



Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

NOTICE

Book 1 of the 1943 Supplement to the Code of Federal Regulations may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per copy. This book contains the material in Titles 1-31, including Presidential documents, issued during the period from June 2, 1943, through December 31, 1943.

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued.	Page
Bituminous coal, District 8 (MPR 120, Am. 6 to Order 906)	3105
Cotton goods, fine (MPR 11, Am. 23)	3090
Hawaii, fruits and vegetables (MPR 373, Am. 136)	3093
Hay (MPR 582)	3090
Mileage rationing; gasoline regulations (RO 5C, Am. 180)	3093
Piece goods, finished (MPR 127, Am. 29)	3093
Regional administrators, delegation of authority (Rev. Gen. Order 32, Am. 19)	3104
Regional and district office orders. <i>See also under</i> Adjustments and pricing orders.	
Bananas, Nashville, Tenn., district	3108
Community ceiling prices, list of orders filed (2 documents)	3113, 3114

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued.	Page
Regional and district office orders—Continued.	
Fluid milk:	
New York State	3106
West Liberty, Iowa	3113
Gasoline, Washington, D. C.	3113
Pillows, reconditioned, San Francisco region	3113
Potatoes, Boston region	3106
Potatoes and onions, Chicago region	3110
Solid fuels:	
Cape Girardeau and Jackson, Mo.	3109
Chicago, Ill., area	3111
Lincoln, Nebr., area	3111
Rochester, N. Y., and Monroe County, N. Y.	3108
Tires and tubes, new rubber; Government purchases (MPR 415)	3082
Wooden mine materials and industrial blocking, Eastern (MPR 558, Am. 1)	3086
PANAMA CANAL:	
Operation and navigation; sanitation, health and quarantine	3094
SECURITIES AND EXCHANGE COMMISSION:	
Hearings, etc.:	
Carolina Power & Light Co.	3116
Chicago and North Western Railway Co.	3115
Cities Service Co.	3119
Federal Water and Gas Corp. and Ohio Water Service Co.	3114
Georgia Power and Light Co., et al.	3120
Laclede Gas Light Co., et al.	3118
Maryland Fund, Inc.	3115
Pacific Gas and Electric Co.	3117
Putnam, Margaret W., et al.	3116
Quarterly Income Shares, Inc.	3115
United Gas Corp., et al.	3120
TREASURY DEPARTMENT:	
Checks and warrants, delivery to addresses outside U. S.	3080
Payments from accounts of U. S. citizens	3080
WAR FOOD ADMINISTRATION:	
Issuance of orders affecting persons subject to priority or allocation orders and regulations	3077
WAR MANPOWER COMMISSION:	
Minimum wartime workweek, designation of areas:	
Akron, Ohio (2 documents) ..	3122
Front Royal-Winchester, Va.	3121
Grand Rapids, Mich.	3123
Jackson, Mich.	3122
Onondaga County, N. Y.	3121
Pontiac, Mich.	3122
WAR PRODUCTION BOARD:	
Hook and eye tape, priorities assistance for cotton textiles for production (M-317, Dir. 12)	3080
Nicotinic acid (M-300, Sch. 1, revocation)	3081
Potash (M-291, revocation; M-300, Sch. 98) (2 documents)	3081

CONTENTS—Continued

WAR PRODUCTION BOARD—Con.	Page
Suspension orders, etc.:	
Booth Newspapers, Inc. (2 documents)	3124
Held's Auto Electric	3080
Knight Newspapers, Inc.	3124
Macomb Publishing Co.	3123
Summerfield's Inc., and Realty Finance Corp.	3123

(2) The term "rebate" means so much of an abatement, credit, refund, or other repayment, as was made on the ground that the tax imposed by this chapter was less than the excess of the amount specified in subsection (a) (1) over the amount of rebates previously made; and

(3) The computation by the collector, pursuant to section 51 (f), of the tax imposed by this chapter shall be considered as having been made by the taxpayer and the tax so computed considered as shown by the taxpayer upon his return.

(e) *Taxable years to which applicable.* The amendments made by subsections (a) * * * shall be applicable with respect to taxable years beginning after December 31, 1942. * * * In the application of the amendments made by this section in the case of taxable years beginning in 1943, "section 35" in the amendment made by subsection (a) shall be read as "section 35 and section 466 (e)."

PAR. 2. Section 29.271-1 is amended as follows:

(A) By striking out all of the first paragraph following the heading and inserting in lieu thereof the following:

(a) *Taxable years beginning prior to January 1, 1943.* In defining the term "deficiency" for taxable years beginning prior to January 1, 1943, the Internal Revenue Code recognizes two classes of cases—one, where the taxpayer makes a return showing some tax liability; the other, where the taxpayer makes a return showing no tax liability, or where the taxpayer fails to make a return. Additional tax shown on an "amended return," so-called, filed after the due date of the return for the taxable year, is a deficiency within the meaning of the Code.

