) During the third quarter of 1944 no
person shall purchase, accept delivery of
or use for packing any product which is
listed either in Schedule III or at the end
of this paragraph, more cans than (1) 25%
of his 1944 packing quota for that product
or (2) 50% of his unused 1944 packing quota,
whichever is larger. In the case of paints
or paint products, he may not purchase,
accept delivery of or use more cans than
(1) 20% of his 1944 packing quota or (2)
50% of his unused 1944 packing quota,
whichever is larger.

Product	Item No.	Sched- ule
Beans, with or without tomato sauce (from dried beans)	26	I
Nonseasonal soups	39b	I
Corned beef hash	6	II
Chili con carne, with or without beans	7	II
Turkey, boned, and chicken, boned	9	II

(c) This direction shall not apply to (1) the following commodities listed in Schedule III:

Item and product

- 2 Alcohol—pharmaceutical and chemically pure.
- 4 Antifreeze, ethylene glycol type.
- 14 Chloroform and ether.
- 21 Disinfectants and germicides, liquid.
- 26 Grain fumigant, liquid.
- 34 Insecticides and fungicides, liquid.
- 37 Nicotine sulphate.
- 46 Phenol.

(2) A small user as provided for in para-
graph (m) of the order.

(3) A person in a quarter in which he only
uses the equivalent of a minimum carload of
all sizes of cans.

(4) Cans used for packing under the ex-
ceptions contained in paragraph (k) of the
order entitled, "Exceptions."

(d) Nothing in this direction shall permit
anyone to pack more of a product during
1944 than his packing quota for that product
as specified under paragraph (b) of Order
M-81.

Issued this 2d day of June 1944.

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

[F. R. Doc. 44-7987; Filed, June 2, 1944;
11:46 a. m.]

PART 3270—CONTAINERS

[Conservation Order M-290, Direction 3]

REPORTS OF REDUCTIONS IN V-BOARD
REQUIREMENTS

The following direction is issued pursuant to Conservation Order M-290:

(a) *Reports by V-box manufacturers.* Any manufacturer of V-boxes whose requirements of V-board for boxes to be delivered prior to June 30th are reduced (due to cancellations or cut-backs or for any other reason) below the amount he was authorized to get during the second quarter under Order M-290 must report, within 48 hours after such reduction in requirements, to the Paperboard Division of the War Production Board; Ref: M-290, the kind and quantity of containerboard for which he will not require his second quarter authorization. This applies even if the manufacturer already has the board in inventory.

This reporting requirement has been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(b) *Interpretation No. 2 of Order L-317.* In this connection the attention of all manufacturers of fibre shipping containers is called to Interpretation No. 2 of Limitation Order L-317 which reads as follows:

(a) *Applicability of inventory restrictions to V-boxes.* It has been called to the attention of the War Production Board that there is, in certain quarters, a misimpression to the effect that V-boxes are exempted from the Inventory Restrictions of Order L-317. This impression is completely unfounded. Inventories of V-boxes are controlled to the same extent as other fibre shipping containers by the provisions of paragraph (n) through (q) of Order L-317 and paragraph (b) of Direction 1 of that order.

(b) *Cancellation of excessive V-box orders.* V-box orders are also subject to the restrictions against placing excessive orders set forth in paragraphs (c) and (d) of Direction 1 of Order L-317. Therefore, all orders for V-boxes in excess of the amount which a person would be entitled to receive within these inventory limitations must be cancelled immediately.

(c) *Responsibility of box manufacturers.* Attention is called to the fact that box manufacturers share responsibility for seeing to it that no V-boxes (as well as other fibre shipping containers) are delivered which will cause a customer to exceed his permitted inventory, because under paragraph (d) of Order L-317 they are prohibited from manufacturing, selling, or delivering any new fibre shipping containers which they know or have

reason to believe will be used or ac-
cepted in violation of the order.

Issued this 1st day of June 1944.

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

[F. R. Doc. 44-7914; Filed, June 1, 1944;
11:08 a. m.]

PART 3284—BUILDING MATERIALS

[Limitation Order L-77, as Amended June 2,
1944]

METAL WINDOWS

§ 3284.51¹ General Limitation Order
L-77—(a) Definitions. For the purposes
of this order:

(1) "Metal window" means any metal
sash, metal casement or other metal
framework of any type produced for in-
stallation in an opening, constructed in
the side of a building primarily to admit
light, and any component part of such a
metal sash, metal casement or metal
framework.

(2) "Manufacture" means to manu-
facture, fabricate or assemble a metal
window.

(3) "Put in process" means the first
change by a manufacturer in the form of
material from that form in which it is
received by him.

(b) *Restrictions.* On and after the 3d
day of April 1943, notwithstanding any
contract, agreement, or preference rat-
ing, no person shall manufacture any
metal window except:

(1) To fill an order from the Army or
Navy of the United States, the United
States Maritime Commission, or the War
Shipping Administration when such
metal window is required by specifica-
tions (including performance specifica-
tions) applicable to such order; or

(2) To fill an order bearing a prefer-
ence rating of AA-5 or better; or

(3) A metal storm window provided
the material for such metal storm win-
dow was put in process prior to the 3d
day of April 1943.

Nothing in this order shall supersede the
directive for wartime construction, dated
May 20, 1942, issued by the Chairman of
the War Production Board, the Sec-
retary of War and the Secretary of the
Navy, or the "List of Prohibited Items for
Construction Work" dated June 29, 1942,
issued by the Army and Navy Munitions
Board as amended from time to time.

(c) *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.

(d) *Audit and inspection.* All rec-
ords 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.

(e) *Reports.* Each manufacturer to
whom this order applies shall execute
and file with the War Production Board

¹ Formerly Part 1152, § 1152.1.

such reports and questionnaires as said 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.

(f) *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 delivery of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Appeals.* Any appeal from the provisions of the order shall be filed on Form WPB-1477 with the Field Office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(h) *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.

(i) *Routing of correspondence.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Building Materials Division, Washington, D. C. Ref.: L-77.

Issued this 2d day of June 1944.

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

[F. R. Doc. 44-7980; Filed, June 2, 1944;
11:45 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[General Limitation Order L-185, as Amended June 2, 1944]

WATER HEATERS

Section 3288.51. General Limitation Order L-185 is hereby amended as follows:

§ 3288.51 General Limitation Order L-185—(a) *Definitions.* (1) "Direct fired water heater" means any device for the direct transference of heat produced by the combustion of coal, wood, fuel oil or gas, or derived from solar rays, to the water of a hot water supply system. The term includes, but is not limited to, coils, side-arm water heaters, bucket-a-day stoves, laundry stoves (with cored water sections), dome type water heaters, steel hot water supply heaters, or service water tank heaters having not more than two cored water sections, automatic storage water heaters, instantaneous or continuous flow water heaters, underfired storage water heaters, and solar water heaters. The term does not include any low pressure cast iron or steel boiler designed for the purpose of heating water to provide heat for the interior of a building by means of circulating steam or hot water.

(2) "Indirect water heater" means any device to which steam or hot water is

piped for the transference of the heat of such steam or hot water to the water of a hot water supply system, or the water of a hot water space heating system. The term includes, but is not limited to, coils, side arm water heaters, submerged type water heaters or any indirect water heater (including tanks) commonly referred to as a storage water heater consisting of a heating element installed in a hot water storage tank for the purpose of heating and storing hot water for any use, and any indirect water heater consisting of a coil or a nest of tubes installed in a shell or pressure vessel having a diameter 12" or less (if other than circular in cross section and internal cross sectional area 113 sq. in. or less), designed for the purpose of supplying hot water to a hot water supply system or a hot water space heating system. The term does not include any storage tank, the manufacture of which is governed by Limitation Order L-199, even though used in conjunction with any indirect water heater. It is not intended by the foregoing definition to include any product which is controlled by Limitation Order L-123.

(3) "Hot water supply system" means any system of supplying hot water used in whole or in part for bathing, washing, cleaning, cooking or other similar purposes. The term does not include any system for supplying hot water for specialized industrial or agricultural purposes.

(4) "Hot water space heating system" means any system which is designed for the purpose of heating the interior of a building or other structure (including ships) by utilizing the heat of hot water.

(5) "Metal jacket" means any metal covering, lining, or portion thereof (but not any metal band two inches or less in width used to support a jacket which holds dry insulation) for any direct fired or indirect water heater, except any metal covering, lining, or portion thereof which conducts flue gases, water, or steam through and to the outside of a direct fired or indirect water heater, and except any ferrous metal wire netting used as a base for the wet application of insulating material.

(6) "Copper base alloy" means any alloy in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy.

(b) *Use of copper, stainless steel, and monel metal in manufacture.* No person shall use in the manufacture, fabrication, or assembly of any direct fired or indirect water heater, any copper, copper base alloy, stainless steel, or monel metal except:

(1) For repair parts not including tanks;

(2) For temperature, pressure, vacuum or electrical controls, safety devices or valves;

(3) For tank spuds or tappings;

(4) For coils and tubular units built with copper tubing of 1½" outside diameter or less, in indirect water heaters only. However, the shells, steam heads, tube plates and other cast parts of indirect water heaters shall be of ferrous metal, or non-metallic materials except that terminal outlets and spacer plates may be of a copper base alloy in which

no primary tin or copper is used, and the alloy shall be of no higher grade than alloy 5A of the A. S. T. M. specification B-145-42-T.

The exceptions to the restrictions in the use of copper, stainless steel, or monel metal contained in paragraphs (b) (2) and (b) (4) thereof do not apply to the production of indirect water heaters designed for hot water space heating systems.

(5) For coils and terminal outlets for direct fired side-arm water heaters, except that any copper base alloy used in the production of terminal outlets may contain no primary tin or copper, and the alloy shall be of no higher grade than alloy 5A of the A. S. T. M. Specification B-145-42-T.

(c) *Use of copper, stainless steel, and monel metal in the installation of repair and replacement parts.* (1) No person shall in any repair or replacement use or install parts containing in the aggregate more than two pounds of copper or copper base alloy, stainless steel, or monel metal, if the weight of the copper, copper base alloy, stainless steel, or monel metal so used or installed exceeds by more than one pound the weight of copper, copper base alloy, stainless steel, or monel metal replaced. The restrictions in this subparagraph do not apply to the replacement of ferrous heating elements for direct or indirect water heaters.

(2) All copper and copper base alloy replaced in any repair shall be delivered by the person making the repair to a scrap dealer or other person specified under Supplementary Order M-9.

(d) *Manufacture and installation of metal jackets.* No producer shall manufacture or fabricate any metal jackets except:

(1) From materials in his inventory on May 8, 1944, or obtained from frozen, idle and excess inventories; or

(2) From allotted material when used to manufacture metal jackets to be installed pursuant to a specific contract or purchase order in any aircraft or vessel other than a pleasure craft, or to be installed on any direct-fired water heater using fuel oil as fuel.

(e) *Restrictions on production.* No person shall manufacture, fabricate or assemble more units of direct fired or indirect water heaters than the percentage of his 1941 unit production of the same classification of hot water heaters which is indicated in Schedule A hereto attached.

(f) *Exceptions.* The restrictions of this order do not apply to the production of articles or parts not available in the producer's inventory when the same are required by the Army, Navy, Maritime Commission, War Shipping Administration, or Coast Guard, or by the rules and regulations promulgated by the Coast Guard for merchant vessels, for use in ships, boats, planes, laundries, kitchens, hospitals, bakeries, or advance bases.

(g) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB-1477 with the Field Office of the War Production Board, for the district in which is located the plant or branch of the appellant to which the appeal relates.

(h) *Communications.* All communications concerning this order, unless otherwise directed should be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Reference L-185.

(i) *Reports.* Each producer shall execute and file with the War Production Board such reports as the War Production Board may specify from time to time, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(j) *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 2d day of June 1944.

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

SCHEDULE A—PERMITTED PERCENTAGES OF 1941
UNIT PRODUCTION

A. Direct fired water heaters:	Percent
1. Underfired water heaters.....	65
2. Coal and wood fired water heaters.....	70
3. Side-arm heaters.....	70
4. All others.....	30
B. Indirect water heaters.....	20

[F. R. Doc. 44-7982; Filed, June 2, 1944;
11:45 a. m.]

PART 3288—PLUMBING AND HEATING
EQUIPMENT

[General Limitation Order L-199 as Amended
June 2, 1944]

PLUMBING AND HEATING TANKS

Section 3288.6 General Limitation Order L-199 as amended February 7, 1944, is hereby amended to read as follows:

§ 3288.6 General Limitation Order L-199—(a) *Definitions.* For the purpose of this order:

(1) "Tank" means any metal expansion tank, metal hot water storage tank and metal range boiler, if the tank or range boiler is used in hot water supply systems or in hot water space heating systems. The term does not include any tank used as an integral part of a direct fired water heater or indirect water heater, the manufacture of which is covered by Limitation Order L-185.

(2) "Hot water supply system" means any system for supplying hot water used in whole or in part for bathing, washing, cleaning, cooking or other similar purposes. The term does not include any system for supplying hot water for specialized industrial or agricultural purposes.

(3) "Hot water space heating system" means any system which is designed for the purposes of heating the interior of a building or other structure (including ships) by utilizing the heat of hot water.

(4) "Copper base alloy" means any alloy metal in the composition of which

the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy.

(5) "Base period" means the calendar year 1941.

(b) *Use of copper, stainless steel, and monel metal in manufacture.* No person shall use in the manufacture, fabrication or assembly of any tank, any copper, copper base alloy, stainless steel, or monel metal except:

(1) For repair parts;

(2) For temperature, pressure, and vacuum safety valves;

(3) For tank spuds or tappings.

(c) *Restrictions on sizes and design of tanks.* No person may fabricate, manufacture, or assemble black iron, galvanized iron, or porcelain enameled range boilers or black iron or galvanized iron expansion tanks, except in accordance with the specifications in Schedules A, B and C.

(d) *Use of non-ferrous tanks for replacement.* No person may deliver or install copper, copper base alloy or monel metal tanks in existing inventories except to replace a non-ferrous tank of similar capacity or larger.

(e) *Restrictions on production.* During any calendar year, no person shall manufacture, fabricate or assemble more tanks than the percentage of his base period unit production of the same classification of tanks which are indicated below:

	Percent
Range boilers and expansion tanks.....	70
Storage tanks.....	75

(f) *General exceptions.* The restrictions of paragraphs (b) and (c) do not apply to the production of articles or parts not available in the producer's inventory for use in ships, boats, planes or advance bases when required by the Army, Navy, Maritime Commission, War Shipping Administration, or Coast Guard, or by rules and regulations promulgated by the Coast Guard for merchant vessels.

(g) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB-1477 (formerly PD-500) with the field office of the War Production Board, for the district in which is located the plant or branch of the person filing the appeal.

(h) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Reference L-199.

(i) *Reports.* Each producer shall execute and file with the War Production Board such reports as the War Production Board may specify from time to time, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(j) *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 2d day of June 1944.

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

SCHEDULE A

BLACK IRON OR GALVANIZED RANGE BOILERS—STANDARD, EXTRA HEAVY, AND DOUBLE EXTRA HEAVY—PERMITTED SPECIFICATIONS

Inside diameter of tank	Length of shell (length of sheet—not over-all length)	Nominal capacity	Tappings pipe size	Tappings
Inches	Inches	U. S. Gals.	Inches	Number
12	30	15	1	6
12	60	30	1	6
14	60	40	1	6
18	60	66	1	6
20	60	82	1	6
24	60	120	1½	6

Construction: Welded seams only.

Hand Holes and Manholes: None permitted.

Inspection Tappings: None permitted.

Tappings: Six tappings: One side tapping, 6 inches from the top edge of sheet, and one 6 inches from the bottom edge of sheet in line; two tappings in the top; one tapping in the bottom; and one tapping on the side at 180° from the line of the other two side tappings—15 gallon size tanks to have such tappings 9 inches from the bottom edge of sheet, all other size tanks to have such tapping 18 inches from the bottom edge of sheet.

SCHEDULE B

PORCELAIN ENAMELED RANGE BOILERS—PERMITTED SIZES (NOMINAL CAPACITY)

30 U. S. Gallons.
40 U. S. Gallons.
52 U. S. Gallons.

SCHEDULE C

EXPANSION TANKS—PERMITTED SPECIFICATIONS

Inside diameter	Length of shell (length of sheet—not over-all length) (inches)	Nominal capacity (U. S. gal.)
12.....	20	10
12.....	30	15
12.....	60	30
14.....	30	20
14.....	60	40

Construction: Welded seams only.

INTERPRETATION 1: Superseded Nov. 22, 1943.

[F. R. Doc. 44-7983; Filed, June 2, 1944;
11:45 a. m.]

PART 3288—PLUMBING AND HEATING
EQUIPMENT

[General Limitation Order L-199, Revocation of Interpretation 2]

PLUMBING AND HEATING TANKS

Interpretation 2 of General Limitation Order L-199 is superseded by the amendment of § 3288.6 (a) (1) and is therefore revoked.

Issued this 2d day of June 1944.

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

[F. R. Doc. 44-7984; Filed, June 2, 1944;
11:45 a. m.]

PART 3290—TEXTILE, CLOTHING AND
LEATHER

[Conservation Order M-328B, Schedule A, as Amended June 1, 1944]

§ 3290.120a Conservation Order M-328B, Schedule A. The following

Schedule A is issued pursuant to Conservation Order M-328B.

Application forms can be obtained at nearest field office or from the War Production Board—Clothing, Knit Goods and Equipage Division, Washington 25.

CHILDREN'S SNOW SUITS PLAN NO. 1
CHILDREN'S WOOL AND PART WOOL SNOW SUITS, SKI SUITS, AND LEGGINGS SETS

Item No.	Item	Sizes	
1	Snow or skisuits—Toddlers'	1 to 4 years	Application Form WPB-3601. Filing date—April 15, 1944.
2	Snow or ski suits—Children's.	2 to 6 years or 3 to 8	
3	Snow or ski suits.	7 to 14 years	These items are required to be produced during the period May 1 to October 15, 1944.
4	Legging sets or coat and ski pants sets—Toddlers'.	1 to 4 years	
5	Legging sets or coat and ski pants sets.	2 to 6 years or 3 to 8	Applications heretofore filed may be withdrawn by applicant before May 15, 1944.
6	Legging sets or coat and ski pants sets.	7 to 14 years	
7	Separate ski pants—Children's.	2 to 6 years or 3 to 8	
8	Separate ski pants	7 to 14 years	60% of requirements are in manufacturers' price ranges—\$8.75 or lower for suits, and \$3.25 or lower for separate pants.

Materials for which priorities assistance will be given:

Body cloth: Meltons or Fleece (wool or part wool; no others). Linings: rayon, kasha, wool. Interlinings: cotton. Wristlets and Anklets: Cotton.

Manufacturers will be required to place their orders for materials not later than May 25, 1944, for equal monthly deliveries during June, July, August and September, 1944.

Rules applicable to granting assistance:

1. Applications will be granted only to persons who were regularly engaged in the production of the items in 1942 or 1943, if the applications from such persons are sufficient to carry out the program.

D. C. All applications must be mailed to War Production Board—Clothing, Knit Goods and Equipage Division, Washington 25, D. C., not later than the date specified.

Materials Minimum Constructions Allowed

Item No.

1. Carded broadcloth 100 x 60—Carded poplin 100 x 44
2. Flannelette
3. Flannelette
4. Flannelette
5. Flannelette
6. Flannelette
7. Flannelette
8. Flannelette
9. Flannelette
10. Flannelette
11. Flannelette
12. Flannelette
13. Flannelette
14. Plisse crepe yardage based on 29 in. width material
15. Plisse crepe
16. Plisse crepe
17. Plisse crepe
18. Plisse crepe
19. Plisse crepe
20. Plisse crepe
21. Plisse crepe
22. Plisse crepe
23. Plisse crepe
24. Carded broadcloth 100 x 60—Carded poplin 100 x 44—Combed sheer goods
25. Carded broadcloth 80 x 60—Carded poplin 100 x 44—Print cloth 68 x 64
26. Carded broadcloth 80 x 60—Carded poplin 100 x 44—Print cloth 68 x 64
27. Sport denim 36 in. Suiting
28. Twills and drills
29. Sport denim 36 in. Suiting
30. Twills and drills
31. Carded broadcloth 100 x 60—Carded poplin 100 x 44
32. Carded broadcloth 112 x 56 Slub—Carded poplin 100 x 44
33. Carded broadcloth 112 x 56 Slub—Carded poplin 100 x 44
34. Carded broadcloth 80 x 60—Combed sheers
35. Carded broadcloth 80 x 60—Combed sheers
36. Carded broadcloth 80 x 60—Combed sheers
37. Carded broadcloth 80 x 60—Combed sheers
38. Carded broadcloth 100 x 60—Carded poplin 100 x 44—Dimities
39. Carded broadcloth 100 x 60—Carded poplin 100 x 44—Dimities
40. Carded broadcloth 80 x 60—Print cloth 68 x 64—Carded poplin 100 x 44
41. Carded broadcloth 80 x 60—Print cloth 68 x 64—Carded poplin 100 x 44
42. Carded broadcloth 80 x 60—Print cloth 68 x 64—Carded poplin 100 x 44
43. Twills and drills
44. Twills and drills
45. Carded broadcloth 80 x 60—Print 64 x 56

Application Form WPB 3488.
Filing date May 25, 1944.