(B) By adding at the end thereof the following:

(b) *Taxable years beginning after December 31, 1942.* For taxable years beginning after December 31, 1942, the term "deficiency" means the excess of the tax imposed by chapter 1 over the sum of the amount shown as the tax by the taxpayer upon his return and the amounts previously assessed (or collected without assessment) as a deficiency; but such sum shall first be reduced by the amount of rebates made. If no return is made, or if the return (except a return on Form W-2 (Rev.) pursuant to section 51 (f)) does not show any tax, for the purposes of the definition "the amount shown as the tax by the taxpayer upon his return" shall be considered as zero. Accordingly, in any such case, if no deficiencies have been assessed, or collected without assessment, and no rebates have been made, the deficiency is the amount of the tax

imposed by chapter 1. Additional tax shown on an "amended return," so-called, filed after the due date of the return for the taxable year, is a deficiency within the meaning of the Code.

For the purposes of the definition, the tax imposed by chapter 1 and the tax shown on the return shall both be determined without regard to the credit provided in section 35 for tax withheld at the source, and without regard to so much of the credit provided in section 32 for taxes withheld at the source as exceeds 2 percent of the interest on bonds containing a tax-free covenant. Payments on account of estimated tax, like other payments of tax by the taxpayer, shall likewise be disregarded in the determination of a deficiency. For taxable years beginning in 1943, the credit provided in section 466 (e) for Victory tax withheld at the source shall also be disregarded for such purposes.

The computation by the collector, pursuant to section 51 (f), of the tax imposed by chapter 1 shall be considered as having been made by the taxpayer and the tax so computed shall be considered as the tax shown by the taxpayer upon his return.

If so much of the credits claimed on the return for taxes withheld at the source as exceeds 2 percent of the interest on tax-free covenant bonds is greater than the amount of such credits allowable, the unpaid portion of the tax attributable to such difference will be collected not as a deficiency but as an underpayment of the tax shown on the return.

The application of these provisions may be illustrated by the following examples:

Example (1). The amount of tax shown by the taxpayer upon his return for the calendar year 1944 was \$1,500. The taxpayer had no amounts previously assessed (or collected without assessment) as a deficiency. He claimed a credit in the amount of \$2,000 for tax withheld at source on wages, and a refund of \$500 (not a rebate under section 271) was made to him as an overpayment of tax for the taxable year. It is later determined that the correct tax for the taxable year is \$1,750. A deficiency of \$250 is determined as follows:

Tax imposed by chapter 1	\$1,750
Tax shown on return	\$1,500
Tax previously assessed (or collected without assessment as a deficiency)	None
Total	1,500
Amount of rebates made	None
Balance	1,500
Deficiency	250

Example (2). The taxpayer made a return for the calendar year 1944 showing a tax of \$1,250 before any credits for tax withheld at the source. He claimed a credit in the amount of \$800 for tax withheld at source on wages under section 1622 and \$60 for tax paid at source under section 143 upon interest on bonds containing a tax-free covenant. The taxpayer had no amounts previously assessed (or collected without assessment) as a deficiency. The Commissioner determines that the 2 percent tax paid at the source on tax-free covenant bonds is \$40 instead of \$60 as claimed by the taxpayer and that the tax imposed by chapter 1 is \$1,360 (total tax \$1,400 less \$40 tax paid at source on tax-free covenant bonds.) A deficiency in the amount of \$170 is determined as follows:

Tax imposed by chapter 1 (\$1,400 minus \$40)	\$1,360
Tax shown on return (\$1,250 minus \$60)	\$1,190
Tax previously assessed (or collected without assessment) as a deficiency	None
Total	1,190
Amount of rebates made	None
Balance	1,190
Deficiency	170

Example (3). For the calendar year 1945, the taxpayer, a nonresident alien individual not engaged in trade or business within the United States, received gross income from sources within the United States consisting of dividends, and interest on bonds containing a tax-free covenant under which the tax liability assumed by the obligor does not exceed 2 percent of the interest.

The taxpayer made a return showing a tax of \$7,860 before any credits for tax withheld at the source. He claimed a credit of \$6,000 under section 32 for tax withheld at the source under section 143 of which amount \$5,600 was represented as tax withheld, and \$400 was represented as the tax at 2 percent paid by the obligor on interest on tax-free covenant bonds described in section 143 (a). The Commissioner determines that the 2 percent tax paid by the obligor on interest on tax-free covenant bonds amounts to \$200 instead of \$400 as claimed by the taxpayer, and that the tax imposed by chapter 1 is \$11,320 (total tax \$11,520 less \$200 tax paid by obligor on interest on tax-free covenant bonds). The Commissioner also determines that the tax withheld at the source amounts to \$7,750 in addition to the \$200 paid by the obligor of the bonds. A deficiency in the amount of \$3,860 is determined as follows:

Tax imposed by chapter 1 (\$11,520 minus \$200)	\$11,320
Tax shown on return (\$7,860 minus \$400)	\$7,460
Tax previously assessed (or collected without assessment) as a deficiency	None
Total	\$7,460
Amount of rebates made	None
Balance	7,460
Deficiency	\$3,860

As used in section 271, the term "rebate" means so much of an abatement, credit, refund, or other repayment as is made on the ground that the tax imposed by chapter 1 is less than the excess of (1) the amount shown as the tax by the taxpayer upon his return increased by the amount previously assessed (or collected without assessment) as a deficiency over (2) the amount of rebates previously made. For example, assume that the amount of the tax shown by the taxpayer upon his return for the taxable year is \$600 and the amount claimed as a credit under section 35 for tax withheld at the source is \$900. If the Commissioner determines that the tax imposed by chapter 1 is \$600 and makes a refund of \$300 no part of such refund constitutes a "rebate" since the refund is not made on the ground that the tax imposed by chapter 1 is less than the tax shown on the return. If, however, the Commissioner determines that the tax imposed by chapter 1 is \$500 and refunds \$400, the amount of \$100 of such refund would constitute a rebate since it is made on the ground that the tax imposed by chapter 1 (\$500) is less than the tax shown on

the return (\$600). The amount of such rebate (\$100) would be taken into account in arriving at the amount of any deficiency subsequently determined.

PAR. 3. Section 29.272-2 is amended by inserting immediately preceding the words "amount so assessed" the words "unpaid portion of the".

PAR. 4. There is inserted immediately preceding section 293 the following:

SEC. 14. TECHNICAL AMENDMENT OF DEFINITION OF DEFICIENCY. (Individual Income Tax Act of 1944.)

(c) *Interest on deficiencies.* Section 292 (a) (relating to interest on deficiencies) is amended by inserting at the end thereof the following: "If any portion of the deficiency assessed is not to be collected by reason of a prior satisfaction, in whole or in part, of the tax, proper adjustment shall be made with respect to the interest on such portion."

(e) *Taxable years to which applicable.* The amendments made by subsections * * * (c) * * * shall be applicable with respect to taxable years beginning after December 31, 1942. * * *

PAR. 5. There is inserted immediately preceding § 29.322-1 the following:

SEC. 14. TECHNICAL AMENDMENT OF DEFINITION OF DEFICIENCY. (Individual Income Tax Act of 1944.)

(d) *Overpayment found by Tax Court in case of deficiency.* Section 322 (d) (relating to overpayments found by Tax Court) is amended by inserting after "in respect of which the Commissioner determined the deficiency," the following: "or finds that there is a deficiency but that the taxpayer has made an overpayment of tax in respect of such taxable year."

(e) *Taxable years to which applicable.* The amendments made by subsections * * * (d) shall be applicable with respect to taxable years beginning after December 31, 1942. * * *

PAR. 6. Section 29.322-7 (d) is amended by striking out of subparagraph (1) the words "there is no deficiency but that".

PAR. 7. There is inserted immediately preceding § 29.3801 (d)-1 the following:

SEC. 14. TECHNICAL AMENDMENT OF DEFINITION OF DEFICIENCY. (Individual Income Tax Act of 1944.)

(b) *Amendment of sections 3801 and 3806.* The second sentence of section 3801 (d) (relating to ascertainment of amount of adjustment under section 3801), * * * are respectively amended to read as follows: The amount of the tax previously determined shall be the excess of

(1) The sum of (A) the amount shown as the tax by the taxpayer upon his return (determined as provided in section 271 (b) (1) and (3)), if a return was made by the taxpayer and an amount was shown as the tax by the taxpayer thereon, plus (B) the amounts previously assessed (or collected without assessment) as a deficiency, over

(2) The amount of rebates, as defined in section 271 (b) (2), made.

(e) *Taxable years to which applicable.* * * * The amendment made in subsection (b) to section 3801 (d) of the Internal Revenue Code shall, for the purposes of such section and sections 124, 130, and 3807 of such Code, be applicable in the determination of a tax previously determined only if such tax is for a taxable year beginning after December 31, 1942. * * *

PAR. 8. Section 29.3801 (d)-1 is amended by striking out the matter following the heading and preceding the paragraph beginning "With the exception of the items upon which the tax" and inserting in lieu thereof the following:

In computing the amount of the adjustment under section 3801 there must first be ascertained the amount of the tax previously determined for the taxpayer as to whom the error was made for the taxable year with respect to which the error was made. The tax previously determined for any taxable year may be the amount of tax shown on the taxpayer's return, but if any changes in that amount have been made they must be taken into account. In such cases, the tax previously determined will be ascertained as follows:

(1) For taxable years beginning before January 1, 1943, the tax previously determined will be the tax shown on the return, increased by any amounts previously assessed (or collected without assessment) as deficiencies, and decreased by any amounts previously abated, credited, refunded, or otherwise repaid in respect of such tax. If no amount was shown as the tax upon the return, or if no return was made, the tax previously determined will be the sum of the amounts previously assessed, or collected without assessment, as deficiencies decreased by any amounts previously abated, credited, refunded, or otherwise repaid in respect of such tax.