These items are required to be produced during June, July and August, 1944.

Priorities assistance will be given only for materials specified above, with respect to each item.

Manufacturers will be required to present their orders for materials not later than June 24, 1944.

Applicants should base their estimated production on their present labor and machinery.

Rules applicable to granting assistance:

If the applications exceed the quantity of production of a particular item required, grants of priority assistance will be made on the basis of the percentage of applications needed to fill the requirements.

Applications that are not completely and accurately filled out may be denied.

KNIT GOODS PROGRAM NO. 3

[NOTE: The following table added June 1, 1944]

Item No.	Items	Sizes	Yarns
1	Hosiery:		
1	Infants' long ribbed hose	3 to 5 1/4	Cotton
2	Infants' half socks	4 to 6 1/2	Do.
3	Infants' anklets	4 to 6 1/2	Do.
4	Boys' half socks—Boys' crew socks	7 to 11 1/2	Do.
5	Boys' golf hose	7 to 11 1/2	Do.
6	Children's 5/8 and 7/8 hose	6 to 10 1/2	Do.
7	Men's work socks	Finished weight not less than 1 1/4 pounds per dozen.	Do.
8	Underwear:		
8	Boys' knitted briefs and shorts	2 to 16	Do.
9	Children's heavy weight union suits	2 to 16	Do.
10	Children's waist suits	2 to 12	Do.
11	Children's vests and pants	2 to 16	Do.
12	Children's and infants' sleepers and gowns	0 to 12	Do.
13	Infants' shirts, wrappers and bands	0 to 6	Do.
14	Infants' pants	1 to 6	Do.
15	Outerwear:		
15	Boys' and girls' sweaters	Ages 2 to 6X	Worsted, or worsted & cotton.
16	Boys' and girls' sweaters	Ages 6 to 14	Do.
17	Infants' creepers	6-12-18 months	Cotton.
18	Boys' and girls' knit suits	Ages 2 to 6X	Do.
19	Infants' knit headwear		Worsted, or worsted & cotton.
20	Children's caps, toques, helmets		Do.
21	Infants' and children's mittens: Seamless fingered		Do.
22	Infants' and children's mittens: Cut and sewed		Do.

Application Form WPB-3732

Filing Date June 15, 1944.

Items 1 to 14 are required to be produced during July, August and September, 1944.

Items 15 to 22 are required to be produced during period July 1 to December 1, 1944.

Priorities assistance will be given only for materials specified above, with respect to each item.

Applicants should base their estimated production on their present labor and machinery.

Each applicant whose application is granted is required to produce the items within the same price lines within which he produced these items in the corresponding calendar quarter of 1942 (base period); and the proportion of his production of each item within each price line to his entire production of the item (under this program) shall be the same as his production of the item within each price line in the base period was to his total production of the item in the base period. The whole or part of a quota of any item within any price line may be shifted from a higher to a lower price line, but not from a lower to a higher price line. "Price line" means the manufacturer's sale price for an item.

Additional rules applicable to granting assistance

If the applications exceed the quantity of production of a particular item required, grants of priority assistance will be made on the basis of the percentage of applications needed to fill the requirements.

Applications that are not completely and accurately filled out may be denied.

Applications with respect to items 8 to 22 from persons not reporting to the Bureau of the Census on Form WPB-3093 or Form WPB-3156 may be denied.

Issued this 1st day of June 1944.

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

[F. R. Doc. 44-7933; Filed, June 1, 1944;
4:22 p. m.]

No. 111—3

and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 311 is amended in the following respects:

1. Section 1364.761 (a) (3) is amended to read as follows:

(3) "Shrimp" means shrimp or prawn.

2. Section 1364.761 (a) (9) is added to read as follows:

(9) "Jumbo" means shrimp cooked and peeled for canning of such size that less than 3 1/2 shrimp shall weigh at least one ounce.

3. Section 1364.761 (a) (10) is added to read as follows:

(10) "Large" means shrimp cooked and peeled for canning of such size that 3 1/2 to, but not including, 5 shrimp shall weigh at least one ounce.

4. Section 1364.761 (a) (11) is added to read as follows:

(11) "Medium" means shrimp cooked and peeled for canning of such size that 5 to, but not including, 8 shrimp shall weight at least one ounce.

5. Section 1364.761 (a) (12) is added to read as follows:

(12) "Small" means shrimp cooked and peeled for canning of such size that 8 or more shrimp shall weigh at least one ounce.

6. Section 1364.761 (a) (13) is added to read as follows:

(13) "Broken" means canned shrimp of which broken pieces constitute more than 5 percent of the weight of the shrimp in the can.

7. Section 1364.763 is amended to read as follows:

§ 1364.763 Appendix A: Maximum canners' prices for canned shrimp. (a) The prices set forth below are maximum prices per dozen f. o. b. the shipping point nearest cannery. The maximum prices are gross prices and the seller shall deduct therefrom his customary allowances, discount, and differentials to purchasers of different classes. The maximum prices for canned veined shrimp are the prices below plus 60 cents per dozen.

Chapter XI—Office of Price Administration

PART 1499—COMMODITIES AND SERVICES

[Order 62 Under 8 (b), Revocation]

NEWLY-MINED DOMESTIC SILVER

Order 62 under § 1499.3 (b) of the General Maximum Price Regulation. Authorization of sellers of standard commercial bars of newly-mined domestic silver. Order of revocation.

An opinion accompanying this order of revocation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Order No. 62 under § 1499.3 (b) of the General Maximum Price Regulation (§ 1499.276) is hereby revoked, subject to the provisions of Supplementary Order No. 40.

This order shall become effective June 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7933; Filed, June 1, 1944;
12:06 p. m.]

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

[MPR 311, Amdt. 1]

SALES BY CANNERS OF SHRIMP

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

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

¹8 F.R. 1269.

Grade	Wet pack (per dozen cans)	Dry pack (per dozen cans)
Jumbo	\$3.60	\$3.70
Large	3.05	3.15
Medium	2.80	2.90
Small	2.70	2.80
Broken	2.45	2.55

(b) For varieties and container sizes of canned shrimp and styles of pack not listed in paragraph (a), the price shall be a price determined by the Office of Price Administration to be in line with the prices listed in paragraph (a). Such determination shall be made upon written request, addressed to the Office of

FEDERAL REGISTER, Saturday, June 3, 1944

Price Administration, Washington, D. C., and accompanied by sworn statements showing costs and usual differentials.

(c) *Notification of new maximum price.* With the first delivery after June 1, 1944, of jumbo and large canned shrimp, and with the first delivery of any grade of canned shrimp not covered by this regulation prior to June 1, 1944, the seller determining his maximum prices for these items under this regulation shall supply each wholesaler and retailer who purchases from him with the following written notice:

NOTICE TO WHOLESALERS AND RETAILERS

Our OPA ceiling price for (describe item by kind, variety, grade and container, type and size) has been changed by the Office of Price Administration. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulation No. 421, 422 or 423, you must refigure your ceiling price for this item on the first delivery of it to you from your customary type of supplier containing this notification after June 1, 1944. You must refigure your ceiling price following the rules in section 6 of Maximum Price Regulation No. 421, 422 or 423, whichever is applicable to you.

For a period of 60 days after determining the new maximum price for the item, and with the first shipment after the 60-day period to each person who has not made a purchase within that time, each seller shall include in each receptacle containing the item, the written notice set forth above, or securely attach it to the outside. However, for sales direct to any retailer, the seller may supply the notice by attaching it to, or stating it on, the invoice covering the shipment, instead of providing it with the goods.

(d) The maximum price for sales to any procurement agency of the Armed Forces, the War Food Administration and any procurement agency thereof, the War Shipping Administration, and the Veterans' Administration shall be 97½ percent of the price established pursuant to this section; from the price thus computed there shall be deducted a cash discount of 1½ percent if payment is made within 10 days from date of receipt by the designated office of the government procurement agency of a properly authenticated claim.

This amendment shall become effective June 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7940; Filed, June 1, 1944;
4:06 p. m.]

PART 1389—APPAREL

[MPR 438, Amdt. 5]

MANUFACTURERS' PRICES FOR CERTAIN FALL
AND WINTER OUTERWEAR

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

filed with the Division of the Federal Register.*

Maximum Price Regulation 438 is amended in the following respects:

1. The date in the third unnumbered paragraph of section 3 is amended to read September 1, 1944.

2. The date in the fourth unnumbered paragraph of section 4 (a) is amended to read September 1, 1944.

3. The date in the last sentence of section 6 (b) (1) is amended to read September 11, 1944.

4. The date in the fifth sentence of section 6 (b) (2) is amended to read September 11, 1944.

5. The date in the last sentence of the text of section 6 (b) (3) is amended to read September 21, 1944.

6. The date in the first sentence of the effective date provision is amended to read September 1, 1944. The date June 1, 1944 in the third sentence of this provision is amended to read September 1, 1944.

This amendment shall become effective June 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7941; Filed, June 1, 1944;
4:06 p. m.]

PART 1340—FUEL

[RMPR 436]

CRUDE PETROLEUM, AND NATURAL AND
PETROLEUM GAS

Maximum Price Regulation No. 436 is redesignated Revised Maximum Price Regulation No. 436, and is revised and amended to read as follows:

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328. Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1340.165 Maximum prices for crude petroleum, and natural and petroleum gas. Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order Nos. 9250 and 9328 Revised Maximum Price Regulation No. 436 (Crude Petroleum, and Natural and

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

18 F.R. 10503, 12712, 14012, 9 F.R. 172, 2477.

Petroleum Gas), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1340.165 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328; 8 F.R. 4681.

REVISED MAXIMUM PRICE REGULATION NO. 436—
CRUDE PETROLEUM, AND NATURAL AND PETRO-
LEUM GAS

ARTICLE I—GENERAL PROVISIONS

Sec.

1. Prohibition against sales of petroleum, and natural and petroleum gas at prices above the maximum.
2. To what transactions and persons this regulation is applicable.
3. Adjustable pricing.
4. Prior orders.
5. Evasion.
6. Transfers of business or stock in trade.
7. Licensing.
8. Petitions for amendment and applications for adjustment.
9. Definitions.

ARTICLE II—MAXIMUM PRICES FOR CRUDE
PETROLEUM

10. Specific prices.
11. Formula for determining maximum prices.

ARTICLE III—MAXIMUM PRICES FOR NATURAL AND
PETROLEUM GAS

12. Specific prices.
13. Formula for determining maximum prices—Wet gas.
14. Formula for determining maximum prices—Dry gas.

ARTICLE I—GENERAL PROVISIONS

SECTION 1. Sales of petroleum, and natural and petroleum gas at higher than maximum prices prohibited. (a) On and after June 7, 1944 regardless of any contract or obligation no person shall sell or deliver and no person shall buy or receive in the course of trade or business any crude petroleum, or natural and petroleum gas covered by this regulation at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

SECTION 2. To what transactions and persons this regulation is applicable. This regulation covers all sales and deliveries of crude petroleum and natural and petroleum gas either by producers, sellers, refiners or by any other person except crude petroleum transported through the War Emergency Pipelines System and sold by the Defense Supplies Corporation at the terminals of such system and except crude petroleum when sold either to a consumer for a purpose other than the production of more than one petroleum fraction therefrom or to a tank wagon reseller for resale to a consumer for a purpose other than the production of more than one petroleum fraction therefrom. Nothing in this price regulation shall be construed to authorize the regulation of a rate that is exempt from control by the Office of Price Administration under the Emergency Price Control Act of 1942, as amended.

SEC. 3. Adjustable pricing. Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery.

Where a petition for adjustment or amendment is pending, the buyer and seller may agree that prices for deliveries made during the pendency of the petition shall be determined in accordance with the disposition of the petition. Such change in prices will be allowed if the deliveries are necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended.

SEC. 4. Prior orders. (a) Orders of adjustment Nos. 1, 2, 3, 4, 5 and 6 were issued pursuant to Maximum Price Regulation No. 436. Sellers affected by such orders may notwithstanding the other provisions of this regulation charge the maximum prices authorized by such orders.

SEC. 5. Evasion. (a) The price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods in connection with a purchase, sale, delivery or transfer of crude petroleum alone or in conjunction with any other materials, or by way of any commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding or by a change in the quality of a product, or otherwise.

SEC. 6. Transfers of business or stock in trade. (a) If the business, assets or stock in trade of any seller or any person as defined in section 9 (c) are sold or otherwise transferred after October 15, 1941, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records and make reports shall be the same. The transferor shall either preserve and make available, or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the records and reports provisions of this regulation and amendments thereto.

SEC. 7. Licensing, applicability of the registration and licensing provisions of the General Maximum Price Regulation. (a) The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation¹ are applicable to every person subject to this regulation selling at wholesale or retail any petroleum covered by this regulation. When used in this section the terms "selling at wholesale" and "selling at retail" have the definitions given them by §§ 1499.20 (p) and 1499.20 (o) respectively of the General Maximum Price Regulation. Said registration and licensing provisions became effective as to person selling at wholesale on May 11, 1942, and as to persons selling at retail on May 18, 1942.

SEC. 8. Petitions for amendment and applications for adjustment—(a) Petitions for amendment. Any person seeking an amendment of any provision of

this regulation may file a petition for amendment with the Petroleum Branch, Office of Price Administration, Washington, D. C., in accordance with the provisions of Revised Procedural Regulation No. 1.²

NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Supplementary Order No. 9 (7 F.R. 5444) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those on scrap, waste, and salvage materials.

NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petition for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.

(b) Applications for adjustment. (1) Any corporation subject to the provisions of this regulation all of whose securities are owned by another corporation, or which owns all of the securities of another corporation or all of whose securities and all of those of another corporation are owned directly or indirectly by a third corporation may file an application for adjustment to a maximum price established under Article II or III for the sale of crude petroleum, or petroleum or natural gas to such other corporation.

(2) Such application for adjustment shall be accompanied by a statement under oath setting forth, (i) The percentage of shares or units of any issues of securities of the subsidiary corporation or corporations held beneficially or of record by any person or persons and the names and post office addresses of such person or persons, (ii) The hardship or inequity which would result to the petitioner from failure to grant the petition.

(3) An application for adjustment under this paragraph shall be filed with the Petroleum Branch, Office of Price Administration, Washington, D. C. in the manner provided for applications for adjustment under Revised Procedural Regulation No. 1.

(c) Local shortages. The Office of Price Administration, or any duly authorized representative thereof, may adjust by order any maximum price established under this regulation for any seller or group of sellers when it appears:

(1) That there exists or threatens to exist in a particular locality a shortage in the supply of petroleum gas and natural gas which aids directly in the war program or is essential to a standard of living consistent with the prosecution of the war; and

(2) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such seller and of like sellers for such petroleum gas and natural gas; and

(3) That such adjustment will not create or tend to create a shortage, or a need for increase in prices, in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

Applications for adjustment shall be filed in Washington, D. C., in accordance with Revised Procedural Regulation No. 1.

SEC. 9. Definitions. (a) "Crude petroleum." The term "crude petroleum" does not extend to petroleum products. Crude petroleum does not become a petroleum product until put through a bona fide refinery process which results in the production of more than one petroleum fraction.

(b) "Posted purchase price as of October 1, 1941" means a price posted by a person who during the 60-day period after October 1, 1941, actually purchased from a producer crude petroleum produced at any pool to which the posted price was applicable.

(c) "Person" when used in this regulation includes any individual, corporation, partnership, association, or any other organized group of persons, their legal successors and representatives.

(d) "Pool" means any underground accumulation of crude petroleum or associated hydrocarbon substances, including but not limited to natural gas, constituting a single and separate reservoir or source of supply within a field, area, or horizon whether or not presently discovered or developed.

(e) "Contract" means an agreement, the existence of which is established by written evidence.

(f) "Producers" means royalty owners or other sellers of crude petroleum.

(g) "Receiving tank" means the tank of the producer of crude petroleum, sometimes called stock tank or shipping tank, in which the oil from one or more wells is first gauged or measured for sale, delivery or storage.

(h) "Seller of the same class" means a seller (1) performing the same function, (2) of similar type, (3) dealing in the same type of commodity, and (4) selling to the same class of purchaser.

(i) "Wet gas" means any natural or petroleum gas, and refinery gas, which is sold to be processed for the extraction of vapors and liquids, from which operation some residue gas results.

(j) "Dry gas" means any natural or petroleum gas, and refinery gas, sold for consumption either directly as fuel or to be consumed in the production of any other commodity or for use in gas lift, pressure maintenance or repressuring operations, and includes such gas when delivered directly from wells, and the residue gas resulting from extraction operations.

ARTICLE II—MAXIMUM PRICES FOR CRUDE PETROLEUM

NOTE: How to determine maximum prices for crude petroleum. To determine the maximum price for crude petroleum, first examine section 10 to see whether a specific price has been established for the particular field. If no specific price has been established for the particular field, then the formula in section 11 shall be used to determine the maximum price.

SEC. 10. Specific prices. The following specific prices shall be the maximum prices for the items named at the points enumerated below. Except for specific maximum prices established for the Lance Creek Field under section 10 (o) (2), where a contract was in effect on

¹ 8 F.R. 3096, 3849, 4347, 4486, 4724, 4978, 4848, 6047, 6962, 8511, 9025.

² 7 F.R. 8961, 8 F.R. 8313, 8533, 8173.

October 1, 1941, for the purchase of crude petroleum at the receiving tank at a price in excess of the highest posted purchase price as of October 1, 1941, for the given pool applicable to such production and deliveries were made prior to or within 60 days after October 1, 1941, in accordance with such contract, and if a specific maximum price has been established for crude petroleum produced at such pool under section 10, then the maximum price at the receiving tank for the production covered by the contract or any renewal of such contract or a new contract between the same buyer and seller concerning the same production shall be the sum of the price actually charged on October 1, 1941, or if no delivery was made on October 1, 1941, on the first delivery after such date and the difference between the specific price as set out in this section 10 and the highest posted price as of October 1, 1941, except that on and after May 17, 1943, the maximum price at the receiving tank for crude petroleum produced in the Franklin heavy sand crude area located in Venango County, Pennsylvania, shall be the sum of the two amounts specified above and 20¢ per barrel.

Illustration: A contract for the purchase of crude petroleum was in effect on October 1, 1941, at 25¢ per barrel above the posted price, which posted price was \$1.00 per barrel, and a specific price for the pool is established at \$1.10 per barrel. The maximum price will be the sum of the contract price and the difference between the specific price and the posted price. The difference between the specific price (\$1.10) and the posted price (\$1.00) is .10, therefore, the maximum price will be 10¢ plus the contract price (\$1.25) or \$1.35.

Where contracts of the type described above were in effect on October 1, 1941, duly authenticated copies of such contracts shall be filed by the purchaser with the Petroleum Branch of the Office of Price Administration at Washington, D. C., within thirty days after August 19, 1943, unless copies of said contracts have heretofore been filed with the Office of Price Administration.

(a) *Arkansas*—(1) *McKamie, Dorcheat, Macedonia and Big Creek pools.* The maximum price at the receiving tank for sour distillate produced in the McKamie pool, Lafayette County, Arkansas, and in the Dorcheat pool, the Macedonia pool and Big Creek pool, Columbia County, Arkansas, shall be \$1.25 per barrel.

(2) *Smackover Field.* The maximum price at the receiving tank for crude petroleum produced in the Smackover Field, Ouachita and Union Counties, Arkansas, shall be a flat price of 98¢ per barrel.