(2) For taxable years beginning after December 31, 1942, the tax previously determined will be the sum of the amount shown as the tax by the taxpayer upon his return and the amounts previously assessed (or collected without assessment) as deficiencies, reduced by the amount of any rebates made. The amount shown as the tax by the taxpayer upon his return and the amount of any rebates shall be determined in accordance with the provisions of section 271 and § 29.271-1 (b).

The tax previously determined may consist of tax for any taxable year beginning after December 31, 1931, imposed by chapter 1 and subchapters A, B, D, and E of chapter 2 of the Internal Revenue Code, by the corresponding provisions of prior Revenue Acts, or by any one or more of such provisions.

After the tax previously determined has been ascertained, a recomputation must then be made to ascertain the increase or decrease in tax, if any, resulting from the correction of the error. The difference between the tax previously determined and the tax as recomputed after correction of the error will be the amount of the adjustment.

(Sec. 14, Individual Income Tax Act of 1944 (Public Law 315, 78th Congress) and sec. 62, Internal Revenue Code (53 Stat. 32; 26 U.S.C. 62))

JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue,
Approved: March 21, 1945.

D. W. BELL,
Acting Secretary of the Treasury.
[F. R. Doc. 45-4610; Filed, Mar. 22, 1945;
11:21 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

PAYMENTS FROM ACCOUNTS OF U. S. CITIZENS

Correction

In Federal Register Document 45-4272, appearing at page 2961 of the issue for Tuesday, March 20, 1945, the section number should read "§ 131.74".

Chapter II—Fiscal Service, Bureau of Accounts

[1945 Dept. Circ. 655, Supp. 2]

PART 211—DELIVERY OF CHECKS AND WARRANTS TO ADDRESSES OUTSIDE THE UNITED STATES, ITS TERRITORIES AND POSSESSIONS WITHHOLDING OF DELIVERY

MARCH 19, 1945.

Section 211.3 (a) of Department Circular No. 655, dated March 19, 1941 (31 CFR Cum. Supp. 211.3 (a)), as amended, is hereby further amended by deleting the words "the Union of Soviet Socialist Republics" from the list of countries set forth therein.

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.
[F. R. Doc. 45-4585; Filed, Mar. 21, 1945;
2:56 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 297]

RAYON REMNANTS

REVOCATION OF CERTAIN LICENSES FOR EXPORTATION TO CUBA

The order revoking certain licenses for exportation of rayon remnants to Cuba (Amendment No. 292) published March 2, 1945 (10 F.R. 2430) is hereby corrected by striking out the effective date "March 1, 1945" and substituting the effective date "March 10, 1945" wherever reference to the effective date appears in said order.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Pub. Law 397, 78th 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: March 21, 1945.

S. H. LEBENSBERGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.
[F. R. Doc. 45-4594; Filed, Mar. 22, 1945;
9:48 a. m.]

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 323; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1010—SUSPENSION ORDERS [Suspension Order S-734]

HELD'S AUTO ELECTRIC

E. W. Held, doing business as Held's Auto Electric, at 802 Grand Avenue, Pullman, Washington, is engaged in the business of selling motors, generators and other electrical appliances and equipment, principally to farmers. Between October 1, 1943 and April 8, 1944, he made unauthorized applications of AA-1 MRO ratings together with the certification under CMP Regulation No. 5 to purchase orders for 82 electric motors and 50 generators, in violation of Priorities Regulation No. 3 and CMP Regulation No. 5. Of the equipment thus obtained, he thereafter sold six electric motors of 2 and 3 horsepower on unrated orders, in violation of General Conservation Order L-221, and ten fractional horsepower generators on unrated orders, in violation of Limitation Order L-123. The foregoing violations were the result of gross negligence and resulted in the diversion of critical materials to uses not authorized by the War Production Board. By reason of the foregoing, it is hereby ordered, that:

§ 1010.734 *Suspension Order No. S-734.*
(a) E. W. Held shall not for three months from the effective date of this order apply or extend any preference ratings or use any CMP allotment symbols, regardless of the delivery date named in any purchase order to which such ratings may be applied or extended or on which CMP allotment symbols are used.

(b) Nothing contained in this order shall be deemed to relieve E. W. Held 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) The restrictions and prohibitions contained herein shall apply to E. W. Held, doing business as Held's Auto Electric, his successors and assigns or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly, as well as directly, of any such action.

This order shall take effect on March 22, 1945.

Issued this 12th day of March 1945.

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

[F. R. Doc. 45-4651; Filed, Mar. 22, 1945;
11:46 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-317, Direction 12]
PRIORITIES ASSISTANCE FOR COTTON TEXTILES FOR THE PRODUCTION OF HOOK AND EYE TAPE—2D QUARTER 1945

The following direction is issued pursuant to Conservation Order M-317:

Manufacturers of hook and eye tape may apply on Form WPB-2842 for priorities assistance to obtain cotton print cloth and outing flannel to be used for the manufacture of hook and eye tape. Applications must be filed with the War Production Board, Textile, Clothing & Leather Bureau, Washington 25, D. C., not later than April 6, 1945. Materials for which priorities assistance is given must be purchased for delivery not later than June 30, 1945, and must be consumed in the production of hook and eye tape prior to July 31, 1945. Such authorizations will be issued pursuant to paragraph (k) of Order M-317.

The total amount of material for which priorities assistance will be granted under this program is limited. If the applications received exceed the total quantity of material allotted to this program, applications will be granted pro rata.

Issued this 22d day of March 1945.

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

[F. R. Doc. 45-4650; Filed, Mar. 22, 1945;
11:46 a. m.]

PART 3293—CHEMICALS

[Allocation Order M-291, Revocation]

POTASH

Section 3293.386 Allocation Order M-291 is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Potash is subject to allocation under General Allocation Order M-300 as an Appendix A material, subject to Schedule 98 issued simultaneously with this revocation.

Regular and interim allocations heretofore issued under Order M-291 are effective under that schedule, but authorizations to deliver are limited in duration as if originally issued under that schedule. Pending applications need not be refilled.

Issued this 22d day of March 1945.

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

[F. R. Doc. 45-4647; Filed, Mar. 22, 1945;
11:46 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Revocation of Schedule 1]

NICOTINIC ACID

Section 3293.1001 Schedule 1 to General Allocation Order M-300 and all authorizations and directions issued under that section, are hereby revoked. This revocation does not affect any liabilities incurred thereunder.

Issued this 22d day of March 1945.

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

[F. R. Doc. 45-4648; Filed, Mar. 22, 1945;
11:46 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 98]

POTASH

§ 3293.1098 (Schedule 98 to General Allocation Order M-300)—(a) Defini-

tions. (1) "Potash" means the following primary potash salts: muriate of potash, sulfate of potash, sulfate of potash-magnesia and run-of-mine potash.

(2) "Potassium oxide" (hereinafter referred to as "K₂O") means the highly caustic oxide of potassium. As such it does not exist commercially but is used as a standard unit of measure in determining the relative value of potash salts.

(3) "Muriate of potash" means the chloride salt of potassium. In commerce it is offered in two grades: muriate of potash containing 48 to 52 per cent K₂O, and high grade muriate of potash containing 58 to 62.7 per cent K₂O.

(4) "Sulfate of potash" means commercial potassium sulfate, a potash salt containing approximately 48 per cent or more K₂O, chiefly as sulfate. It does not include recrystallized salt.

(5) "Sulfate of potash-magnesia" means a potash and magnesia salt containing approximately 18 to 25 per cent K₂O and 18 to 25 per cent sulfate of magnesia.

(6) "Run-of-mine potash" (also known as manure salts and kainit) means potash salts containing a high percentage of chlorides and containing more than 18 and less than 48 per cent K₂O.

(b) General provisions. (1) Potash is subject to allocation under General Allocation Order M-300 as an Appendix A material. The initial allocation date is April 1, 1943, when potash was first put under allocation by Order M-291 (revoked). The small order exemption for each person is 50 tons (K₂O basis) during each even numbered allocation period, and 10 tons during each odd numbered allocation period.

(2) The allocation periods are as follows:

"Period 4", meaning June 1, 1944 through March 31, 1945.

"Period 5", meaning April 1, 1945 through May 31, 1945.

"Period 6", meaning June 1, 1945 through March 31, 1946.

"Period 7", meaning April 1, 1946 through May 31, 1946.

Subsequent allocation periods shall extend through corresponding months and shall be numbered accordingly.

(3) Authorizations for use of potash shall not be limited in duration, notwithstanding Order M-300 (paragraph (v)).

(c) Exemptions. Application and specific authorization shall not be required for the following:

(1) Delivery of potash by any person who is not a producer or importer of potash. However, a person who receives potash from a producer or importer pursuant to specific authorization shall re-deliver it only in accordance with the authorization.

(2) Acceptance of delivery of potash from any person who is not a potash producer or importer.

(3) Use of potash received from any person who is not a potash producer or importer, provided that the user is not a fertilizer manufacturer or a potash producer or importer.

(d) Advance deliveries. Any supplier may deliver to any person, in advance of the next allocation period, an amount of potash equal to 20% of the supplier's allocated or exempt deliveries to that

person during the allocation period before the current period. This amount may be received and used for the same purposes for which the purchaser used potash in the period before the current period. Amounts delivered, received and used under this exemption must be deducted from amounts permitted during the next allocation period.

(e) Transition from M-291. Regular and interim allocations heretofore issued under Order M-291 are effective under this schedule, but authorizations to deliver are limited in duration as if originally issued under this schedule. Pending applications need not be refilled.

(f) Suppliers' applications on WPB-2946. Each supplier seeking authorization to deliver shall file application on Form WPB-2946 (formerly PD-601). Application is not necessary if delivery is exempt under paragraph (c) (1) above. Filing date is July 7 before even numbered allocation periods, and March 20, before odd numbered allocation periods. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-98. The unit of measure is short tons, commodity basis. Fill in Table I as indicated. In Column 3 specify the particular potash salt and the percentage of K₂O content. An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders. Leave Table II blank.