(3) *Smart Field.* The maximum price at the receiving tank for crude petroleum of 40° API gravity and above, produced in the Smart Field in Columbia County, Arkansas shall be \$1.18 per barrel with the customary differentials for lower gravity crudes.

(4) *Stephens Field.* The maximum price at the receiving tank for crude petroleum of 40° API gravity and above produced in the Stephens Field in Nevada, Ouachita and Columbia Counties, Arkansas, shall be \$1.18 per barrel with the

customary differentials for lower gravity crudes.

(5) *Urbana Field.* Effective January 12, 1944, the maximum price at the receiving tank for heavy Urbana crude oil produced in the Urbana Field, Union County, Arkansas, shall be 88¢ per barrel.

(b) *California*—(1) *Ventura Avenue Field.* Effective February 2, 1942, the maximum price at the receiving tank for royalty crude petroleum produced in the Ventura Avenue Oil Field on all sales made to Shell Oil Company, Inc., lessee, and its successors and assigns by the persons entitled from time to time to share in the royalty interests reserved under oil leases known as the Taylor, Edison and Gosnell leases, shall be as follows:

API gravity:	Prices per barrel
26-26.9	\$1.075
27-27.9	1.11
28-28.9	1.14
29-29.9	1.1675
30-30.9	1.195

Maximum prices for crude petroleum of gravities higher or lower than those set forth above shall be the prices for such gravities established as of October 1, 1941, between Tidewater Associated Oil Company and certain of its lessors in the Ventura Avenue Oil Field.

(2) *Various designated fields.* The maximum prices at the receiving tank for crude petroleum of the gravities specified in the table below and produced in the fields designated therein shall be as follows:

[Dollars per 42-gallon barrel]

API gravity	Fields—see key below																				
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
8-8.9			0.71																		
9-9.9			73																		
10-10.9			75																		
11-11.9	0.92	77	0.92																		
12-12.9	0.94	79	0.94			0.94															
13-13.9	0.96	81	0.96			0.96															0.91
14-14.9	0.98	83	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.95	
15-15.9	0.98	85	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	
16-16.9	0.98	85	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	
17-17.9	0.98	85	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	
18-18.9	0.98	98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	
19-19.9	0.98	98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	
20-20.9	0.98	98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	
21-21.9	0.98	98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	
22-22.9	0.98	98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	
23-23.9	0.98	99	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	
24-24.9	0.98	103	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	
25-25.9	0.98	107	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	
26-26.9	0.98	111	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	
27-27.9	1.01	1.15	1.07	0.96	0.98	1.04	1.14	1.14	1.14	1.14	1.14	1.14	1.14	1.14	1.14	1.14	1.14	1.14	1.14	1.14	
28-28.9	1.04	1.19	1.10	0.99	0.99	1.07	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	
29-29.9	1.07	1.24	1.13	1.02	1.02	1.10	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	
30-30.9	1.10	1.28	1.16	1.05	1.04	1.23	1.22	1.22	1.22	1.22	1.22	1.22	1.22	1.22	1.22	1.22	1.22	1.22	1.22	1.22	
31-31.9	1.14	1.37	1.17	1.07	1.06	1.24	1.24	1.24	1.24	1.24	1.24	1.24	1.24	1.24	1.24	1.24	1.24	1.24	1.24	1.24	
32-32.9	1.17	1.41	1.18	1.10	1.09	1.23	1.23	1.23	1.23	1.23	1.23	1.23	1.23	1.23	1.23	1.23	1.23	1.23	1.23	1.23	
33-33.9						1.19	1.12	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	1.11	
34-34.9						1.20	1.15	1.13	1.13	1.13	1.13	1.13	1.13	1.13	1.13	1.13	1.13	1.13	1.13	1.13	
35-35.9						1.21	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	1.17	
36-36.9						1.22	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	
37-37.9						1.23	1.24	1.24	1.24	1.24	1.24	1.24	1.24	1.24	1.24	1.24	1.24	1.24	1.24	1.24	
38-38.9						1.24	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	
39-39.9						1.25	1.26	1.26	1.26	1.26	1.26	1.26	1.26	1.26	1.26	1.26	1.26	1.26	1.26	1.26	
40 and above						1.26														1.53	

The price specified for the highest gravity crude oil in each column is the maximum price for crude oil of higher gravities.

KEY TO FIELDS

1. Edison.
2. Midway, Lake View Area, Elk Hills, Buena Vista Hills, Mountain View.
3. Los Flores, Casmalia, Oxnard, Cat Canyon, Santa Maria Valley, Gato Ridge.
4. Round Mountain, McKittrick, Newhall, Coffee Canyon, Mt. Poso, Poso, Kern River, Kern Front, Fruitvale.
5. Belridge, Lost Hills.
6. South Mountain, Santa Paula, Wheeler Ridge.
7. Coalinga.
8. Venice, Playa Del Ray.
9. Orcutt.
10. Huntington Beach.
11. Inglewood.
12. Aliso Canyon.
13. Montebello.
14. Olinda, Brea Canon.
15. Torrance.
16. Richfield.
17. La Habra, Whittier, East Coyote.
18. Signal Hill.
19. Wilmington, Beverly Hills.
20. El Segundo.
21. Oak Canyon.

(3) *Capitan Field.* The maximum price at the receiving tank for crude petroleum produced in the Capitan Field, California, shall be as follows:

API gravity:	Price per barrel
14-14.9	\$0.95
15-15.9	.95
16-16.9	.95
17-17.9	.95
18-18.9	.95
19-19.9	.95
20-20.9	.95
21-21.9	.95
22-22.9	.95
23-23.9	.95
24-24.9	.95
25-25.9	.95
26-26.9	.99
27-27.9	1.03
34-34.9	1.21
35-35.9	1.25
36-36.9	1.28
37-37.9	1.32
38-38.9	1.35
39-39.9	1.38

(4) *Price based on posted price of one of fields designated in (2) or (3) above.* If crude petroleum produced at a pool which had no posted price was on the last delivery prior to March 26, 1943, sold to a particular purchaser on the basis of

the posted price for another pool and at such price, the seller's maximum price for the crude petroleum produced at the former pool shall be the same as the posted price of the latter pool as shown in (2) or (3) above for the same gravity crude oil.

Any purchaser who pays for crude petroleum on the basis of this provision shall within 30 days from the effective date of this regulation, report the following information to the Office of Price Administration, Petroleum Branch, Washington, D. C.

(i) Copy of posted price bulletin of field on which purchase price is based, and the date effective.

(ii) The total production of the pool for the month of March, 1943.

(iii) The total amount purchased from the pool during March, 1943.

(5) *Other fields than listed in (2), (3) and (4) above.* The maximum price at the receiving tank for crude petroleum produced in fields in California other than those named in Article II, sections 10 (b) (2) and (3) and other than those fields determining maximum prices under Article II, section 10 (b) (4) shall be the sum of the maximum price as determined by other provisions of this regulation and the amount designated below:

API gravity:	Increase per barrel
Below 15-	.00
15-15.9-	.25
16-16.9-	.22
17-17.9-	.19
18-18.9-	.16
19-19.9-	.13
20-20.9-	.10
21-21.9-	.07
22-22.9-	.04
23-23.9-	.01

Provided, however, That the maximum price for a particular gravity crude shall not be less than that for a lower gravity crude from the same seller's receiving tank in the same pool.

(c) *Colorado—(1) Moffat, Tow Creek and Wilson Creek Fields.* The maximum price at the receiving tank for crude petroleum produced in the Moffat, Tow Creek and Wilson Creek Fields in the State of Colorado shall be as follows:

API gravity:	Dollars per 42-gallon barrel
Below 29-	1.01
29-29.9-	1.03
30-30.9-	1.05
31-31.9-	1.07
32-32.9-	1.09
33-33.9-	1.11
34-34.9-	1.13
35-35.9-	1.15
36-36.9-	1.17
37-37.9-	1.19
38-38.9-	1.21
39-39.9-	1.23
40 and above-	1.25

(d) *Illinois—(1) Plymouth Pool.* The maximum price at the receiving tank for crude petroleum produced in the Plymouth Pool, McDonough County, Illinois, shall be \$1.15 per barrel.

(e) *Kentucky—(1) Uniontown Field.* The maximum price at the receiving tank for crude petroleum produced in the Uniontown Field, Union County, Kentucky, shall be \$1.37 per barrel.

(2) *Various designated areas.* The maximum prices at the receiving tank for crude oil produced in the areas, in the State of Kentucky, designated below shall be:

Area:	Prices per 42-gallon barrel
Big Sandy River (Somerset crude)	\$1.43
Sebree Field, Webster County	1.37
Belton Field, Muhlenberg County	1.37
Spottsville, Henderson County	1.37
Owensboro Area	1.37
Bowling Green Area	1.17
Butler County	1.32

Maximum prices established herein may be charged any purchaser who agreed on or prior to June 1, 1943, to pay a price determined in accordance with the disposition of the petition filed with the Office of Price Administration.

(f) *Louisiana—(1) Anse La Butte Field.* The maximum price at the receiving tank for crude petroleum of 40° API gravity and above produced in the Anse La Butte Field in St. Martin Parish, Louisiana, shall be \$1.30 per barrel with the customary differentials for lower gravity crudes.

(2) *Bayou Des Allemands, Raceland, Gibson, Lake Arthur, Tepetate, North Tepetate, and Abbeville Fields.* The maximum price at the receiving tank for crude petroleum of 40° API gravity and above produced in the Bayou Des Allemands Field in La Fourche and St. Charles Parishes, Raceland Field in La Fourche Parish, Gibson Field in Terrebonne Parish, Lake Arthur, Tepetate, North Tepetate and Abbeville Fields all located in Louisiana, shall be \$1.30 per barrel with the customary differentials for lower gravity crudes.

(3) *Caddo Pool.* The maximum price at the well for crude petroleum of 40° API gravity and above, produced in the Caddo Pool in Louisiana shall be \$1.20 per barrel with the customary differentials for lower gravity crudes.

(4) *Olla, South Olla and Little Creek Pools.* The maximum price at the receiving tank for crude petroleum of 40° API gravity and above, produced in the Olla, South Olla, and Little Creek Pools, LaSalle Parish, Louisiana, shall be \$1.35 per barrel, with the customary differentials for lower gravity crudes.

(5) *Ritchie Field.* The maximum price at the well for crude petroleum of 40° API gravity and above, produced in any pool in Ritchie Field, Acadia Parish, Louisiana, shall be \$1.48 per barrel with the customary differentials for lower gravity crudes.

(6) *South Elton Field.* The maximum price at the receiving tank for crude petroleum and crude distillate produced in the South Elton Field, Jefferson Davis Parish, Louisiana, shall be as follows:

API gravity:	Dollars per 42-gallon barrel
Below 21-	0.90
21-21.9-	.92
22-22.9-	.94
23-23.9-	.96
24-24.9-	.98
25-25.9-	1.00
26-26.9-	1.02
27-27.9-	1.04
28-28.9-	1.06
29-29.9-	1.08
30-30.9-	1.10
31-31.9-	1.12

API gravity:	Dollars per 42-gallon barrel
32-32.9-	1.14
33-33.9-	1.16
34-34.9-	1.18
35-35.9-	1.20
36-36.9-	1.22
37-37.9-	1.24
38-38.9-	1.26
39-39.9-	1.28
40 and above-	1.30

(7) *Tullos-Urania Field.* The maximum price at the receiving tank for crude petroleum produced in the Tullos-Urania Field, LaSalle Parish, Louisiana, shall be a flat price of \$1.25 per barrel.

(8) *University Field.* The maximum price at the well for crude petroleum of 40° API gravity and above, produced in any pool in University Field, East Baton Rouge Parish, Louisiana, shall be \$1.48 per barrel with the customary differentials for lower gravity crudes.

(9) *Ville Platte Field.* The maximum price at the receiving tank for crude petroleum produced in the Ville Platte Field, Evangeline Parish, Louisiana, shall be \$1.30 per barrel.

(g) *Michigan—(1) Headquarters Field.* The maximum price at the receiving tank for crude petroleum produced in the Headquarters Field, Roscommon County, Michigan, shall be \$1.48 per barrel.

(2) *South Bangor Pool.* The maximum price at the receiving tank for crude petroleum produced in the South Bangor Pool, Bangor Township, Van Buren County, Michigan, shall be \$1.27 per barrel.

(h) *Mississippi—(1) Pickens Field.* The maximum price at the receiving tank for crude petroleum of 40° API gravity and above produced in the Pickens Field, Yazoo and Madison Counties, Mississippi, shall be \$1.18 per barrel with the customary differentials for lower gravity crudes.

(2) *Tinsley Field.* The maximum price at the receiving tank for crude petroleum of 40° API gravity and above produced in the Tinsley Field, Yazoo County, Mississippi, shall be \$1.18 per barrel with the customary differentials for lower gravity crudes.

Such maximum price is effective as of May 22, 1943, except that where a buyer agreed that prices for deliveries made during the pendency of his petition for amendment should be determined in accordance with the disposition of such petition he may pay and the seller may charge a price in accordance with such agreement.

(i) *Nebraska—(1) Falls City Field and Barada Field.* The maximum price at the receiving tank for crude petroleum produced in the Falls City Field and the Barada Field, Richardson County, Nebraska, shall be as follows:

API gravity:	Dollars per 42-gallon barrel
Below 21-	0.85
21-21.9-	.87
22-22.9-	.89
23-23.9-	.91
24-24.9-	.93
25-25.9-	.95
26-26.9-	.97
27-27.9-	.99
28-28.9-	1.01
29-29.9-	1.03
30-30.9-	1.05

API gravity:	Dollars per 42-gallon barrel
31-31.9	1.07
32-32.9	1.09
33-33.9	1.11
34-34.9	1.13
35-35.9	1.15
36-36.9	1.17
37-37.9	1.19
38-38.9	1.21
39-39.9	1.23
40 and above	1.25

(j) *New Mexico*—(1) *Loco Hills Area*. The maximum price at the well for crude petroleum of 40° API gravity and above, produced in the Loco Hills Area of Eddy County, New Mexico shall be \$1.12 per barrel with the customary differentials for lower gravity crudes.

(k) *Ohio*—(1) *Lima Oil Field in Northwestern Ohio and Northeastern Indiana*. The maximum price for crude petroleum produced in the Lima Oil Field, located in Northwestern Ohio and Northeastern Indiana, shall be \$1.50 a barrel at the receiving tank: *Provided*, That where the price paid for crude petroleum from a particular receiving tank in the Lima Oil Field as of October 1, 1941, exceeded \$1.50 per barrel, the maximum price at the same receiving tank shall be the price so paid or \$1.60 a barrel, whichever is the lower.

(l) *Oklahoma*—(1) *Tussy Field in Garvin County and Healdton and Oscar Pools*. The maximum price at the well for crude petroleum of 40° API gravity and above, produced in Carter County, in that portion of the Tussy Field located in Garvin County, and in the Healdton and Oscar Pools in Oklahoma shall be \$1.25 per barrel with the customary differentials for lower gravity crudes.

(m) *Pennsylvania grade area*—(1) *Various designated areas*.

Grade of crude petroleum:	Maximum price per barrel
Pennsylvania Bradford	\$3.00
Southwest Pennsylvania	2.65
Eureka	2.59
Southeastern Ohio	2.55
Oil City-Titusville:	
Group A (including Cochran, Franklin, Hamilton, and Doolittle Districts)	2.93
Group B (Titusville District)	2.92
Group C (including Turkey and Tidioute)	2.91
Group D (including Bear Creek and Porkey Districts)	2.90
Group E (including Eideneau, Bowl Creek, Rough Run, Carbon, Ditner, Bredin, McJunkin, Jameson, Kenedall, Emleton, Tiona, Lacy, and Kinzua Districts)	2.88

(2) *Commissions prohibited except as provided herein*. The price limitations set forth above shall prohibit the addition of commissions above said maximum prices except that persons who buy Pennsylvania grade crude petroleum for resale under contracts and who had contracts in existence on August 23, 1941, which provide that the price on resale shall be the "posted price" plus a specified commission may receive the maximum price plus said commission specified in the contracts: *Provided*, That (i) said contracts were entered into in writing prior to August 14, 1941; (ii) said contracts are binding and valid in character; (iii) certified

copies of each such contract were filed with the Office of Price Administration within ten (10) days after August 23, 1941; and (iv) no such contracts have been extended or amended without the approval of this office. Persons who buy for resale and wish to enter into contracts, or wish to extend or amend contracts, providing for prices on resale higher than the maximum prices listed above, may make application to this office for permission to receive such higher prices.

(n) *Texas*—(1) *East Texas*. Effective February 2, 1942, the maximum price for East Texas crude petroleum sold by the Houston Oil Company of Texas delivered into tank No. 11, Peterson Tank Farm, Isaac Ruddle Survey, Rusk County, Texas, shall be \$1.30 per barrel.

(2) *North and North Central Texas and Red River bed in Tillman County, Oklahoma*. The maximum price at the receiving tank for crude petroleum of 40° API gravity and above, produced in Archer, Baylor, Brown, Callahan, Clay, Coleman, Comanche, Cooke, Eastland, Erath, Fisher, Foard, Haskell, Jack, Jones, Montague, Uvalo, Pinto, Shackelford, Stephens, Taylor, Throckmorton, Wichita, Wilbarger, and Young Counties, Texas, and in the bed of the Red River in Tillman County, Oklahoma, shall be \$1.25 per barrel with the customary differentials for lower gravity crudes.

(3) *Panhandle area*. The maximum price at the receiving tank for crude petroleum of 40° API gravity and above produced in Carson, Gray, Hutchinson, Moore, and Wheeler Counties, Texas, shall be \$1.22 per barrel, with the customary differentials for lower gravities.

(4) *Partlow lease*. Effective February 2, 1942, the maximum price at the receiving tank for crude distillate of 50° API gravity and above produced from the Partlow lease, Hardin Field, Liberty County, Texas, shall be \$1.53 per barrel.

(5) *Pettus Field*. The maximum price at the well for crude distillate produced in the Pettus Field, Bee County, Texas, shall be \$1.50 per barrel.

(6) *Rincon Field*. The maximum price at the receiving tank for crude petroleum of 40° API gravity and above produced in the Rincon Field, Starr County, Texas, shall be \$1.45 per barrel, with the customary differentials for lower gravity crudes.

(7) *Shields Field*. Effective December 1, 1942, the maximum price at the receiving tank for crude petroleum of 40° API gravity and above produced in the Shields Field, Nueces County, Texas, shall be \$1.35 per barrel, with the customary differentials for lower gravity crudes.

(8) *Talco and Sulphur Bluff Fields*. The maximum price at the receiving tank for crude petroleum produced in the Talco and Sulphur Bluff Fields in Franklin, Titus and Hopkins Counties, Texas, shall be as follows:

API gravity:	Dollars per 42-gallon barrel
Below 20	0.80
20-20.9	.82
21-21.9	.84
22-22.9	.86
23-23.9	.88
24-24.9	.90
25 and above	.92

(9) *Woodsboro Field*. The maximum price at the receiving tank for crude petroleum produced in the Woodsboro Field, Refugio County, Texas, and sold by owners of royalty interests shall be a flat price of \$1.35 per barrel.

(o) *Wyoming*—(1) *Big Muddy Field*. The maximum price for crude petroleum produced in the Big Muddy Field, Wyoming, shall be a flat price of \$1.13 per barrel.