(g) Customers' applications on Form WPB-2945. Each person seeking authorization to use or accept delivery shall file application on Form WPB-2945 (formerly PD-600). Application is not necessary if use or acceptance is exempt under paragraph (c) (2) or (3). Filing date is May 1 before even numbered allocation periods, and January 15 before odd numbered allocation periods. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-98. In the heading leave blank supplier's name, address and shipping point. The unit of measure is short tons, commodity basis. In Column 1 specify the particular potash salt and the percentage of K₂O content. Fill in Column 3 in terms of the following:

Fertilizers.
Potassium bitartrate.
Potassium carbonate.
Potassium cyanide.
Potassium hydroxide.
Potassium nitrate.
Potassium perchlorate.
Potassium permanganate.
Potassium phosphates.
Other primary product (specify).
Export (in original form).
Inventory (in original form).
Resale (in original form).

Specify end use in Column 4 as required by paragraph 11-a of Appendix E of Order M-300. Fill in other columns of Table I as indicated. Leave Tables II, III, IV and V blank.

(h) Budget Bureau approval. The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(i) Communications to War Production Board. Communications concerning

this schedule shall be addressed to War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-98.

Issued this 22d day of March 1945.

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

[F. R. Doc. 45-4649; Filed, Mar. 22, 1945;
11:46 a. m.]

Chapter XI—Office of Price Administration
PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 415, Incl. Amdts. 1-9]

CERTAIN FEDERAL GOVERNMENT PURCHASES OF NEW RUBBER TIRES AND TUBES

This compilation of Maximum Price Regulation 415 includes Amendment 9, effective March 26, 1945. The text amended by Amendment 9 is underscored.

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. A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith and has been filed with the Division of the Federal Register.²

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected or have previously been promulgated and their use lawfully required by another Government agency.

[Preamble amended by Am. 6, 9 F.R. 5724, effective 5-29-44; 7-10-44 in the Territory of Hawaii]

§ 1315.20 *Maximum prices for sales of new rubber tires and tubes to certain agencies of the United States Government.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation 415 (Certain Federal Government Purchases of New Rubber Tires and Tubes), which is annexed hereto and made a part hereof, is hereby issued.

Sec.

1. What this regulation covers.
2. Prohibition against dealing in new rubber tires or tubes at prices above the maximum.
3. Less than maximum prices.
4. Maximum prices.
5. Adjustable pricing.
6. Evasion.
7. Petitions for amendment.
8. Records.
9. Enforcement.
- 9a. Licensing.
10. Applications for adjustment.

Appendix A: Maximum prices for federal government purchases covered by this regulation of new rubber tires and tubes.

¹ 8 F.R. 8933, 10558, 10725, 14984, 16280; 9 F.R. 684, 5724, 7419, 11350.

² Statements of Considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

AUTHORITY: § 1315.20 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 393, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *What this regulation covers—(a) Transactions covered.* This regulation covers all sales to any agency of the United States Government of new natural rubber tires, tubes, or flaps. However, neither this regulation nor the General Maximum Price Regulation shall apply to sales by tire dealers, jobbers, or wholesalers (such sales are covered by Revised Maximum Price Regulation 528), to sales by Rubber Development Corporation of tires and tubes imported by it into the United States, to sales to Rubber Development Corporation or to Defense Supplies Corporation, to sales of synthetic rubber tires and tubes, or to any sales of aircraft tires and tubes to the War Department or the Department of the Navy. A tire or tube is "new" if it has been used less than 1,000 miles. "Rubber" means substitute rubber and all forms and types of rubber, including scrap, synthetic, balata, and reclaimed rubber. "Synthetic rubber tires or tubes" mean tires or tubes which contain any synthetic rubber and which are marked with the symbols designated by the Rubber Bureau of the War Production Board to identify them as containing synthetic rubber.

[Paragraph (a) amended by Am. 9, effective 3-26-45]

(b) *Relation to other regulations.* This regulation supersedes any other regulation issued by the Office of Price Administration as to transactions covered by this regulation.

(c) *Geographical applicability.* This regulation applies in the District of Columbia, the 48 states, and the Territory of Hawaii, but not in the other territories and possessions of the United States.

[Sec. 1 amended by Am. 2, 8 F.R. 10725, effective 8-1-43; Am. 3, 8 F.R. 14984, effective 11-1-43; Am. 4, 8 F.R. 16280, effective 12-1-43; Am. 5, 9 F.R. 684, effective 1-15-44; and Am. 6, 9 F.R. 5724, effective 5-29-44, 7-10-44 for Hawaii]

SEC. 2. *Prohibition against dealing in new rubber tires or tubes at prices above the maximum.* On and after July 1, 1943, regardless of any contract or other obligation, no person shall make any sale or delivery to which this regulation applies, of new rubber tires, tubes or flaps, at prices higher than the maximum prices permitted by this regulation; and no person shall agree, offer, solicit, or attempt to make any such sale or delivery. "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successors or representative of any of the foregoing, and includes any government, or any of its political subdivisions, and any agency of any of the foregoing.

SEC. 3. *Less than maximum prices.* Prices lower than the maximum prices may be charged or demanded.

SEC. 4. *Maximum prices—(a) Sales to any Government agency other than Foreign Economic Administration (including Lend-Lease), the War Department, the Department of the Navy (including Marine Corps and Coast Guard), or the Maritime Commission.* The maximum prices for such sales are the prices listed in Appendix A, delivered to the buyer.

(b) *Sales to the Foreign Economic Administration (including those for Lend-Lease), the War Department, the Department of the Navy (including the Marine Corps and Coast Guard), and the Maritime Commission.* The maximum prices for such sales shall be determined by deducting 5 percent from the prices listed in Appendix A. Maximum prices for these sales are f. o. b. the seller's shipping point. However, the maximum price for such sales of aircraft tires and tubes shall be the prices listed in Appendix A, delivered to the buyer.

(c) *Packing expenses.* The maximum prices fixed by this regulation include all expenses for standard government packing, and Revised Supplementary Order No. 34¹ shall not apply to such packing. However, Revised Supplementary Order 34 may be applied in the case of special government packing for overseas shipments.

[Paragraph (c) amended by Am. 7, 9 F.R. 7419, effective 7-8-44]

(d) *Natural rubber tires and tubes of types and sizes not listed in Appendix A.*

(1) The maximum price for sales of a natural rubber tire or tube of a size or type not listed in Appendix A shall be a price consistent with the level of maximum prices otherwise fixed by this regulation, authorized upon specific application to the Office of Price Administration.

(2) In all cases covered by this paragraph (d), the seller must file with the Office of Price Administration, Washington, D. C., a report containing the following information:

(i) A description of the tire or tube for which a maximum price is sought, including the type, brand name, size, number of plies and construction.

(ii) The proposed maximum price, and a description of the pricing method used in calculating such price.

(iii) The reasons why the seller believes that such price is consistent with the level of maximum prices otherwise fixed by this regulation.

(3) No seller required to report a maximum price under this section may accept payment for the tires or tubes (unless specifically authorized to do so by the Office of Price Administration) until the proposed maximum price is approved by the Office of Price Administration. The proposed maximum price, however, shall be deemed to be approved unless, within 20 days after mailing of the report (or within 20 days after the mailing of any additional information which may have been requested), the Office of Price Administration notifies the seller that his proposed maximum price has been disapproved or that action thereon has been deferred pending receipt of further information.

¹ 2d Revision: 10 F.R. 2014.

(4) The Office of Price Administration may approve or disapprove, and may at any time after approval, correct maximum prices proposed or established under this section so as to bring them into proper relationship with the level of maximum prices otherwise established by this regulation.

(e) *Certain emergency sales.* Notwithstanding any other provisions of this section, the maximum prices for emergency sales of tires or tubes covered by this regulation to any government agency, shall be the prices listed in Appendix A, delivered to the buyer. Emergency sale means a sale on an order for not more than 25 tires and 25 tubes, or \$1,000, whichever is less.

[Paragraph (e) added by Am. 3, 9 F.R. 11350, effective 9-18-44]

[Sec. 4 amended by Am. 6, 9 F.R. 5724, effective 5-29-44; 7-10-44 in the Territory of Hawaii]

SEC. 5. *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; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is 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. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

SEC. 6. *Evasion.* The price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase of or relating to tires, tubes or flaps alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding or otherwise.

SEC. 7. *Petitions for amendment.* Any person seeking a modification of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.⁸

SEC. 8. *Records.* Every person making a sale subject to this regulation of tires, tubes or flaps, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect, complete and accurate records of each such sale, showing the date thereof, the agency making the purchase, the price received, and the quantity of each type, brand name, tread, ply and size of tires, tubes and flaps sold.

SEC. 9. *Enforcement.* (a) Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages, provided by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this regulation or any price schedule, regulation or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation, are urged to communicate with the nearest district, state or regional office of the Office of Price Administration or its principal office in Washington, D. C.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that war procurement agencies and governments whose defense is vital to the defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

SEC. 9a. *Licensing.* The provisions of Licensing Order No. 1,⁹ licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is sus-

pending may not, during the period of suspension, make any sale for which his license has been suspended.

[Sec. 9a added by Supplementary Order No. 72, 8 F.R. 13244, effective 10-1-43]

SEC. 10. *Applications for adjustment.*

(a) A manufacturer who believes that a maximum price established by this regulation impedes or threatens to impede production of a commodity which is essential to the war program may file an application for adjustment of that maximum price in accordance with the provisions of Procedural Regulation No. 6,⁷ issued by the Office of Price Administration.