(2) *Lance Creek Field, Salt Creek Field, Iron Creek Field and G. P. Lease*. The maximum price at the receiving tank for crude petroleum produced in the Lance Creek Field, Niobrara County, Salt Creek Field, Natrona County, Iron Creek Field, Natrona County, and G. P. Lease, Carbon County, all in the State of Wyoming except crude petroleum produced from the Tensleep Sand shall be as follows:

API gravity:	Dollars per 42-gallon barrel
Below 21	0.85
21-21.9	.87
22-22.9	.89
23-23.9	.91
24-24.9	.93
25-25.9	.95
26-26.9	.97
27-27.9	.99
28-28.9	1.01
29-29.9	1.03
30-30.9	1.05
31-31.9	1.07
32-32.9	1.09
33-33.9	1.11
34-34.9	1.13
35-35.9	1.15
36-36.9	1.17
37-37.9	1.19
38-38.9	1.21
39-39.9	1.23
40 and above	1.25

(3) *Various designated fields*. The maximum prices at the receiving tank for black oils produced in the fields designated below shall be:

Field:	Price per barrel
Black Mountain	\$0.55
Byron	.70
Circle Ridge	.65
Dallas and Derby	.55
Elk Basin (Tensleep Crude)	.90
Frannie, heavy	.62
Frannie, light	.85
Garland	.60
Grass Creek, heavy	.65
Hamilton Dome	.60
Hudson (Lander)	.725
Maverick Springs	.6625
Notches	.75
Oregon Basin	.65
Pilot Butte	.80
Poison Spider	.65
Salt Creek (Tensleep)	.8285
Sheep Creek	.65
Shoshone	.65
South Casper Creek	.65
Spindletop	.65

SEC. 11. *Formula for determining maximum prices*. (a) The maximum price at the receiving tank for crude petroleum from any given pool shall be the posted purchase price as of October 1, 1941, for such pool.

(b) Where on October 1, 1941, there was for any given pool no posted purchase price, or more than one posted purchase price, the maximum price for a particular producer at the receiving tank for crude petroleum from such pool shall be the price paid for crude petro-

leum at any receiving tank of the same producer as of October 1, 1941, unless this price is below the highest of the posted purchase prices, if any, and in that case, the maximum price shall be the highest posted purchase price: *Provided, however,* That a price paid pursuant to a contract in effect on October 1, 1941, and entered into prior to that date, shall not be considered in determining the maximum price for crude petroleum unless the contract price reflected current market conditions on or about October 1, 1941.

(c) Where a contract was in effect on October 1, 1941, for the purchase of crude petroleum at the receiving tank at a price in excess of the highest posted purchase price for the given pool applicable to such production and deliveries were made prior to or within 60 days after October 1, 1941, in accordance with such contract, then the price actually charged on October 1, 1941, or if no delivery was made on October 1, 1941, on the first delivery after such date, shall be the maximum price for the production covered by the contract.

(d) Where the maximum price for any sale of crude petroleum at the receiving tank cannot be determined under (a) through (c) above, the seller or purchaser shall set a tentative price for the crude petroleum at the particular receiving tank or tanks which shall be in line with the maximum prices for comparable crude petroleum in the same general area. Within ten days after setting such a tentative price the seller or purchaser shall file with the Petroleum Branch of the Office of Price Administration, Washington, D. C., a written request for approval of such tentative price. The person filing such request shall file in connection therewith a statement setting forth:

(1) Such tentative price.
(2) An explanation as to why it is impossible to determine his maximum price under paragraph (a), (b) or (c) of this section 11.

(3) A description of the available transportation facilities, and a description of the gravity, characteristics and source of the crude petroleum in question.

Such tentative price shall be the maximum price for crude petroleum produced from the same pool until a substitute maximum price is set in writing by the Petroleum Branch of the Office of Price Administration, Washington, D. C. If a seller and purchaser have agreed upon a price for the sale of crude petroleum subject to the approval of the Office of Price Administration, a maximum price determined in accordance with this paragraph (d) shall be effective retroactively to February 2, 1942, or the date of the agreement, whichever is later.

(e) The maximum price for crude petroleum sold at a point other than the receiving tank shall be at no greater differential at such point over the maximum price for such crude at the receiving tank than the highest differential that existed on October 1, 1941, between the price at the receiving tank and the price at such point: *Provided, however,* That such a differential established pursuant to a contract in effect on October

1, 1941, and entered into prior to that date shall not be considered in determining the maximum price at that point unless the differential reflected current market conditions on or about October 1, 1941.

(f) Where a maximum price at a point other than at the receiving tank cannot be determined under paragraph (e) above, the seller shall establish a tentative differential for a sale of crude petroleum at such point where such is possible. Where such is not possible, the seller shall set a tentative price. Within ten days after setting such tentative differential or price, the seller shall file with the Petroleum Branch of the Office of Price Administration in Washington, D. C., a written request for approval of such tentative differential or price accompanied by a statement setting forth:

(1) Such tentative differential or price.
(2) An explanation as to why it is impossible to determine his maximum price at the particular point under paragraph (e) of this regulation.

(3) The location of the source of the crude petroleum in question and of the particular delivery point, and

(4) An itemized statement of the costs involved in transporting the crude petroleum from the receiving tank to the particular delivery point and of any other items comprising the tentative differential or price.

Such tentative differential or price shall be the seller's maximum differential or maximum price for the particular sale and for all subsequent sales of crude petroleum from the same receiving tank delivered at that point unless it is disapproved in writing or a substitute maximum differential or maximum price is set in writing by the Office of Price Administration. If a seller and purchaser have agreed upon a price for a sale of crude petroleum at a point other than at the receiving tank subject to the approval of the Office of Price Administration, a maximum differential or maximum price determined in accordance with this paragraph (f) shall be effective retroactively to February 2, 1942, or the date of the agreement, whichever is later.

ARTICLE III—MAXIMUM PRICES FOR NATURAL AND PETROLEUM GAS

NOTE: How to determine maximum prices for natural and petroleum gas. To determine the maximum price for natural and petroleum gas, first examine section 12 to see whether a specific price has been established. If no specific price has been established, then the maximum price for wet gas shall be determined in accordance with section 13 and the maximum price for dry gas shall be determined in accordance with section 14.

SEC. 12. Specific prices. The following specific prices shall be the maximum prices for the items named at the points enumerated below:

(a) *Sweet natural gas, Hugoton Field, Oklahoma.* The maximum price for sweet natural gas, without liquid hydrocarbon fractions being extracted, produced in the Hugoton Field, located in the State of Oklahoma, for use in the manufacture of furnace black, shall be 4¢ per

thousand cubic feet at a base pressure of 16.4 pounds per square inch absolute.

SEC. 13. Formula for determining maximum prices—Wet gas. (a) A seller's maximum price at any particular time for wet gas produced from any given field shall be the highest prices that could be charged at that time under the terms and conditions of any contract which was in effect on May 1, 1942, between the seller and the purchaser for the sale of wet gas produced from such field.

(b) If a seller had no contract in effect with a particular purchaser on May 1, 1942, for wet gas produced from any given field, then such seller's maximum price to such purchaser at any given field shall be the highest price that could be charged at that time under the terms and conditions of any contract which was in effect on May 1, 1942, between such seller and a purchaser of the same class for the sale of wet gas produced from such field.

(c) Where a maximum price for wet gas cannot be determined under (a) or (b), or where a maximum price has been determined under (a) or (b) and the purchaser wishes to extract, condense and save additional products from the wet gas not contemplated by the contract nor by any contract between a seller and a purchaser of the same class in the given field, a tentative maximum price may be set. The purchaser shall make a request in writing to the Petroleum Branch of the Office of Price Administration in Washington, D. C., for approval of such tentative maximum price within 15 days after it has been set by him. In connection with his request, the purchaser shall file with the said office a statement setting forth (1) an explanation as to why it is impossible for the seller to establish a maximum price under paragraphs (a) or (b) of this section 13; (2) the tentative maximum price, and an explanation of the method used in arriving at such price; (3) the maximum prices for sellers and purchasers of the same class at the two nearest fields to the one in question, if known; and (4) if a written contract has been entered into, an authenticated copy thereof. The tentative maximum price shall be the maximum price for the production from the field to purchasers of the same class unless the tentative price is disapproved by the Office of Price Administration within 15 days from the date it is filed as provided above. Ordinarily a tentative price set under this paragraph (c) will not be approved unless such tentative price is in line with the maximum prices for sellers and purchasers of the same class at the nearest fields to the one in question. A tentative price which has been approved as a maximum price hereunder, may subsequently be changed by order of the Price Administrator.

SEC. 14. Formula for determining maximum prices; dry gas. (a) Where a contract for the sale of dry gas was in effect on May 1, 1942, the seller's maximum price to the same purchaser for deliveries of dry gas produced from the same

source or sources as the dry gas covered by the contract shall not exceed the price that could be charged for such deliveries under the terms of the contract that was in effect on May 1, 1942: *Provided, however,* That where under the terms of any contract in effect on May 1, 1942, between a seller and a purchaser, the price for dry gas was adjustable to the price of fuel oil, the seller's maximum price to such purchaser shall be computed by regarding the maximum price of fuel oil on May 1, 1942, as the price of such fuel oil.

(b) Where a seller had contracts in effect on May 1, 1942, for the sale of dry gas but did not then have a contract with a particular purchaser for dry gas produced from the same source or sources as the dry gas covered by those contracts, the seller's maximum price to that purchaser for deliveries of dry gas shall not exceed the highest price that could be charged for such deliveries under (a) to a purchaser of the same class. If the seller had no contracts in effect on May 1, 1942, with purchasers of the same class, then, his maximum price shall be determined under (c) below.

(c) Notwithstanding the provisions of other paragraphs of this section 14, a seller's maximum price for deliveries of dry gas to a particular purchaser shall be either the maximum price established under paragraphs (a) or (b) of this section 14 or a price agreed upon between the seller and the purchaser and reported in writing to the Petroleum Branch of the Office of Price Administration, Washington, D. C., by such seller within 10 days of the date of the agreement, which price must be in line with the level of maximum prices for dry gas generally prevailing in the general producing area, or if there is only one producer of dry gas in one general producing area, a price in line with the level of maximum prices prevailing in the nearest producing area in which similar conditions obtain. Once the seller has determined his maximum price for deliveries of dry gas to a particular purchaser under this paragraph (c) that price is his maximum price to that purchaser thereafter.

The seller may not accept payment for deliveries of dry gas subject to a maximum price determined under paragraph (c) until fifteen days have elapsed after mailing the report of such maximum price. Within the fifteen day period, the price so reported shall be subject to adjustment of the Office of Price Administration. Subsequent to this fifteen day period, such price shall be subject to adjustment any time upon written order of the Office of Price Administration.

In connection with the report required in paragraph (c), and concurrently therewith the following information shall be submitted to the Petroleum Branch of the Office of Price Administration.

By the seller. (1) The seller's present maximum price for dry gas established by this regulation and the maximum price agreed upon accompanied both by a statement as to the point (such as the well-head, the pipe line or pipe line terminus) at which delivery to the pur-

chaser is made, and by copies of the contract (if any) on the basis of which the present maximum price is established and of the proposed renewal thereof, or of the new contract for the sale of dry gas contemplated by the parties.

(2) Names and addresses of the purchasers of the seller's production.

By the purchaser. (3) The disposition made of the gas purchased from the seller by each purchaser thereof.

(4) Maximum prices of dry gas established for other sellers in the particular producing area or, if the seller is the only producer in the particular area, in the nearest producing areas in which similar conditions obtain. Maximum prices should be stated for each class of purchasers together with a description of each class. Estimated percentage of total volume moving at each price should be stated and the nature of the facilities used in making delivery to each purchaser should be described.

(5) A statement in writing signed by the purchaser or purchasers that they will absorb any increase in the cost of dry gas resulting from the reported price and that they do not intend prior to the expiration of the Emergency Price Control Act of 1942, as amended, to rely upon such cost increase as a basis of application for increase in their resale prices or in the prices of other commodities or services sold or supplied by them.

The information required to be submitted by either the purchaser or the seller may be filed either with the report or separately. Information required of either the seller or the purchaser, if filed separately, will, upon request, be treated as confidential.

(d) Where a seller is unable to determine his maximum price for dry gas under (a) or (b) above, a tentative maximum price may be set, and the seller shall comply with the requirements of filing as provided in section 13, paragraph (c), and the tentative maximum price shall be subject to disapproval and change as therein provided.

Effective date. This Regulation No. 436 shall become effective June 7, 1944.

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

Issued this 2d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7988; Filed, June 2, 1944;
11:51 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,¹ Amdt. 128]

MILEAGE RATIONING: GASOLINE REGULATIONS

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

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

¹8 F.R. 15937.

Ration Order 5C is amended in the following respects:

In § 1394.7852 (b) (4) the following sentence is inserted at the end of the first sentence:

If the total quantity of gasoline determined exceeds twenty gallons, the Board may issue both coupons and one or more gasoline purchase permits to provide the amount of gasoline determined.

This amendment shall become effective June 6, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 2d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7989; Filed, June 2, 1944;
11:51 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11,¹ Amdt. 10]

FUEL OIL

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

Revised Ration Order 11 is amended in the following respects:

1. Section 1394.5353 (a) (1) is amended by adding after the period at the end of the subparagraph the sentence, "However, such a ration may be issued only for equipment acquired before June 1, 1944 unless the applicant was, at the time he acquired the equipment, eligible for a new oil cooking stove under section 2.4 (a) (9) of Ration Order 9A."

2. The text of § 1394.5368 (b) is amended to read as follows:

(b) *When and where unit value coupons may be used by consumers.* Fuel oil may be transferred to a consumer in exchange for a unit value coupon only during the validity period and in the zone printed on the coupon. (The zones are described in § 1394.5330.) There are five (5) validity periods, all extending through August 31, 1945. Fuel oil may be transferred to a consumer in exchange for any Period 1 coupons on and after the date (but not before June 1, 1944) on which the consumer receives the coupon sheet from the Board. *Provided,* That the date of receipt is entered by him on the coupon sheet. The date on which each period, other than Period 1, begins for each zone is as follows:

3. Section 1394.5368 (b) (1), (2), (3) and (4) is amended by deleting from each of the subparagraphs the following: "1—July 1, 1944."

4. Section 1394.5682 (b) (3) is added to read as follows:

(3) Any registered fuel oil dealer, who is not required or permitted to become a depositor under subparagraphs (1) or

¹9 F.R. 2357, 3353, 4350, 4391, 4874, 5165, 5219, 5253.

(2) of this section and who is also a distributor of gasoline, under Ration Order No. 5C, may open a fuel oil ration bank account for each one of his fuel oil dealer establishments, or for any group of them. If he opens a fuel oil ration bank account for any fuel oil dealer establishment he must become a depositor as to all his fuel oil dealer establishments (including those where he is and those where he is not a distributor under Ration Order No. 5C). However, no separate fuel oil ration bank account may be opened for any fuel oil dealer establishment, or any group of them, for which he does not maintain a gasoline ration bank account.

This amendment shall become effective on June 6, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong.; WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1-O, as amended, 8 F.R. 14199; E.O. 9125, 7 F.R. 2719)

Issued this 2d day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7990; Filed, June 2, 1944;
11:51 a. m.]

Chapter XIII—Petroleum Administration for War

PART 1515—PETROLEUM PRODUCTION OPERATIONS

[PAO 11 as Amended Jan. 1, 1944, Supp. Order 4, as Amended June 1, 1944]

OPERATIONS IN CALIFORNIA

§ 1515.10 Supplementary Order No. 4, as amended June 1, 1944, to Petroleum Administrative Order No. 11, as amended January 1, 1944—(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, as amended January 1, 1944, or by the provisions of any specific exception issued pursuant to Conservation Order M-68 or to Petroleum Administrative Order No. 11, as amended January 1, 1944, the provisions of this supplementary order shall to the extent provided herein be applicable to the use of material in petroleum production operations in the fields and pools of the State of California listed in Exhibit A, but not elsewhere.

(b) Definitions. The definitions of Petroleum Administrative Order No. 11, as amended January 1, 1944, shall apply in this supplementary order. In addition:

(1) "Designated area" means the pools specified in Exhibit A of this supplementary order.

(2) "New well" means any well spudded subsequent to December 23, 1941.

(c) **Authorized uses of material to drill new wells in the designated area.** Notwithstanding the provisions of Petroleum Administrative Order No. 11, as amended January 1, 1944, material may be used to drill, complete, and provide additions to any new well in the designated area, only where:

(1) The well is drilled to, and completed in, a pool listed in Columns 3 and 4 of Exhibit A opposite the name of the field in which such pool is located, and

(2) The well is drilled to a vertical depth not greater than the depth specified in Column 5 of Exhibit A opposite the name of the pool to which such well is drilled, and

(3) The well is completed in only one pool, and

(4) The well is drilled, with respect to the pool in which it is to be completed, on a drilling unit of at least the size prescribed for that pool in Column 6 of Exhibit A and in conformity with all of the uniform well spacing provisions for such size drilling unit contained in paragraph (d): *Provided*, That where no drilling unit size is prescribed for a pool in Column 6 of Exhibit A the provisions of this paragraph (c) shall not extend to such pool, and

(5) All separate property interests in the drilling unit upon which the well is located are first consolidated, and

(6) The well is drilled with due diligence to maintain a vertical well bore.

However, a well may be intentionally deviated from the vertical if the surface location of the well (in this case, the place on the surface directly over the bore hole at the lowest at which the well is open to production) conforms to the other provisions of this supplementary order.

Where a well is intentionally deviated from the vertical, a directional survey of the well bore must be filed with the Director of Production, District Five, within thirty days after completion of the well.

(d) Uniform well-spacing provisions—

(1) **Uniform 5 acre well-spacing.** Each new well drilled pursuant to paragraph (c) may be considered to conform to "uniform 5 acre well-spacing" only where, with respect to the pool in which the well is to be completed,

(i) The well is located on a drilling unit consisting of at least 5 contiguous surface acres, no portion of which drilling unit is attributable to or falls within 200 feet of any other drilling or producible oil or gas well located on the same lease or property, and

(ii) The well is located at least 400 feet from every other drilling or producible oil or gas well, and

(iii) The well is located at least 200 feet from every lease line, property line, or subdivision line separating unconsolidated property interests, and

(iv) The distance between any two points farthest apart on the drilling unit upon which the well is located does not exceed a distance of 750 feet.

(2) **Uniform 10 acre well-spacing.** Each new well drilled pursuant to paragraph (c) may be considered to conform to "uniform 10 acre well-spacing" only where, with respect to the pool in which the well is to be completed,

(i) The well is located on a drilling unit consisting of at least 10 contiguous surface acres, no portion of which drilling unit is attributable to or falls within 250 feet of any other drilling or produc-

ible oil or gas well located on the same lease or property, and

(ii) The well is located at least 500 feet from every other drilling or producible oil or gas well, and

(iii) The well is located at least 300 feet from every lease line, property line, or subdivision line separating unconsolidated property interests, and

(iv) The distance between any two points farthest apart on the drilling unit upon which the well is located does not exceed a distance of 1100 feet.

(3) **Uniform 20 acre well-spacing.** Each new well drilled pursuant to paragraph (c) may be considered to conform to "uniform 20 acre well-spacing" only where, with respect to the pool in which the well is to be completed,

(i) The well is located on a drilling unit consisting of at least 20 contiguous surface acres, no portion of which drilling unit is attributable to or falls within 300 feet of any other drilling or producible oil or gas well located on the same lease or property, and

(ii) The well is located at least 800 feet from every other drilling or producible oil or gas well, and

(iii) The well is located at least 300 feet from every lease line, property line, or subdivision line separating unconsolidated property interests, and

(iv) The distance between any two points farthest apart on the drilling unit upon which the well is located does not exceed a distance of 1500 feet.

(4) **Uniform 40 acre well-spacing.** Each new well drilled pursuant to paragraph (c) may be considered to conform to "uniform 40 acre well-spacing" only where, with respect to the pool in which the well is to be completed,

(i) The well is located on a drilling unit consisting of at least 40 contiguous surface acres, no portion of which drilling unit is attributable to or falls within 300 feet of any other drilling or producible oil or gas well located on the same lease or property, and

(ii) The well is located at least 900 feet from every other drilling or producible oil or gas well, and

(iii) The well is located at least 300 feet from every lease line, property line, or subdivision line separating unconsolidated property interests, and

(iv) The distance between any two points farthest apart on the drilling unit upon which the well is located does not exceed a distance of 2,100 feet.

(e) **Computation of acreage attributable to wells.** (1) The acreage attributable to any well spudded on or before December 23, 1941, shall be determined by assigning to the well an acreage equivalent to that of the existing well density contiguous to the well. In no event need the attributed acreage be greater than that provided in Exhibit A for a new well to the same pool in which such well is completed.

(2) The acreage attributable to any well spudded after December 23, 1941, shall be the same as the drilling unit assigned to such well pursuant to Conservation Order M-68, Petroleum Administrative Order No. 11, as amended

January 1, 1944, or any supplement or exception thereto, or any amendment thereof, whichever is applicable.

(f) *Authorized uses of material for deepening, plugging back or reworking, and recompletion of wells.* Notwithstanding the provisions of Petroleum Administrative Order No. 11, as amended January 1, 1944, to the extent that the use of material for deepening, plugging back, or reworking, and recompletion operations in connection therewith, is not prohibited or otherwise limited by the provisions of any exception heretofore or hereafter issued pursuant to Conservation Order M-68, Petroleum Administrative Order No. 11, as amended January 1, 1944, or any amendments thereof, such deepening, plugging back, or reworking, and recompletion operations in connection therewith, may be undertaken in the designated area without obtaining further authorization, only where the material is used for or in connection with any of the following operations:

(1) Plugging back or redrilling, and recompletion of any well in or to a shallower pool. *Provided*, That,

(i) The well is not recompleted in any shallower pool from which production is regulated pursuant to allocation schedules issued by the Petroleum Administration for War pursuant to Recommendation No. 19 or in any other manner, and

(ii) Redrilling does not commence from a point more than 500 feet above the top of the pool in which the well is to be recompleted, and

(iii) No well shall thereafter be drilled or deepened to replace a plugged-back well in the pool in which it was abandoned, unless such well could have been drilled or deepened, before the plug-back operation, under the terms of paragraph (c);

(2) Reworking or deepening, and re-completion of any well in or to the same pool in which the well was last completed, *Provided*, That,

(i) The well, in the reworking or deepening operation, is not drilled into a deeper pool, and

(ii) The operation does not involve drilling or redrilling from a point more than 500 feet above the top of the pool;

(3) Deepening and recompletion of any well in another pool, if, with respect to the pool in which the well is to be deepened and recompleted, the well is located on a drilling unit of at least the size prescribed for that pool in Column 6 of Exhibit A and in conformity with the provisions of paragraph (c).

If any well recompleted in conformity with the provisions of this paragraph (f) is recompleted as a gas or condensate well, it shall not be produced other than for a test period of not exceeding 15 days, and no material may be used to produce the well or provide additions therefor, except as necessary for such testing of the well, until authorization has been granted by an authorized official of the Petroleum Administration for War. However, this provision shall not apply to the recompletion of any gas or condensate well in conformity with paragraph (f) (2).

(g) Restrictions on wells in pools designated "E" in Column 6 of Exhibit A.

Notwithstanding the provisions of Petroleum Administrative Order No. 11, as amended January 1, 1944, or this Supplementary Order, no material may be used to drill, complete, or recomplete any well, except to recomplete in conformity with paragraph (f) (2), in any pool marked "E" in Column 6 of Exhibit A opposite the name of the field in which such pool is located, unless the use is authorized by specific exception issued by the Petroleum Administration for War in response to an application filed as provided for by paragraph (j).

(h) *Restriction on exposing more than one pool in same well-bore.* Notwithstanding the provisions of Petroleum Administrative Order No. 11, as amended January 1, 1944, or this supplementary order, no material may be used to complete or recomplete any well in the State of California in more than one pool, unless the use is authorized by specific exception issued by the Petroleum Administration for War in response to an application filed as provided for by paragraph (j).

(i) *Authorized uses of material for installation of pumping or other artificial lifting facilities.* Material may be used on any well to install, reinstall, or transfer pumping or other artificial lifting equipment, including a central pumping power unit, or to install additional tubing or sucker rods.

However, in no instance may pumping or other artificial lifting equipment be installed on any well which will produce its allotment by natural flow or be installed on any well unless the equipment is to be used regularly thereafter in producing the well to the extent permitted by allocation schedules approved by the Petroleum Administration for War.

(j) *Applications for exception to this order.* Where a person desires to use material in connection with production operations but cannot do so under the

provisions of this supplementary order or Petroleum Administrative Order No. 11, as amended January 1, 1944, he may make an application for an exception by filing the information requested in PAW Form 3 (revised) attached to this supplementary order. The application shall be filed in duplicate and both copies addressed to:

(1) The District Director of Production, District Five, Petroleum Administration for War, Subway Terminal Building, Los Angeles 13, California, for a crude oil operation, including pressure maintenance, repressuring, and secondary recovery operations, or

(2) The District Director of Natural Gas and Natural Gasoline, District Five, Petroleum Administration for War, Subway Terminal Building, Los Angeles 13, California, for a natural gas, natural gasoline, or condensate operation.

(k) *Violations.* Any person who wilfully violates any provision of this supplementary order, or who, by any act or omission, falsifies records kept or information furnished in connection with this supplementary 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 supplementary order may be prohibited from delivering or receiving any material under priority control, or may be subject to other appropriate action.

(1) *Effective date.* This supplementary order shall take effect on the date of issuance.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687; WPB Directive No. 30, 8 F.R. 11559; 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 1st day of June, 1944.

RALPH K. DAVIES,
*Deputy Petroleum
Administrator for War.*

EXHIBIT A
COASTAL

(1) Field	(2) County	(3) Name of pool	Pool		(6) Drilling unit size (acres)
			(4) Formations included in pool	(5) Verti- cal depth limit (feet)	
Alico Canyon.....	Los Angeles.....	Porter (Pliocene).....	"P ₁ " to "P ₃ ".....		10
		Sesnon (Miocene).....	"S-1" to "S-13".....		E
Bardsdale.....	Ventura.....	All.....	All.....	3,500	E
Capitan.....	Santa Barbara.....	Vaqueros.....	Above Vaqueros-Sesne Con- tact.....		E
		Sesne.....	Below Vaqueros-Sesne Con- tact.....	4,000	E
Casmalia.....	do.....	All Zones.....	Sisquoc and Monterey.....	3,500	10
Cat Canyon East and West.....	do.....	Sisquoc (Shallow).....	Above Pliocene-Miocene Con- tact.....		10
Del Valle.....	Los Angeles and Ventura.....	Las Flores.....	Monterey Chert.....	7,000	10
		Sequelveda.....	"PS ₁ " to "PS ₂ ".....		E
		Vasquez-Videgain (Sherman).....	"DV ₁ " to "DV ₁ ".....		E
		Del Valle.....	"DD ₁ " to "DD ₁ ".....		20
		DL Zone.....	"DL ₁ " to "DL ₂ ".....		20
		"DL ₁ " to "DL ₂ ".....	"DL ₁ " to "DL ₂ ".....		20
		Bering.....	"MB ₁ " to "MB ₂ ".....		20
		West Del Valle.....			
		Sterry.....	"DV ₁ " to "DV ₁ ".....		E
		Monterey.....	Above top of Vaqueros.....		10
		Vaqueros East and West.....	Top of Vaqueros to top of Sesne.....		10
		Sesne.....	Below top of Sesne.....		E
Elwood.....	Santa Barbara.....				

EXHIBIT A—Continued
COASTAL—continued

• Between Main Inglewood Shear Fault and the X Thrust Fault.

West of X Thrust Fault.

EXHIBIT A—Continued
ANGLES BASIN—continued

FEDERAL REGISTER, Saturday, June 3, 1944

Area east of the common Signal-Standard "Bolsa" property line, within Section 22 T 2 S R 6 W.

• Area within Section 34, T. 3 S., R. 9 W., only.

Area East of Wilmington Fault Plane,

EXHIBIT A—Continued
SAN JOAQUIN VALLEY—continued

CONTINUED

MINE LAKE VALLEY—continued

[F. R. Doc. 44-7885; Filed, May 31, 1944; 4:30 p. m.]

poses" (Public Law No. 729, 77th Cong., 2d Sess.), as amended by the Public Debt Act of 1943, entitled "An Act to increase the debt limit of the United States, and for other purposes" (Public Law No. 34, 78th Cong., 1st Sess.), and vested in turn by the President in the Economic Stabilization Director by Executive Order 9328 (8 F.R. 4681) the following amendments to the regulations promulgated by the Director of Economic Stabilization, dated August 28, 1943 (8 F.R. 11960, 12139, 16702), are hereby promulgated:

1. Section 4001.6 is amended to read as follows:

Chapter XVIII—Office of Economic Stabilization

Subchapter A—Office of Director of Economic Stabilization

PART 4001—WAGES AND SALARIES

AGRICULTURAL LABOR

By virtue of the authority vested in the President by the Constitution and the laws of the United States, and particularly by the act of October 2, 1942, entitled "An Act to Amend the Emergency War Service Control Act of 1942 to aid in preventing inflation, and for other purposes,"

PART 4001—WAGES AND SALARIES

AGRICULTURAL LABOR

By virtue of the authority vested in the President by the Constitution and the laws of the United States, and particularly by the act of October 2, 1942, entitled "An Act to Amend the Emergency Service Control Act of 1942, to aid in preventing inflation, and for other purposes,"

§ 4001.6 *Authority of the War Food Administrator.* Notwithstanding the provisions of §§ 4001.2, 4001.4, 4001.10 and 4001.13, the War Food Administrator shall have the authority to determine whether any salary or wage payments to agricultural labor are made in contravention of the Act or any rulings, orders or regulations promulgated thereunder: *Provided, however,* That the provisions hereof shall not be construed to affect any authority which the National War Labor Board may have by virtue of the War Labor Disputes Act (P.L. 89, 78th Cong.) and Executive Order 9017 (7 F.R. 237) as extended by Section 1, Title III of Executive Order 9250 (7 F.R. 7871, 7873). Any such determination by the Administrator shall be conclusive upon all Executive Departments and agencies of the Government in determining the costs or expenses of an employer for the purpose of any law or regulations, either heretofore or hereafter enacted or promulgated, including the Emergency Price Control Act of 1942 or any maximum price regulation thereof, or for the purpose of calculating deductions under the revenue laws of the United States, or for the purpose of determining costs or expenses under any contract made by or on behalf of the United States. Any determination of the Administrator made pursuant to the authority conferred on him shall be final and shall not be subject to review by the Tax Court of the United States or by any court in any civil proceedings.

2. Section 4001.7 is amended to read as follows:

§ 4001.7 *Wage and salary increases for agricultural labor.* Considering that the general level of salaries and wages for agricultural labor is substandard, that a wide disparity now exists between salaries and wages paid labor in agriculture and salaries and wages paid labor in other essential war industries, and that the retention and recruitment of agricultural labor is of prime necessity in supplying the United Nations with needed foods and fibers, no increases in wages and salaries of agricultural labor, notwithstanding any other provision of any rules, orders or regulations under the Act of October 2, 1942, shall be deemed in violation of the Act or of any rules, orders or regulations thereunder except as follows:

(a) After determination by the War Food Administrator of maximum permissible rates of compensation with respect to areas, crops, classes of employers or otherwise, and public notice of such determination, no increases in or payment of salaries or wages for agricultural labor shall be made above the rates specified in the public notice without the approval of the War Food Administrator. In no case, however, shall there be any reduction of wages or salaries for any particular work below the highest wages or salaries paid therefor between January 1, 1942 and September 15, 1942. As used in the preceding sentence, the words "for any particular work" refer to the particular work of the particular employee and not merely to a particular type of work.

(b) No increases shall be made in salary or wage payments to agricultural labor which are \$2,400.00 per annum or more, or which will raise such salary or wage payments to more than \$2,400.00 per annum, without the prior approval of the War Food Administrator.

As used in this section, the phrase "\$2,400 per annum" shall mean \$200 a month, or the equivalent weekly, hourly, piece work rate or comparable basis.

Dated this 1st day of June 1944.

FRED M. VINSON,
Economic Stabilization Director.

[F. R. Doc. 44-7938; Filed, June 1, 1944;
3:28 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

[No. 42]

SUNNYSIDE DIVISION, YAKIMA PROJECT,
WASH.

NOTICE OF ANNUAL OPERATION AND MAINTENANCE CHARGES

MAY 25, 1944.

1. *Operation and maintenance charges for lands subject to public notice rates.* The major portion of the lands of the Sunnyside Division, Yakima Project, Washington, subject to public notice rates, has been divided by the Sunnyside Valley Irrigation District into three classes, according to water requirements, which classification has been extended and modified by the District during the irrigation seasons of 1941 and 1942. Notice is hereby given that for the irrigation season of 1944, each acre of irrigable land subject to public notice rates in the Sunnyside Division, Yakima Project, Washington, shall be charged, whether water is used or not, with an operation and maintenance charge of three dollars (\$3.00), which will permit the delivery of the acre-foot quantities of water per irrigable acre in accordance with the District's classification as modified, and in accordance with the following schedule:

MONTHLY SCHEDULE OF DELIVERIES

	Percent
April	11.7
May	16.7
June	16.7
July	18.3
August	18.3
September	13.3
October	5.0

Additional water, when available, will be delivered without charge upon the signing of a request therefor. The above deliveries will be contingent on beneficial use.

2. *Operation and maintenance charges for old supplemental lands.* For lands (so-called Old Supplemental Lands) receiving water under said division of said project by virtue of certain supplemental water right contracts with the United States, there will be made, whether water is used or not, for the irrigation sea-

son of 1944, a minimum operation and maintenance charge of one dollar (\$1.00) per acre, which will permit the delivery, on the above monthly schedule of deliveries, of the amounts of water designated by the Sunnyside Valley Irrigation District in 1941 and 1942. Additional water, when available will be delivered without charge upon the signing of a request therefor. The above deliveries will be contingent on beneficial use.

3. *Water rental charges for lands outside the division.* For water which may be furnished lands outside the limits of said division of said project, the charge shall be one dollar and twenty-five cents (\$1.25) per acre-foot for the irrigation season of 1944, due and payable in advance of the delivery of water.

4. *Time of payments.* All water charges announced herein are due and payable on December 31 following the irrigation season, except as provided in paragraph 3.

(Departmental Order 1903, November 17, 1943 (8 F.R. 15872), issued under the Act of December 19, 1941, 55 Stat. 842)

[SEAL] H. W. BASHORE,
Commissioner.

[F. R. Doc. 44-7949; Filed, June 2, 1944;
10:08 a.m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[A. O. 827]

ALLOCATION OF FUNDS FOR LOANS

MAY 13, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Louisiana 4-2019A1 Jefferson Davis	\$60,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-7972; Filed, June 2, 1944;
11:36 a. m.]

[A. O. 828]

ALLOCATION OF FUNDS FOR LOANS

MAY 17, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Kentucky 4054C4 Wayne	\$60,000
Louisiana 4009E3 Lafayette	50,000
Louisiana 4012D1 Franklin	100,000
Louisiana 4015C1 Pointe Coupee	82,000
Louisiana 4017F1 Claiborne	107,000
Minnesota 4012B3 St. Louis	50,000
Minnesota 4055F2 Watonwan	50,000
Minnesota 4071D3 Blue Earth	50,000

Project designation—Continued.	Amount
Mississippi 4030C4 Jones	60,000
North Carolina 4053A3 Burke	12,500
North Dakota 4017C1 McHenry	113,000
Oklahoma 4018C2 Pontotoc	35,000
Oklahoma 4022E2 Cotton	50,000
Pennsylvania 4012C2 Sullivan	15,000
Pennsylvania 4015F4 Bradford	25,000
South Carolina 4021B3 Lancaster	30,000
South Carolina 4036A2 Barnwell	20,000
Texas 4074C1 B. E.	60,000
Utah 4011A1 Millard	31,000
Virginia 4041A2 Prince William	34,650

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-7973; Filed, June 2, 1944;
11:36 a. m.]

[A. O. 829]

ALLOCATION OF FUNDS FOR LOANS

MAY 17, 1944.

By virtue of the authority vested in me by the provisions of section 5 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Louisiana 4022S1 Homer	\$25,000
Texas 4126S2 Gregg	5,000
Texas 4127S2 Gilmer	5,000
Texas 4128S2 Emory	10,000
Texas 4130S2 Itasca	6,000
Texas 4131S2 Stanton	5,000
Texas 4132S2 Merkel	5,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-7974; Filed, June 2, 1944;
11:36 a. m.]

[A. O. 830]

ALLOCATION OF FUNDS FOR LOANS

MAY 18, 1944.

I hereby amend:

(a) Administrative Order No. 618, dated September 12, 1941, by rescinding the allocation of \$750,000 therein made for "South Carolina 2044A1 Charleston";

(b) Administrative Order No. 776, dated September 20, 1943, by rescinding the allocation of \$5,000 therein made for "Texas 4087S4 Karnes."

HARRY SLATTERY,
Administrator.

[F. R. Doc. 44-7975; Filed, June 2, 1944;
11:36 a. m.]

FEDERAL POWER COMMISSION.

[Project No. 405]

SUSQUEHANNA POWER COMPANY, AND
PHILADELPHIA ELECTRIC POWER COMPANY

ORDER DETERMINING ACTUAL LEGITIMATE
ORIGINAL COST AND PRESCRIBING ACCOUNT-
ING THEREFOR

MAY 23, 1944.

Upon consideration of the matters of record with respect to the actual legitimate original cost of Project No. 405, The

Susquehanna Power Company and Philadelphia Electric Power Company, Licensees, as of December 31, 1932; and having on this date made and entered its Opinion No. 115, which is hereby referred to and made a part hereof by reference; and

It appearing to the Commission that:

The Licensees, in their initial cost statement, filed with the Commission on March 1, 1934, claimed \$54,866,625.57 as the actual legitimate original cost of this project as of December 31, 1932;

The Commission finds and determines that:

(1) The record in this proceeding is inadequate for the disposition of the items totaling \$1,301,042.05, which is the total of the amounts listed in Column (4) under the heading "Reserved" in the tabulation appended to the opinion, designated Table "A," and said amounts are reserved for future disposition by the Commission;

(2) The amounts totaling \$47,432,546.09, listed in Column (5) under the heading "Allowed" in said Table "A," are a part of the actual legitimate original cost of this project as of December 31, 1932, and said amounts totaling \$47,432,546.09 are allowed;

(3) The amounts totaling \$6,133,037.43, listed in Column (6) under the heading "Disallowed" in said Table "A," do not constitute part of the actual legitimate original cost of this project as of December 31, 1932, and said amounts totaling \$6,133,037.43 are disallowed;

The Commission orders that:

(A) The Licensees establish and maintain control accounts with reference to this project showing a total debit balance in their plant accounts of \$47,432,546.09 (being the total of the amounts listed in Column (5) under the heading "Allowed" in said Table "A") as actual legitimate original cost of this project as of December 31, 1932;

(B) The Licensees establish and maintain subsidiary accounts showing and substantiating all entries in such control accounts and classifying the total for plant in appropriate detail and in accordance with the provisions of the Commission's Uniform System of Accounts Prescribed for Public Utilities and Licensees, revised to December 31, 1936;

(C) The Licensees remove from project plant accounts and transfer to Account No. 110, Other Physical Property, the amounts totaling \$46,961.44, listed in Column (7) under the heading "Other Physical Property" in said Table "A";

(D) The Licensees remove from project plant accounts and transfer to Account No. 111.1, Investments in Securities of Associated Companies, on the books of Philadelphia Electric Power Company, Pennsylvania Licensee, the amounts totaling \$103,133.79, listed in Column (8) under the Heading "P. E. P. Co. Investment in Securities of The S. P. Co." in said Table "A"; subject, however, to the reservation by the Commission of full jurisdiction and authority to determine the adjustments which should be made to the latter account as a result of the disallowances made by this order of amounts claimed as project costs;

(E) The Licensees remove from project plant accounts and charge to Account No. 223.2, Accounts Payable to Associated Companies, on the books of The Susquehanna Power Company, Maryland Licensee, the amount of \$380,000.00, listed in Column (9) under the heading "Accounts Payable to Associated Companies" in said Table "A";

(F) The Licensees remove from project plant accounts and charge to Account No. 271, Earned Surplus, the amounts totaling \$5,602,942.20, listed in Column (10) in said Table "A": *Provided, however,* The amounts marked by an asterisk in said Column (10), totaling \$4,372,263.67, may be charged to Account No. 270, Capital Surplus, if a capital surplus is properly created for that purpose;

(G) A further hearing be held on a date to be set by the Commission with respect to the portions of the claimed cost totaling \$1,301,042.05 (including applicable interest, and being the total of the items in Column (4) of said Table "A") incident to the construction of a second-track road-bed for the Pennsylvania Railroad in connection with the relocation of a portion of the Columbia and Port Deposit Branch of said railroad in the area of the project reservoir;

(H) Within sixty (60) days of service of this order, Licensees comply with this order and submit to the Commission certified copies of their entries showing such compliance.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-7948; Filed, June 2, 1944;
10:08 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3713]

CHARLES A. CORDES

In re: Estate of Charles A. Cordes, deceased; File D-28-8604; E. T. sec. 10246.

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 Victor A. Cordes, Falls Building, North Front Street, Memphis, Tennessee, Administrator, acting under the judicial supervision of the Probate Court of Shelby County, Tennessee;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Clara Musmann, 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 Clara Musmann in and to the estate of Charles A. Cordes, 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 made.

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: May 29, 1944.

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

[F. R. Doc. 44-7950; Filed, June 2, 1944,
10:30 a. m.]

[Vesting Order 3714]

WALTER EHLERS

In re: Trust created under will of Walter Ehlers, deceased; File D-28-2127; E. T. sec. 3069.

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 Bank of America National Trust and Savings Association, Trustee, acting under the judicial supervision of the Superior Court, State of California, in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Else Amanda Wilhelmine Wichman or her children, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the na-

tional 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 Else Amanda Wilhelmine Wichman or her children, and each of them, in and to the trust created under the will of Walter Ehlers, 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: May 29, 1944.

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

[F. R. Doc. 44-7951; Filed, June 2, 1944,
10:30 a. m.]

[Vesting Order 3715]

HENRIETTA FRIEND

In re: Trust under the will of Henrietta Friend (also known as Henriette Friend), deceased; File D-66-466; E. T. sec. 2961.

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 First Wisconsin Trust Company, 735 North Water Street, Milwaukee, Wisconsin, Trustee, acting under the judicial supervision of the County Court of Milwaukee County, State of Wisconsin;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Child or children, names unknown, of Wolf Rosenbaum, deceased, and their legitimate descendants, names unknown, Germany.

Child or children, names unknown of Isaac Rosenbaum, deceased, and their legitimate descendants, names unknown, Germany.

Clara Stern and her legitimate descendants, names unknown, Germany.

Cilly Marx and her legitimate descendants, names unknown, Germany.

Dina Eis and her legitimate descendants, names 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 child or children, names unknown, of Wolf Rosenbaum, deceased, and their legitimate descendants, names unknown; child or children, names unknown, of Isaac Rosenbaum, deceased, and their legitimate descendants, names unknown; Clara Stern and her legitimate descendants, names unknown; Cilly Marx and her legitimate descendants, names unknown; Dina Eis and her legitimate descendants, names unknown; and each of them, in and to the Trust created by the Will of Henrietta Friend, also known as Henriette Friend, 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: May 29, 1944.

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

[F. R. Doc. 44-7952; Filed, June 2, 1944,
10:30 a. m.]

[Vesting Order 3716]

JOSEPH KOVATS

In re: Estate of Joseph Kovats, deceased; File D-34-684; E. T. sec. 8411.

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 the Treasurer of Cook County, Chicago, Illinois, Depositary, acting under the judicial supervision of the Probate Court of Cook County, Chicago, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals and Last Known Address

Mrs. George Kiss, nee Theresa Kovacs, Hungary.

Mrs. Alexander Ivan, nee Maria Kovacs, Hungary.

Joseph Monek, Hungary.

Maria Monek (Masca Monek), Hungary.

Mrs. Eugenia Lanchort, nee Anna Monek (Mrs. Eugen E. Lanekost), Hungary.

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, Hungary; 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:

The sum of \$2,337.81, which is in the possession and custody of the Treasurer of Cook County, Illinois, Depositary, pursuant to an order of the Probate Court of Cook County, Illinois, dated February 16, 1944, in the matter of the estate of Joseph Kovats, 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: May 29, 1944.

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

[F. R. Doc. 44-7953; Filed, June 2, 1944;
10:30 a. m.]

[Vesting Order 3717]

ERWIN A. KOWOHL VS. ROSA RIEDEL, ET AL.

In re: Erwin A. Kowohl vs. Rosa Riedel, et al.; File D-28-3573; E. T. sec. 5782.

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 Cook County, County Building, Chicago, Illinois, Depositary, acting under the judicial supervision of the Superior Court of Cook County, Chicago, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Rosa Riedel, Germany.

Leo Kowohl, Germany.

Wilhelm Kowohl, Germany.

Johannes Kowohl, Germany.

Maria Beier, Germany.

Herbert Kowohl, Germany.

Gerhard Kowohl, Germany.

Kurt Kowohl, Germany.

Sophie Kowohl, Germany.

Maria (Marie) Passon, Germany.

Martha Wotzlawske (Wotzlawska), Germany.

Anna Okos, 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:

The sum of \$850.91 which is in the possession and custody of the Treasurer of Cook County, Illinois, Depositary, and which amount was deposited with the Treasurer of Cook County, Illinois on July 6, 1942 pursuant to an order of the Superior Court of Cook County, Illinois entered June 30, 1942 to the credit of the aforesaid nationals, in the matter of Erwin A. Kowohl vs. Rosa Riedel, et al,

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: May 29, 1944.

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

[F. R. Doc. 44-7954; Filed, June 2, 1944;
10:30 a. m.]

[Vesting Order 3817] 371

ALBERT R. MEYER

In re: Trust under the will of Albert R. Meyer, deceased; File D-66-919; ET Sec. 4355.

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 Hudson Trust Company, as Trustee, acting under the judicial supervision of the Hudson County Orphans' Court, Hudson County, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Geneinde Vorsteher, Germany.

Burgomaster of the City of Bremen, 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 Geneinde Vorsteher and Burgomaster of the City of Bremen, and each of them, in and to the Trust under the Will of Albert R. Meyer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

FEDERAL REGISTER, Saturday, June 3, 1944

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: May 29, 1944.

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

[F. R. Doc. 44-7955; Filed, June 2, 1944;
10:31 a. m.]

[Vesting Order 3719]

MAX LUDWIG RUDOLPH PUDLICH

In re: Estate of Max Ludwig Rudolph Pudlich, deceased; File D-27-986; E. T. sec. 7698.

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 C. Hesse, Executor, acting under the judicial supervision of the County Court of the State of Oregon, in and for the County of Clatsop;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Mrs. Agnes Pudlich, Germany.

Mrs. Anna Marie Lanitz (nee Pudlich), 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 Mrs. Agnes Pudlich and Mrs. Anna Marie Lanitz (nee Pudlich), and each of them, in and to the

estate of Max Ludwig Rudolph Pudlich, 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: May 29, 1944.

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

[F. R. Doc. 44-7956; Filed, June 2, 1944;
10:32 a. m.]

[Vesting Order 3720]

AUGUST SCHWANZ

In re: Estate of August Schwanz, deceased; File D-28-6506; E. T. sec. 4129.

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 William R. Schmidt, 3671 South Ahmed Avenue, Milwaukee, Wisconsin, Administrator, acting under the judicial supervision of the County Court of Milwaukee County, State of Wisconsin;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Helene Lange, Germany.

Meta Holland, Germany.

Friedrich Schwanz, Germany.

Karl Schwanz, 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 Helene Lange, Meta Holland, Friedrich Schwanz, Karl Schwanz, and each of them, in and to the estate of August Schwanz, 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: May 29, 1944.

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

[F. R. Doc. 44-7957; Filed, June 2, 1944;
10:32 a. m.]

[Vesting Order 3721]

ELIZABETH AGNES STRAUCH

In re: Guardianship of the estate of Elizabeth Agnes Strauch, also known as Elizabeth Strauch, a Minor; File: D-28-4238; E. T. sec. 7257.

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 G. Clostermann, Trustee, acting under the judicial supervision of the Circuit Court of the State of Oregon, for the County of Multnomah;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Elizabeth Agnes Strauch, also known as Elizabeth Strauch, 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 Elizabeth Agnes Strauch, also known as Elizabeth Strauch, in and to the trust created by the decree of the Circuit Court of the State of Oregon, for the County of Multnomah, entered on December 9, 1943, in the matter of the Guardianship of the Estate of Elizabeth Agnes Strauch, also known as Elizabeth Strauch, a Minor,

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: May 29, 1944.

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

[F. R. Doc. 44-7958; Filed, June 2, 1944;
10:32 a. m.]

[Vesting Order 3722]

UNITED STATES VS. SPOKANE COUNTY,
WASH., ET AL.

In re: Trust created by Court Order in the case of United States vs. Spokane County, Washington, et al.; File: D-39-17376; E. T. sec. 9354.

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 Old National Bank of Spokane, Trustee, acting under the judicial supervision of the District Court of the United States for the Eastern District of Washington, Northern Division;

(2) Such property and interests are payable or deliverable to, or claimed by, a na-

tional of a designated enemy country, Japan, namely,

National and Last Known Address
Hisao Nozu, Japan.

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, 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,

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 Hisao Nozu in and to the trust created by order of the District Court of the United States for the Eastern District of Washington, Northern Division, entered in the case of United States vs. Spokane County, Washington, et al., No. 331,

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 May 29, 1944.

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

[F. R. Doc. 44-7959; Filed, June 2, 1944;
10:32 a. m.]

[Vesting Order 3723]

BARBERA (BAREARA) WAGENER

In re: Estate of Barbera (Barbara) Wagener, deceased; File D-28-3544; E. T. sec. 5754.

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 Cook County, County Building, Chicago, Illinois, Depositary, acting under the judicial supervision of the Probate Court of Cook County, Chicago, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

National and Last Known Address

Katrina Schum, Germany.
Godfrey Keebler, 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:

The sum of \$235.30 which is in the possession and custody of the Treasurer of Cook County, Illinois, Depositary, which amount was deposited with the Treasurer of Cook County, Illinois, on April 20th, 1939, pursuant to an order of the Probate Court of Cook County, Illinois, entered April 18th, 1939, to the credit of the aforesaid nationals, in the matter of the estate of Barbera (Barbara) Wagener, 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: May 29, 1944.

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

[F. R. Doc. 44-7960; Filed, June 2, 1944;
10:33 a. m.]

[Vesting Order 3724]

JOHANN WINTJEN

In re: Estate of Johann Wintjen, also known as John Wintjen, deceased; and

FEDERAL REGISTER, Saturday, June 3, 1944

trust under the will of Johann Wintjen, also known as John Wintjen, deceased; File D-27-2177; E. T. sec. 4504.

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 Chemical Bank & Trust Company, as trustee and administrator, 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 and Last Known Address

Johann (John) Wintjen, son of Martin Wintjen, Germany.

August Wintjen, son of Martin Wintjen, Germany.

August Wintjen, son of Herman Wintjen, grandson of Martin Wintjen, Germany.

Katarina Ziegenbein, Germany.

Cort Wintjen, son of Martin Wintjen, Germany.

Cort Wintjen, son of Cort Wintjen, grandson of Martin Wintjen, Germany.

Martin Wintjen, Germany.

Johann Wintjen, son of Herman Wintjen, grandson of Martin Wintjen, Germany.

Anna Meyer, Germany.

Hinrich Wintjen, son of Herman Wintjen, grandson of Martin Wintjen, Germany.

Hinrich Wintjen, son of Cort Wintjen and grandson of Martin Wintjen, Germany.

Karl Wintjen, Germany.

Katharina Meyer, Germany.

Mathilda Lau, Germany.

Johanne Stelljes, Germany.

Martha Schroder, Germany.

Katharina Kuck, Germany.

Friedrich Wintjen, Germany.

Bertha Dammann, Germany.

Heinrich Wintjen, Germany.

Johannes Wintjen, Germany.

Erna Lange, Germany.

Gustav Wintjen, Germany.

Sophie Ringe, Germany.

Christoph Wintjen, Germany.

Frieda Friedrichsen, Germany.

Maria Gails, Germany.

Anna Rusch, Germany.

Martha Seebeck, Germany.

Mathilde Garms, Germany.

Dietrich Wintjen, Germany.

Heinrich Huenken, Germany.

Sophie Schlusing, Germany.

Auguste Bornemann, Germany.

Marie Strathmann, 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 Johann Wintjen, August Wintjen, August Wintjen, Katarina Ziegenbein, Cort Wintjen, Martin Wintjen, Johann Wintjen, Anna Meyer, Hinrich Wintjen, Hinrich Wintjen, Karl Wint-

jen, Katharina Meyer, Mathilda Lau, Johanne Stelljes, Martha Schroder, Katharina Kuck, Friedrich Wintjen, Bertha Dammann, Heinrich Wintjen, Johannes Wintjen, Erna Lange, Gustav Wintjen, Sophie Ringe, Christoph Wintjen, Frieda Friedrichsen, Maria Gails, Anna Rusch, Martha Seebeck, Mathilde Garms, Dietrich Wintjen, Heinrich Huenken, Sophie Schlusing, Auguste Bornemann and Marie Strathmann, and each of them, in and to the trust created under the will of Johann Wintjen, also known as John Wintjen, deceased.

All right, title, interest and claim of any kind or character whatsoever of Cort Wintjen, in and to the Estate of Johann Wintjen, also known as John Wintjen, 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: May 29, 1944.

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

[F. R. Doc. 44-7961; Filed, June 2, 1944;
10:33 a. m.]

[Vesting Order 3725]

FRIEDA ZIEGLER

In re: Estate of Frieda Ziegler, deceased; File D-28-8639; E. T. sec. 10384.

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 J. C. Ziegler, 17 Warren Avenue, Brownsville, Texas, Temporary Administrator, acting under the judicial supervision of the County Court of Wichita County, Texas;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Eizie Schaff, 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 Eizie Schaff in and to the Estate of Frieda Ziegler, 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: May 29, 1944.

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

[F. R. Doc. 44-7962; Filed, June 2, 1944;
10:33 a. m.]

[Vesting Order 3726]

LOUIS ANDRES

In re: Estate of Louis Andres, deceased; File D-57-285; E. T. sec. 7432.

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 Edward J. Merkert, 50 Howard Avenue, Brooklyn, New York, Executor, acting under the judicial supervision of the Surrogate's Court, Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Roumania, namely,

Nationals and Last Known Address

Franz Andres, Roumania.
George Andres, Roumania.
Elenore Syep, Roumania.

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, Roumania; 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 Franz Andres, George Andres and Elenore Syep, and each of them, in and to the estate of Louis Andres, 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: May 30, 1944.

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

[F. R. Doc. 44-7963; Filed, June 2, 1944;
10:33 a. m.]

[Vesting Order 3727]

OLGA BECK

In re: Estate of Olga Beck, deceased;
File D-28-2086; E. T. sec. 2423.

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 Edward Clough,

Administrator, 1421 South Monroe Street, Green Bay, Wisconsin, acting under the judicial supervision of the County Court of Brown County, Wisconsin.

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address
Alma Schultz, 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 Alma Schultz in and to the estate of Olga Beck, 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: May 30, 1944.

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

[F. R. Doc. 44-7964; Filed, June 2, 1944;
10:33 a. m.]

[Vesting Order 3728]

ALFRED KUHMANN

In re: Mortgage Participation Certificate #N143103 of Series F-729MC (170839) issued by the Title Guarantee and Trust Company to Alfred Kuhmann, and guaranteed as to payment by Bond & Mortgage Guarantee Company; File F-28-2785; E. T. sec. 3848.

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 Manufacturers Trust Company, 55 Broad Street, New York City, New York, as Trustee, acting under the judicial supervision of the Supreme Court of the State of New York, County of Kings; and

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Alfred Kuhmann, 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 Alfred Kuhmann in and to a mortgage participation certificate #N143103 of Series F-729MC (170839) issued by Title Guarantee and Trust Company, of New York City, New York, and guaranteed as to payment by the Bond & Mortgage Guarantee Company, of New York, 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: May 30, 1944.

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

[F. R. Doc. 44-7965; Filed, June 2, 1944;
10:34 a. m.]

FEDERAL REGISTER, Saturday, June 3, 1944

[Vesting Order 3729]

FRANK LAMMICH

In re: Estate of Frank Lammich, deceased; File D-28-4138; E. T. sec. 7161.

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 Charles Wm. Kappes, as Administrator, acting under the judicial supervision of the Hudson County Orphans' Court, Jersey City, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Florian Lammich, Germany.

Paul Lammich, Germany.

Johanna Schaffarsick, Germany.

Paul Held, Germany.

Frieda Held, Germany.

Ernstia Held, 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 Florian Lammich, Paul Lammich, Johanna Schaffarsick, Paul Held, Frieda Held, and Ernstia Held, and each of them, in and to the estate of Frank Lammich, 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: May 30, 1944.

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

[F. R. Doc. 44-7966; Filed, June 2, 1944;
10:34 a. m.]

[Vesting Order 3730]

HERMANN PAEPCKE

In re: Trust under Clause 3 of the will of Hermann Paepcke, deceased; File D-28-1320; E. T. sec. 376.

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 Walter P. Paepcke, 111 W. Washington Street, Chicago, Illinois; Alice Paepcke Guenzel, 219 Lake Shore Drive, Chicago, Illinois; J. F. Griswold, 111 W. Washington Street, Chicago, Illinois, and Paula Wilma Henderson, 4 East 88th Street, New York, New York, Trustees, acting under the judicial supervision of the Circuit Court of Cook County, Chicago, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Sophie (Sophia) Pflueger, Germany.

Eliza Pagels, Germany.

Paula Paepcke, Germany.

Hertha Pflueger Gelpcke, Germany.

Mary Alice Pflueger Seibel, Germany.

Lawful issue of Sophie (Sophia) Pflueger, names 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 Sophie (Sophia) Pflueger, Eliza Pagels, Paula Paepcke, Hertha Pflueger Gelpcke, Mary Alice Pflueger Seibel, and the lawful issue of Sophie (Sophia) Pflueger, names unknown, and each of them, in and to the Trust created under Clause 3 of the Will of Hermann Paepcke, deceased, including but not by way of limitation all rights, claims, demands and causes of action at law or in equity, of any kind or nature whatsoever growing out of the administration of said trust, which said persons or any of them may have against the trustees of said Trust, their predecessors in office, or the executors, administrators, heirs, devisees and assigns of the said trustees or former trustees, or any of them, in their capacity as trustees or individually,

to be held, used, administered, liquidated, sold or otherwise dealt with in the in-

terest of and for the benefit of the United States.

Such property, 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: May 30, 1944.

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

[F. R. Doc. 44-7967; Filed, June 2, 1944;
10:34 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 64, Order 141]

PRENTISS WABERS PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

Order No. 141 under Maximum Price Regulation No. 64. Domestic cooking and heating stoves. Approval of maximum prices for resales of Model No. 752 kerosene heater manufactured by Prentiss Wabers Products Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and 9328, and in accordance with Section 11 of Maximum Price Regulation No. 64, *It is ordered:*

(a) Any wholesale distributor may sell and deliver to retailers the Model No. 752 two burner kerosene heater manufactured by Prentiss Wabers Products Co., Wisconsin Rapids, Wisconsin, at prices no higher than the following:

\$9.89 per unit in all areas except the west coast area.

\$10.44 per unit in the west coast area.

These prices are f. o. b. distributors' cities.

(b) Any person, other than a mail order house, may sell and deliver at retail the Model No. 752 two burner kerosene heater manufactured by Prentiss Wabers Products Co., Wisconsin Rapids, Wisconsin, at prices no higher than the following:

\$15.50 per unit in all areas except the west coast area.
\$16.75 per unit in the west coast area.

(c) Any mail order house may sell and deliver at retail through a retail store the Model No. 752 two burner kerosene heater manufactured by Prentiss Wabers Products Co., Wisconsin Rapids, Wisconsin, at prices no higher than the following:

\$14.45 per unit in all areas except the west coast area.
\$15.75 per unit in the west coast area.

(d) At the time of or prior to the first invoice to each purchaser for resale after the effective date of this order, Prentiss Wabers Products Co. and each distributor shall notify the purchaser of the maximum prices and conditions set by this order for resale by the purchaser. This notice shall be given in any convenient form. In addition, Prentiss Wabers Products Co. shall, before delivering any model No. 752 kerosene heater, attach securely to each heater, a tag or label which plainly states the maximum retail ceiling price established by this Order for sales by the particular class of retailer who will make the sale at retail. This tag or label shall be attached to the front of the heater.

(f) For the purposes of this order the west coast area shall comprise the following states: Washington, Oregon, California, Idaho, Nevada, Utah, Arizona, Montana, Wyoming, and New Mexico.

(g) This Order No. 141 may be revoked or amended by the Price Administrator at any time.

This Order No. 141 shall become effective June 2, 1944.

Issued this 1st day of June 1944.
CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7932; Filed, June 1, 1944;
12:06 p. m.]

[MPR 136, Order 215]

ORR AND SEMBOWER, INC.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 215 under Maximum Price Regulation No. 136, as amended. Machines and parts and machinery services. Orr and Sembower, Inc. (Docket No. 3136-410).

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended, *It is ordered:*

(a) The maximum prices for sales of vertical tubeless boilers and horizontal scotch marine boilers by Orr and Sembower, Inc., Reading, Pennsylvania, shall be determined as follows:

The manufacturer shall multiply the price he had in effect to a purchaser of

the same class on October 1, 1941, by the following percentages:

Type of boiler:	Percentage
Vertical Tubeless.....	118
Horizontal Scotch Marine.....	110

(b) Dealers of Orr and Sembower, Inc. may increase their maximum net selling prices for the boilers listed above by an amount equal to the dollar amount of the increase for each boiler granted to Orr and Sembower, Inc., by this order.

(c) Orr and Sembower, Inc., shall notify its dealers of the increase in the dealer's maximum price authorized by this order. If the dealer has no reason to doubt the validity of the notification received from the manufacturer, he may rely on that notification.

(d) All requests in the application not granted in this order are denied.

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

This order shall become effective June 2, 1944.

Issued this 1st day of June 1944.
CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7935; Filed, June 1, 1944;
12:08 p. m.]

[MPR 188, Order 1680]

L. GROSSMAN SONS, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 1680 § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of two new chairs manufactured by L. Grossman Sons, Inc.

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

(a) The maximum prices for all sales and deliveries of L. Grossman Sons, Inc., Plymouth, New Hampshire, of certain Adirondack Chairs of its manufacture, as described in its application dated April 11, 1944, after such articles became subject to Maximum Price Regulation No. 188, are those as set forth below:

Article	Model No. style	To retail dealers	To jobbers who sell against manufacturer stock
Adirondack Chair....	A	\$2.58	\$2.19
Adirondack Chair....	B	2.82	2.40

These prices are net f. o. b. factory.

(b) On and after the effective date of this order, the maximum prices for all sales and deliveries at wholesale by jobbers and any other persons from the manufacturer's stock of the articles de-

scribed in paragraph (a) above shall be those set forth below, net f. o. b. shipping point.

Article	Model No.	To retail dealers
Adirondack Chair.....	A	\$2.58
Adirondack Chair.....	B	2.82

(c) At the time of or prior to the first invoice to each jobber, L. Grossman Sons, Inc. shall notify the jobber of the maximum prices and conditions set by this Order for resale by the purchaser.

This notice may be given in any convenient form.

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

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

This order shall become effective on the 2d day of June 1944.

Issued this 1st day of June 1944.
CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7934; Filed, June 1, 1944;
12:08 p. m.]

[Rev. Gen. Order 32, Amdt. 12]

REGIONAL ADMINISTRATOR

DELEGATION OF AUTHORITY TO ACT FOR THE PRICE ADMINISTRATOR

Revised General Order No. 32 is amended in the following respects:

1. Paragraph (a) (8) is added to read as follows:

(8) Determinations of maximum prices for sales of footwear, other than hosiery, pursuant to § 1499.3 (b) (2) of the General Maximum Price Regulation. Applications for approval of proposed maximum prices for footwear, other than hosiery, under this section shall be filed with the District Office of the Office of Price Administration for the district in which the seller's main office is located rather than with the Office of Price Administration in Washington, D. C.

2. Paragraph (b) (6) is added to read as follows:

(6) Determinations of maximum prices for sales of footwear, other than hosiery, pursuant to § 1499.3 (b) (2) of the General Maximum Price Regulation.

This amendment shall become effective June 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of June 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7942; Filed, June 1, 1944;
4:06 p. m.]

¹⁸ F.R. 1769, 2902, 2906, 4143, 5417, 7054, 10685, 14413, 15341, 16569; 9 F.R. 3112.

Regional and District Office Orders.

[Region VIII Order G-6 Under 3 (c)]

VICTORY TYPE PLUMBING FIXTURE TRIM IN NORTHERN CALIFORNIA

Order No. G-6 under § 1499.3 (c) of the General Maximum Price Regulation. Establishment of maximum prices for certain plumbers located in northern California for sale of victory type plumbing fixture trim.

For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the Regional Administrator of the Office of Price Administration by § 1499.3 (c) of the General Maximum Price Regulation and General Order No. 32; *It is hereby ordered:*

(a) The maximum price which plumbers located in Northern California, who are unable to determine a maximum price pursuant to § 1499.2 or § 1499.3 (a) of the General Maximum Price Regulation, may sell the hereinafter described Victory type plumbing fixture trim shall be the maximum prices set forth after each:

Fig. No.	Item	Maximum price
V-10	Sink ftg., 2½" adj., less dish	\$6.25
V-10H	Sink ftg., w/hose end spout	6.25
V-11	Sink ftg., 2½" adj., with dish	6.63
V-20	Lav. faucet, less tailpiece, lever handle, no index	1.53
V-21	Ditto—w/Black plastic cross handle indexed "H" & "C"	1.53
V-21SC	Self-close Lavatory faucet	3.51
	ADD to above for tallpiece	.09
V-42	1½" Compression hose, tee hdle.	1.13
V-42	Ditto ¾"	1.18
V-42F	¾" Hose faucet w/flange	1.24
V-42F	Ditto	1.30
V-42LK	¾" Loose key hose faucet, less key	1.41
V-42LK	Ditto	1.46
V-42SC	¾" Self-close hose faucet	2.99
V-42SC	Ditto	3.05
V-43	¾" Compression plain, tee hdle.	1.08
V-43F	Ditto	1.13
V-43F	¾" Plain faucet w/flange	1.18
V-43LK	Ditto	1.25
V-43LK	¾" Loose key plain faucet, less key	1.36
V-43SC	Ditto	1.41
V-43SC	¾" Self-close plain faucet	2.94
V-72	Ditto	2.99
V-72	Loose keys only	.12
V-58	¾" or 5/8" angle stop, tee hdle.	.71
V-63	¾" x ½" or 5/8" straight stop, tee hdle.	.86
V-75SC	¾" Self-close angle valve	2.62
V-75SC	Ditto	2.82
V-76SC	¾" Self-close straight valve	2.62
V-76SC	Ditto	2.82
V-80	¾" Angle valve, iron wheel hdle.	.64
V-80	Ditto	.89
V-81	¾" Stgt. valve, iron wheel hdle.	.64
V-81	Ditto	.89
V-85	¾" Stop and waste valve	.81
V-85	Ditto	1.08
V-95	¾" Loose key angle valve, less key	1.02
V-95	Ditto	1.18
V-96	¾" Loose key straight, less key	1.02
V-96	Ditto	1.18
V-72	Loose keys only	.12
V-111	¾" Straight pattern shower valve	2.33
V-116	¾" Screwdriver shower valve	1.78
V-174	¾" Pull chain shower valve	4.47
V-174	Ditto	4.73
V-125	Tub filler, w/spout	5.69
V-1107	Bath faucet, non-syphoning	3.43
V-123X	Shower cabinet fitting	6.30
V-127	Stall fitting w/plastic shower set	7.09
V-1145	Plastic rigid "April" shower head w/galvd. bent arm and plastic flge	1.74
V-1146	Plastic "April" shower head, tapped ½" IPS female	1.08
V-1146V	Ditto w/vandal proof set screw	1.18
V-123X	Shower cabinet fitting	6.30
V-1123	Exposed shower fitting	3.46
	Soap dish for V-1123—ADD	.65
	Brackets for above exposed showers	.65
"P" Trap—1½ x 1½ C. I. w/steel tube waste	1.93	
"P" Trap—1½ x 1½ C. I. w/steel tube waste	1.93	

Fig. No.	Item	Maximum price
	"S" Trap—1½ x 1½" C. I. w/steel tube waste	\$3.46
	"S" Trap—1½ x 1½" C. I. w/steel tube waste	3.46
	"S" Trap—1½ x 1½" steel tubing—1½ x 4" w/steel tube tailpiece, plated top w/chain and stopper	3.46
	1½ x 4" All C. I. w/coated top w/chain and stopper	.87
	1½ x 4" Steel w/enamled coating w/chain and stopper	.87
	Sink Strainers—For 2½" outlet, w/coated top, 1½ x 4" tailpiece	1.44
	Sink strainers—for 3½" outlet, w/coated top, 1½ x 4" tailpiece	1.17
		1.69

(b) The maximum prices herein established are subject to the seller's customary discounts, allowances, and differentials.

(c) The term "Northern California" as used herein means:

That portion of California bounded on the south by the northern boundaries of San Luis Obispo, Kern, and San Bernardino Counties, California.

(d) This order shall become effective five days after date of issuance and shall apply to all sales and deliveries and offers to sell whether heretofore or hereafter made of the above described commodities by the aforesaid persons.

(e) This order shall be subject to revocation or amendment at any time hereafter either by special order or by any price regulation issued hereafter or by any supplement or amendment hereafter issued as to any price regulation, the provisions of which may be contrary hereto.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 26th day of May 1944.

CHAS. R. BAIRD,
Acting Regional Administrator.

[F. R. Doc. 44-7878; Filed, May 31, 1944; 1:14 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-704]

ILLINOIS IOWA POWER COMPANY

AMENDMENT OF PRIOR ORDERS

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 May 1944.

The Commission, pursuant to a request based upon the requirements of sections 371 and 1808 of the Internal Revenue Code, as amended, having found, in its findings and opinion filed in the above-styled and numbered matter on August 16, 1943, that the sale by Illinois Iowa Power Company (whose name has since been changed to Illinois Power Company) to Continental Gas & Electric Corporation of (a) securities and indebtedness of Des Moines Electric Light Company consisting of 335,000 shares of common stock, General Refunding Mortgage Bonds in the principal

amount of \$1,750,000 and open account indebtedness in the amount of \$3,000,000 owing to Illinois Iowa Power Company, and (b) certain securities of Iowa Power and Light Company consisting of 230,000 shares of common stock and 2,600 shares of 7% Cumulative Preferred Stock was necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935; and the Commission having entered an order in accordance with such findings; and

The Commission having inadvertently omitted to make findings or enter an order (or orders) in conformance with the formal requirements of sections 371 and 1808 of the Internal Revenue Code, as amended, to the effect that (a) the transfer by Des Moines Electric Light Company to Illinois Iowa Power Company of 230,000 shares of the common stock of Iowa Power and Light Company as a distribution in partial liquidation of Des Moines Electric Light Company, and (b) the application by Illinois Iowa Power Company of the proceeds from the sale of the securities and indebtedness of Des Moines Electric Light Company and Iowa Power and Light Company to Continental Gas & Electric Corporation in the amount of \$15,220,000, together with other cash, to the redemption of its Series B, 5½% First and Refunding Mortgage Bonds, in the principal amount of \$15,827,000, were necessary and appropriate to effectuate the provisions of section 11 (b) of said act, and Illinois Iowa Power Company having requested that the Commission enter an order (or orders) with respect to said transactions conforming with the requirements of sections 371 and 1808 of the Internal Revenue Code, as amended;

It is hereby ordered, That the order of the Commission entitled, "Order Granting Applications and Permitting Declarations to become Effective," made and entered in the above-styled and numbered matter on the 16th day of August, 1943, be and the same is hereby amended to read as follows:

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of August, A. D. 1943.

In the matter of the United Light and Railways Company, Continental Gas & Electric Corporation, Iowa-Nebraska Light and Power Company, Iowa Power and Light Company, and Des Moines Electric Light Company, File No. 70-717; Illinois Iowa Power Company, File No. 70-704. Order granting applications and permitting declarations to become effective.

The Commission having, by order dated April 14, 1942, directed, among other things, that Illinois Iowa Power Company ("Illinois Iowa Power"), a registered public-utility holding company, sever its relationship with Des Moines Electric Light Company ("Des Moines Electric"), a registered holding company, and Iowa Power and Light Company ("Iowa Power"), a public utility subsidiary of Des Moines Electric, in an appropriate manner not in contravention of the applicable provisions of the act or the rules, regulations and orders promulgated thereunder;

The above-named companies and The United Light and Railways Company ("Railways"), a registered holding company and a

subsidiary of The United Light and Power Company, also a registered holding company, Continental Gas & Electric Corporation ("Continental"), a registered holding company and a subsidiary of The United Light and Railways Company, and Iowa-Nebraska Light and Power Company ("Iowa-Nebraska Light"), a subsidiary of Continental, having filed with this Commission applications and declarations, and certain amendments thereto, pursuant to sections 6, 7, 9, 10, 11, and 12 of the act and Rules U-42, U-43, U-44, U-45, U-46, and U-50, and any other applicable sections of the Act or Rules thereunder, with respect to various proposed transactions, all as more particularly described in said applications and declarations, designed to accomplish, among other things, the disposition of all interest, direct and indirect, of Illinois Iowa Power in Iowa Power and Des Moines Electric, and the direct or indirect acquisition of such interest by Continental;

The Commission having found that (1) the transfer by Des Moines Electric to Illinois Iowa Power of 230,000 shares of the common stock of Iowa Power as a distribution in partial liquidation of Des Moines Electric, and (2) the sale by Illinois Iowa Power to Continental of (a) securities and indebtedness of Des Moines Electric consisting of 335,000 shares of common stock, General Refunding Mortgage Bonds in the principal amount of \$1,750,000 and open account indebtedness in the amount of \$3,000,000 owing to Illinois Iowa Power, and (b) certain securities of Iowa Power consisting of 230,000 shares of common stock and 2,600 shares of 7% Cumulative Preferred Stock are necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935; and Illinois Iowa Power having requested that the order of the Commission herein conform to the formal requirements of sections 371 and 1808 of the Internal Revenue Code, as amended, relative to the necessity of the consummation of the proposed transactions to enable it to comply with the provisions of section 11 (b) of the act;

The Commission having issued a notice of filing and order for hearing on said applications and declarations and a public hearing having been held thereon in which all security holders of the applicants-declarants, and other interested persons, were given opportunity to be heard; and requests for findings and briefs having been filed by some of the applicants-declarants and waived by others, and oral argument having been waived by all applicants-declarants; and

The Commission having considered the record of the proceedings and having entered its findings and opinion herein, and deeming it appropriate in the public interest and in the interest of investors and consumers to permit the declarations, as amended, to become effective and to approve the applications, as amended, subject to the conditions herein-after enumerated;

It is hereby ordered, That, subject to the terms and conditions prescribed in Rule U-24 and to the terms and conditions hereinafter specified, the aforesaid declarations, as amended, be and hereby are permitted to become effective and the aforesaid applications, as amended, be and hereby are granted forthwith; and without limiting the generality of the foregoing, the following specific transactions are authorized and approved:

(1) The surrender by Des Moines Electric to Iowa Power, and the acquisition by Iowa Power, of 20,000 shares of the common stock of Iowa Power and the credit by Iowa Power of \$200,000 to its paid-in surplus.

(2) The transfer by Des Moines Electric of 230,000 shares of common stock of Iowa Power to Illinois Iowa Power in partial liquidation of Des Moines Electric and the acquisition of such stock by Illinois Iowa Power.

(3) The purchase by Continental from Illinois Iowa Power, and the sale by that company to Continental, of 335,000 shares of common stock of Des Moines Electric and 230,000 shares of common stock of Iowa Power upon the terms and conditions set forth in the agreement entered into between Continental and Illinois Iowa Power as of March 1, 1943.

(4) The transfer by Continental to Iowa Power, and the acquisition by Iowa Power, of 335,000 shares of common stock of Des Moines Electric in exchange for 237,500 additional shares of common stock to be issued by Iowa Power; the issuance of such additional shares of common stock by Iowa Power and the acquisition thereof by Continental; and the credit by Iowa Power of 2,486,685 to its paid-in surplus account in connection with said transactions.

(5) The sale by Illinois Iowa Power to Iowa Power, and the purchase by Iowa Power, of \$1,750,000 principal amount of General Refunding Mortgage Bonds of Des Moines Electric, \$3,000,000 of open account indebtedness owing by Des Moines Electric to Illinois Iowa Power and 2,600 shares of 7% Cumulative Preferred Stock of Iowa Power, for \$5,010,000 in cash plus the amount of accrued interest and dividends thereon at the date the transactions are consummated.

(6) The complete liquidation and dissolution of Des Moines Electric, involving (a) the transfer by Des Moines Electric of all its property and assets to Iowa Power, (b) the surrender by Iowa Power to Des Moines Electric for cancellation of all securities and indebtedness of Des Moines Electric at the time owned by Iowa Power and (c) the assumption by Iowa Power of all other liabilities and obligations of Des Moines Electric.

(7) The acquisition by Iowa Power from Iowa-Nebraska Light, and the transfer by Iowa-Nebraska Light to Iowa Power, of all properties of Iowa-Nebraska Light located in the State of Iowa, together with the current assets appertaining to the operations of such properties, all upon the terms and conditions outlined in Division 6 of Form U-1 filed herein by Railways, et al., which include (a) the assumption by Iowa Power of all liabilities of Iowa-Nebraska Light appertaining to its Iowa properties and business, (b) the payment by Iowa Power to Iowa-Nebraska Light of approximately \$1,000,000 in cash and (c) the issuance by Iowa Power to Iowa-Nebraska Light of 462,500 shares of common stock of Iowa Power.

(8) The partial liquidation of Iowa-Nebraska Light involving (a) the transfer by Iowa-Nebraska Light to Continental, as a partial liquidating dividend, of \$1,500,000 in cash, 462,500 shares of common stock of Iowa Power, and all the outstanding securities of Maryville Electric owned by Iowa-Nebraska Light (4,000 shares of common stock and \$340,000 of open account indebtedness); (b) the surrender by Continental to Iowa-Nebraska Light for cancellation, and the acquisition by Iowa-Nebraska Light, of 68,650 shares of common stock of Iowa-Nebraska Light; (c) the transfer by Continental to Iowa-Nebraska Light, as a credit to paid-in surplus, of 10,758 shares (par value \$1,075,800) of the common stock of Iowa-Nebraska Light; and (d) the write-off of Iowa-Nebraska Light's earned surplus deficit against such paid-in surplus.

(9) The issuance by Iowa Power of \$17,000,000 principal amount of 3 1/4% First Mortgage Bonds under an Indenture of Mortgage and Deed of Trust and Supplemental Indenture substantially in the form appearing as Exhibits J and K to Form U-1 filed by Railways, et al. and the sale of such bonds to underwriters selected by competitive bidding upon the terms and conditions set forth in the Registration Statement of Iowa Power filed under the Securities Act of 1933 as such registration statement shall be-

come effective: *Provided*, however, That the authorization referred to in this paragraph shall not become effective unless and until the Commission by supplemental order shall approve the underwriters' spread and the price at which such bonds are to be sold.

(10) The issuance by Iowa Power of \$2,500,000 principal amount of promissory notes maturing in ten equal annual installments on August 1, 1944 to August 1, 1953, inclusive, and bearing interest at the rate of 2 1/2% for the first five maturities and 2 3/4% for the last five maturities, and the sale of such notes to commercial banks and insurance companies upon substantially the terms and conditions set forth in the form of Loan Agreement appearing as Exhibit L to Form U-1 filed herein by Railways, et al.

(11) The application by Iowa Power of the proceeds to be received from the sale of the bonds and notes referred to in paragraphs 10 and 11 hereof for the purposes set forth in Division 8 of Form U-1 filed herein by Railways, et al., which will include the redemption by Iowa Power on or before January 1, 1944, of 10,133 shares of its 7% Cumulative Preferred Stock at 105% of the par value thereof plus accrued dividends, which redemption is hereby approved;

It is further ordered, That the accounting entries submitted by the applicants-declarants to reflect the foregoing transactions are approved: *Provided*, however, That Jurisdiction is reserved over the accounting entries to be made to record the partial liquidation of Iowa-Nebraska Light as proposed and our approval of said partial liquidation is subject to the condition that if the remaining properties of Iowa-Nebraska Light, located in Nebraska, are not disposed of by December 1, 1943 the entries to be reflected in the year-end statements of Continental shall be submitted to us for approval;

It is further ordered, That Iowa Power, which may temporarily become a holding company pending consummation of the foregoing transactions, is hereby exempted from all provisions of the Act and Rules of the Commission thereunder applicable to holding companies, including the provisions of the act providing for the registration of holding companies;

It is further ordered, That, in accordance with the request of applicants-declarants, the ten-day period for inviting bids with respect to the bonds of Iowa Power, as provided by Rule U-50 (b), be shortened to a period of not less than six days;

It is further ordered, That the foregoing authorizations are subject to the following additional terms and conditions:

1. Jurisdiction is reserved to determine in the pending section 11 (b) (1) proceedings (a) whether properties of the Railways system in Kansas and Missouri and those in Illinois and Iowa may ultimately be retained in combination, either as part of the same integrated system or otherwise, (b) whether the system's electric properties in Fort Dodge and Mason City, Iowa are retainable, and (c) whether the gas properties and non-utility assets now owned by the system and those to be acquired in conjunction with the electric facilities of Des Moines Electric and Iowa Power are permanently retainable in the system.

2. Jurisdiction is reserved to pass upon the facts disclosed by the report with respect to the results of competitive bidding as required by Rule U-50 (c), to pass upon the sale price of the bonds of Iowa Power and the spread thereon, and to issue a supplemental order with respect thereto.

3. Jurisdiction is reserved with respect to the use of the proceeds received by Illinois Iowa Power from the sale of its interest in Des Moines Electric and Iowa Power.

4. Jurisdiction is reserved with respect to the reasonableness and the allocation of fees and expenses paid or incurred by the appli-

cants-declarants in connection with the foregoing transactions except as to the fees and expenses, in the aggregate amount of \$164,220, referred to specifically and passed upon in our Findings and Opinion herein.

It is further ordered, That (1) the transfer by Des Moines Electric to Illinois Iowa Power of 230,000 shares of the common stock of Iowa Power as a distribution in partial liquidation of Des Moines Electric, and (2) the sale by Illinois Iowa Power to Continental of (a) securities and indebtedness of Des Moines Electric consisting of 335,000 shares of common stock, General Refunding Mortgage Bonds in the principal amount of \$1,750,000, and open account indebtedness in the amount of \$3,000,000 owing to Illinois Iowa Power, and (b) certain securities of Iowa Power consisting of 230,000 shares of common stock and 2,600 shares of 7% Cumulative Preferred Stock are necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

ORVAL L. DUBoIS,
Secretary.

It is further ordered, That the order of the Commission entitled, "Order Releasing Jurisdiction with Respect to Use of Proceeds of Sale," made and entered in the above-styled and numbered matter on the 29th day of September, 1943, be and the same is hereby amended to read as follows:

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 September 1943.

In the matter of Illinois Iowa Power Company, File No. 70-704. Order releasing jurisdiction with respect to use of proceeds of sale.

Illinois Iowa Power Company, a registered public-utility holding company, having heretofore filed a declaration and an amendment thereto, pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 and the rules promulgated thereunder, with respect to the sale of its entire interests in Des Moines Electric Light Company and Iowa Power and Light Company; and

The Commission having on August 16, 1943 permitted the said declaration, as amended, to become effective and having reserved jurisdiction with respect to the use of the proceeds (\$15,220,000) to be received by Illinois Iowa Power Company from such sale (Holding Company Act Release No. 4497); and

Illinois Iowa Power Company having filed a further amendment to said declaration stating (a) that in accordance with the provisions of its First and Refunding Mortgage, dated April 2, 1923, the aforesaid proceeds have been deposited with Harris Trust and Savings Bank as Corporate Trustee under said Mortgage and (b) that Illinois Iowa Power Company now desires to exercise its option, under the provisions of the said Mortgage, to apply the aforesaid proceeds together with necessary current cash to the redemption of all (\$15,827,000) its outstanding Series B 5½% First and Refunding Mortgage Bonds, due December 1, 1954, which Bonds are callable at 105 upon 60 days' notice prior to December 1, 1943; and

Illinois Iowa Power Company having requested the Commission to release jurisdiction of the use of the aforesaid proceeds so that they may be applied for the purpose stated; and

It appearing to the Commission that it is in the public interest and in the interest of investors and consumers to grant such request; and

Illinois Iowa Power Company having requested that this order conform to the formal requirements of sections 371 and 1808 of

the Internal Revenue Code, as amended, relative to the necessity of the application of the proceeds from such sale in the manner aforesaid to enable it to comply with the provisions of section 11 (b) of the act; and the Commission finding that the application by Illinois Iowa Power Company of the proceeds from the sale of the aforesaid securities and indebtedness of Des Moines Electric Light Company and Iowa Power and Light Company to Continental Gas & Electric Corporation in the amount of \$15,220,000, together with other cash, to the redemption of its Series B, 5½% First and Refunding Mortgage Bonds, in the principal amount of \$15,827,000, is necessary and appropriate to effectuate the provisions of section 11 (b) of said act:

It is therefore ordered, That jurisdiction reserved in the order heretofore entered herein on August 16, 1943, with respect to the use of the proceeds received by Illinois Iowa Power Company from the sale of its interests in the Des Moines Electric Light Company and Iowa Power and Light Company be and the same is hereby released.

It is further ordered, That the application by Illinois Iowa Power Company of the proceeds from the sale of the aforesaid securities and indebtedness of Des Moines Electric Light Company and Iowa Power and Light Company to Continental Gas & Electric Corporation in the amount of \$15,220,000, together with other cash, to the redemption of its Series B, 5½% First and Refunding Mortgage Bonds, in the principal amount of \$15,827,000, is necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

ORVAL L. DUBoIS,
Secretary.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 44-7937; Filed, June 1, 1944;
2:32 p. m.]

[File No. 70-900]

NORTHERN STATES POWER COMPANY (MINNESOTA) AND NORTHERN STATES POWER COMPANY (DELAWARE)

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of May 1944.

Notice is hereby given that a joint declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Northern States Power Company (Delaware), a registered holding company, and its subsidiary, Northern States Power Company (Minnesota), also a registered holding company; and

Notice is further given that any interested person may, not later than the 19th day of June 1944 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 joint 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, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said joint declaration or application, which is on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized below:

The aforesaid companies propose:

(1) To postpone further the payment of \$806,517.09, the balance of installments on open account indebtedness due on or before June 30, 1944 from Northern States Power Company (Delaware) to Northern States Power Company (Minnesota) until December 31, 1944 by which date it is contemplated that said indebtedness will be fully extinguished in connection with the consummation of the plan of liquidation and dissolution, as amended, filed pursuant to section 11 (e) of said act for dissolution of Northern States Power Company (Delaware) which plan provides for disposition of said indebtedness. The 1944 installment, \$460,886.91, on said indebtedness is payable on or before December 31, 1944, and since it will not be overdue until after that date, no request has been made for its postponement.

(2) That pending action on said plan, as amended, or until December 31, 1944 (whichever date shall be earlier) Northern States Power Company (Minnesota) will continue to segregate on its books \$806,517.09 of its earned surplus as not being available for the declaration of dividends on its common stock.

(3) That Northern States Power Company (Minnesota) will waive all interest due on said indebtedness for the period from June 30, 1944 to December 31, 1944.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 44-7938; Filed, June 1, 1944;
2:32 p. m.]

[File Nos. 54-39, 54-69, 59-65]

LACLEDE GAS LIGHT CO., ET AL.

ORDER APPROVING AMENDED PLAN

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 27th day of May, A. D. 1944.

In the matters of The Laclede Gas Light Company, Laclede Power & Light Company, Phoenix Light, Heat and Power Company, Ogden Corporation, File No. 54-39; Ogden Corporation and subsidiary companies, File No. 54-69; Ogden Corporation and subsidiary companies, Respondents, File No. 59-65.

Proceedings having been instituted by the Commission pursuant to section 11

(b) (1), 11 (b) (2) and other applicable sections of the Public Utility Holding Company Act of 1935 with respect to Ogden Corporation ("Ogden"), a registered holding company, and its subsidiary companies (File No. 59-65); the Commission having by order dated May 20, 1943, directed Ogden and subsidiaries to take certain steps therein specified to comply with section 11 (b) of the said Act; and declarations and applications for approval of a plan under section 11 (e) and other applicable sections of said act to meet the requirements of section 11 (b) and the said order of May 20, 1943, having been filed by The Laclede Gas Light Company ("Laclede Gas"), Laclede Power & Light Company ("Laclede Electric"), and Phoenix Light, Heat and Power Company ("Phoenix"), subsidiaries of Ogden, and by Ogden (File No. 54-39);

All the foregoing proceedings having been duly consolidated by order of the Commission; hearings having been held and oral argument having been heard after appropriate notice; and the Commission having been fully advised and having entered its findings and opinion on May 24, 1944, and its supplemental findings approving amended plan this day;

Said amended plan providing, among other things, for the following transactions:

(a) The sale by Laclede Gas, Laclede Electric, and Phoenix, Sellers, to Union Electric Company of Missouri, Buyer of the electrical properties described and specified in an agreement, dated August 12, 1942, as amended, entered into between the said sellers and the said buyer, for a base cash price of \$8,600,000, subject to certain adjustments set forth in the said agreement as amended;

(b) Transfer to Laclede Gas by Laclede Electric of its remaining assets (except cash and 233,112 voting trust certificates of Granite City Generating Company which certificates are to be transferred to Ogden), such remaining assets being estimated at \$14,321.33 as of December 31, 1943, and the dissolution of Laclede Electric, after discharge of its liabilities;

(c) Restatement on the books of Laclede Gas of the properties to be owned by it upon consummation of the plan at original cost as determined by the Missouri Public Service Commission by charging surplus with the difference between book amounts of such property and the original cost thereof;

(d) The issuance and sale by Laclede Gas of \$19,000,000 principal amount of Twenty-Year First Mortgage Bonds and \$3,000,000 principal amount of Ten-Year Serial Debentures;

(e) Payment and discharge, at the principal amount thereof, together with accrued interest thereon to the effective date of the plan, of Laclede Gas' Refunding and Extension Mortgage 5% Bonds and its First Mortgage Collateral and Refunding 5½% Bonds, Series C and D;

(f) The issuance by Laclede Gas of fourteen shares of new Common Stock, par value \$4 per share, in place of each share of presently outstanding 5% Cumulative Preferred Stock, \$100 par value,

and all unpaid dividend accumulations thereon;

(g) The issuance by Laclede Gas of one share of said new Common Stock in place of each share of presently outstanding Common Stock, \$100 par value;

(h) The issuance by Laclede Gas of 2,165,296 shares of said new Common Stock to Ogden in exchange for:

(1) Surrender of 5,345 shares of Preferred Stock and 90,466 shares of Common Stock of Laclede Gas owned by Ogden;

(2) Surrender for retirement of \$2,000,000 principal amount of Collateral Trust 6% Notes, Series A and B, of Laclede Gas;

(3) \$905,000 cash;

(4) All, or substantially all, of the share of Laclede Electric in the cash proceeds from the sale of the electrical properties referred to in paragraph (a) above, after the discharge by Laclede Electric of its liabilities;

(5) Other miscellaneous assets of Laclede Electric referred to in paragraph (b) above;

(i) Payment by Ogden to the minority holders of the stock of Laclede Electric upon surrender for cancellation of such stock, of a cash amount equal to their pro rata share in the net assets of Laclede Electric as of the effective date of the plan after consummation of the sale referred to in paragraph (a) above;

(j) Sale by Ogden of its entire holdings in the said new Common Stock of Laclede Gas which Ogden will receive as a result of consummation of the reorganization of Laclede Gas.

Laclede Gas, Laclede Electric, and Ogden having requested that the Commission enter herein its order approving said plan, as amended, and that the Commission's order conform to, and set forth the recitals specified in, sections 371 and 1808 (f) of the Internal Revenue Code as amended; and having further requested, pursuant to the provisions of section 11 (e) of the act, that the Commission apply to a court in accordance with the provisions of section 18 (f) of the act to enforce and carry out the terms and provisions of the plan;

The Commission finds that the foregoing transactions are necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 and to make effective the Commission's order herein and are fair and equitable to the persons affected thereby, and

It is hereby ordered, subject to the terms and conditions enumerated below:

(1) That, pursuant to section 11 (e) of said act, said plan as amended be, and it hereby is, approved; and that the applications and declarations in connection therewith are approved and permitted to become effective;

(2) That the sale and conveyance to Union Electric Company of Missouri of the electric properties owned by Laclede Gas and Laclede Electric for the base purchase price of \$8,600,000, all as more fully described in the schedules and sketches annexed to a certain agreement of sale, dated August 12, 1942, as

amended, a copy of which agreement as amended, including said schedules and sketches, is a part of the record in these proceedings and is hereby incorporated by reference in this order with the same force and effect as if set forth at length herein, and the issuance by Laclede Gas of new securities consisting of (a) \$19,000,000 principal amount of First Mortgage Bonds, (b) \$3,000,000 principal amount of Serial Debentures, and (c) 2,433,620 shares of Common Stock of the par value of \$4 per share, are necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

This order is subject to the following terms and conditions:

1. That the applicants undertake to pay such fees and reimburse such expenses incurred or to be incurred in connection with said plan, the transactions incident thereto, and the consummation thereof, as are approved, allocated, or awarded by further order or orders of this Commission;

2. That jurisdiction be, and it hereby is, reserved to the Commission, to determine the number of shares of new Common Stock of Laclede Gas which shall be issued to Ogden in the event that the total of cash, including the share of Laclede Gas in the proceeds of the sale of the said electric properties, turned over by Laclede Electric and Ogden to Laclede Gas is less than \$9,080,000;

3. That jurisdiction be, and it hereby is, reserved to the Commission with respect to the price and spread pertaining to the sale of the said \$19,000,000 principal amount of First Mortgage Bonds and \$3,000,000 principal amount of Serial Debentures, with respect to the accounting entries relating to the retirement and issuance of securities under the plan, and with respect to the proposed sale by Ogden of the new Common Stock of Laclede Gas issuable to it under the plan;

4. That jurisdiction be, and it hereby is, reserved to the Commission to entertain such further proceedings, to make such supplemental findings, and to take such further action, as it may deem appropriate in connection with the plan, the transactions incident thereto and the consummation thereof, and, in the event the plan be not consummated, to enter such further orders as it may deem appropriate under sections 11 (b) (1), 11 (b) (2), 15 (f) and 20 (a) of the act; and

5. That this order shall not be operative to authorize the consummation of transactions proposed in the plan as amended until an appropriate federal district court shall, upon application thereto, enter an order enforcing such plan.

It is further ordered, That within 30 days after the final effectuation of the plan, the applicants shall file a certificate of notification advising the Commission of the steps which have been taken to consummate the plan.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-7881; Filed, May 31, 1944;
2:55 p. m.]

WAR FOOD ADMINISTRATION.

STABILIZATION OF SALARIES AND WAGES OF
AGRICULTURAL LABORDELEGATION OF AUTHORITY TO CALIFORNIA
WFA WAGE BOARD

Pursuant to the authority granted the War Food Administrator by regulations of the Director of the Office of Economic Stabilization issued August 28, 1943 (8 F.R. 11960, 12139, 16702), by virtue of the authority vested in the President by the Act of October 2, 1942, entitled "An Act to Amend the Emergency Price Control Act of 1942, to aid in preventing inflation, and for other purposes" (Pub. No. 729, 77th Cong. 2d Sess.), as amended by the Public Debt Act of 1943 entitled "An Act to increase the debt limit of the United States and for other purposes" (Pub. No. 34, 78th Cong. 1st Sess.), and vested by the President in the Economic Stabilization Director under Executive Order 9328 dated April 8, 1943 (8 F.R. 4681) there is hereby delegated to the California WFA Wage Board all the powers conferred upon the War Food Administrator with respect to the program for stabilization of salaries and wages of agricultural labor employed in the State of California, insofar as the powers relate to the granting or denying of approval of applications for wage or salary increases or decreases, pursuant to the regulations relative to salaries and wages of agricultural labor issued by the War Food Administrator on January 17, 1944 (9 F.R. 655). For the purposes of this delegation to approve or deny wage or salary increases or decreases pursuant to the regulations aforesaid, three members of the California WFA Wage Board shall constitute a quorum authorized to act with regard to such matters.

Any ruling of the California WFA Wage Board upon an application for increase or decrease in wages or salaries of agricultural labor shall be final, subject only to the Administrator's right of review on his own initiative. Any reversal or modification of such a ruling by the Administrator shall take effect from the date the affected party is notified thereof or at such later date as is specified in the notification: *Provided, however,* That if a ruling denying an application for permission to make a wage increase or decrease is overruled, the final ruling by the Administrator shall incorporate the effective date of the approval.

The California WFA Wage Board shall forward to the Director, Office of Labor, War Food Administration, a copy of each application for wage or salary increase or decrease made pursuant to the regulations relative to salaries and wages of agricultural labor issued January 17, 1944 (9 F.R. 655) and a copy of the Board's ruling thereon. Such copies shall be forwarded every two weeks.

Issued this 1st day of June 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-7978; Filed, June 2, 1944;
11:36 a. m.]

WAR PRODUCTION BOARD.

THE BROMWELL WIRE GOODS COMPANY

CONSENT ORDER

The Bromwell Wire Goods Company, a corporation, with its main office at 312 United Bank Building, Cincinnati, Ohio, is engaged in the business of manufacturing farm equipment, household utensils, garden tools and fire shovels, and was found on investigation by the War Production Board to have exceeded its permitted quotas during the fourth quarter of 1943 and the first quarter of 1944, as follows: In the use of carbon steel in the amount of about 36 tons in the manufacture of food mills, jar wrenches and wire strainers over the quota permitted by the provisions of Supplementary Limitation Order L-30-d as then in effect; and in the use of carbon steel in the amount of about 160 tons in the manufacture of fire shovels less than 22 inches in length over the quota permitted by the provisions of Supplementary Limitation Order L-30-a as then in effect. The Bromwell Wire Goods Company admits the excess use as charged by the War Production Board, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of The Bromwell Wire Goods Company, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) The Bromwell Wire Goods Company, its successors or assigns, shall, during the calendar year of 1944, reduce its use of carbon steel by 196 tons under the quotas it would otherwise be entitled to use in such a period, as defined in Limitation Orders L-30-a, L-30-d, and L-257, unless otherwise authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve The Bromwell Wire Goods Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect as of the date of issuance and shall expire December 31, 1944.

Issued this 31st day of May 1944.

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

[F. R. Doc. 44-7883; Filed, May 31, 1944;
3:42 p. m.]

MODERN CUSTOM TAILORS, INC., AND HARRY
BERKOWITZ

CONSENT ORDER

Modern Custom Tailors, Inc., a corporation organized and existing under the laws of the State of New York, with its principal office and place of business at

804 Lexington Avenue in the Borough of Manhattan, City, County and State of New York, and Harry Berkowitz, individually, doing business at the same address, are engaged in the retail clothing and tailoring business. They are charged by the War Production Board with having, during the period June 22, 1943, to March 16, 1944, caused to be put into process for the account of Modern Custom Tailors, Inc., wool cloth for the manufacture of men's clothing in violation of the limitations and restrictions contained in Limitation Order L-224. They are also charged with delivering such clothing in violation of Order L-224. They represent to the War Production Board that Modern Custom Tailors, Inc., has on hand approximately 122 yards of tropical worsteds, approximately 840 yards of year-round suitings, approximately 200 yards of sport coatings, approximately 225 yards of top coatings, and approximately 350 yards of winter weight suitings, making an approximate total of 1,737 yards of cloth on hand.

Modern Custom Tailors, Inc. and Harry Berkowitz, individually, admit the violations as charged, and do not wish to contest the issue of wilfulness, and they have consented to the issuance of this order.

Wherefore, upon the agreement and consent of Modern Custom Tailors, Inc., Harry Berkowitz, individually, the Regional Compliance Chief, and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Modern Custom Tailors, Inc., its successors or assigns, and Harry Berkowitz, individually, his successors or assigns, shall not, directly or indirectly, buy, order, receive, or accept delivery of or put into process any wool cloth or men's wool clothing except as herein-after provided and except as hereafter specifically authorized in writing by the War Production Board.

(b) The restrictions of this order shall not apply to the 122 yards of tropical worsteds, the 200 yards of sport coatings, and 600 of the 840 yards of year-round suitings on hand, as above represented, or in process, on the effective date of this order.

(c) Nothing contained in this order shall be deemed to relieve Modern Custom Tailors, Inc. or Harry Berkowitz, individually, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on May 31, 1944, and shall expire on July 31, 1944.

Issued this 24th day of May, 1944.
WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-7943; Filed, June 1, 1944;
4:22 p. m.]