[NOTE: Procedural Regulation No. 6 (9 F.R. 10628) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those which expressly prohibit such applications, and certain specific regulations listed in Revised Supplementary Order No. 9.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619; 8 F.R. 7256) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

APPENDIX A—MAXIMUM PRICES FOR FEDERAL GOVERNMENT PURCHASES COVERED BY THIS REGULATION OF NEW RUBBER TIRES AND TUBES

Article	Maximum price			
	Maximum price for items on which no Defense Supplies Corporation pool charge has been paid		Add this price to determine the maximum price for items on which a Defense Supplies Corporation pool charge has been paid	
	Tire	Tube	Tire	Tube
(a) Tires and tubes, pneumatic				
(1) Automobile (passenger-car):				
(i) Regular-tread:				
5.25/5.50-17:				
4-ply	\$5.92	\$0.90	\$2.17	\$0.53
6-ply	8.40	.90	2.70	.53
5.25/5.50-18, 4-ply	7.37	.89	1.98	.44
5.25/5.50-19, 4-ply	7.72	.94	1.70	.56
5.25-20, 6-ply	9.78	.81		
5-50-16, 4-ply	5.34	.77	2.10	.55
6.00-16:				
4-ply	6.16	.86	2.36	.58
6-ply	7.65	.86	2.95	.58
6.00/6.50-17, 4-ply	9.58	1.05	1.70	.53
6.00/6.50-18, 6-ply	10.58	.88		
6.00/6.50-19, 6-ply	12.04	1.08	2.66	.68
6.25/16:				
4-ply	7.25	.98	2.53	.58
6-ply	8.14	.98	3.34	.69
6.25/6.50-16:				
4-ply	7.25	.98	2.80	.69
6-ply	8.14	.98	3.17	.68
6.50-15:				
4-ply	7.33	.95	2.86	.68
6-ply	8.93	1.10	3.50	.69
6.50-16:				
4-ply	7.60	.98	2.86	.69
6-ply	9.28	.98	3.58	.68
7.00-15:				
4-ply	8.66	1.02	3.25	.68
6-ply	9.69	1.02	3.96	.69
7.00-16:				
4-ply	8.89	.98	3.25	.69
6-ply	10.36	.98	4.06	.69
7.00-17, 6-ply	10.79	1.15	4.38	
7.50-16, 6-ply	12.62	1.31	5.16	.69
(ii) Special-tread, mud-and-snow:				
5.25/5.50-17, 4-ply	8.86	.90	1.93	.53
5.25/5.50-18, 4-ply	7.78	.89	1.85	.44
6.00-16:				
4-ply	6.85	.90	2.66	.58
6-ply	8.08	.86	2.95	.58
6.25/6.50-16:				
4-ply	8.07	1.10	2.60	.69
6-ply	9.54	1.10	3.34	.69

⁸ 8 F.R. 13240.

⁹ 9 F.R. 10628.

⁷ 9 F.R. 10476, 13715.

APPENDIX A—Continued

Article	Maximum price	
	Tire	Tube
(2) Bicycle:		
(i) Single-tube tires. (See Tires, single-tube.)		
(ii) Straight-side:		
24 x 2.125	\$1.05	\$0.46
20 x 1.375	1.01	.46
20 x 2.125	1.07	.46

Article	Maximum price		
	Tire	Tube	Flap
(3) Bus-truck:			
(i) Regular-tread:			
6.00-16, 6-ply	\$8.89	\$0.86	
6.00-17, 6-ply	9.00	.96	\$0.29
6.00-20, 6-ply	9.54	1.05	.30
6.00-20, 30 x 5, 8-ply	12.97	1.05	
6.50-10, 6-ply	11.14	1.10	
6.50-16, 6-ply	10.17	.98	
6.50-17, 6-ply	11.42	.97	.29
6.50-20, 6-ply	11.93	1.54	.30
6.50-20/32 x 6, 8-ply	14.02	1.54	.30
7.50-16, special, 6-ply	10.33	1.02	
7.50-16, special, 8-ply	12.56	1.02	
7.00-16, 6-ply	11.24	1.23	
7.00-17:			
6-ply	13.72	1.47	.29
8-ply	16.64	1.47	.29
7.00-20, 8-ply	16.94	2.02	.35
7.00-20/32 x 6, 10-ply	21.78	2.02	.35
7.00-24/36 x 6, 10-ply	26.78	2.43	.40
7.50-16:			
6-ply	13.64	1.68	
8-ply	15.14	1.68	
7.50-17, 8-ply	16.10	1.47	.29
7.50-18, 8-ply	20.87	2.44	.41
7.50-18/32 x 7, 10-ply	29.97	2.91	.41
7.50-20, 8-ply	21.21	2.56	.45
7.50-20/34 x 7, 10-ply	31.09	2.56	.45
7.50-20/34 x 7, 12-ply	35.83	2.56	.45
7.50-24, 8-ply	31.15	3.30	.55
7.50-24/38 x 7, 10-ply	35.34	3.30	.55
8.25-15, 14-ply	37.13	2.22	.40
8.25-18, 10-ply	29.29	3.30	.41
8.25-20:			
10-ply	30.24	2.61	.45
12-ply	34.87	2.61	.45
9.00-13, 6-ply	15.57	2.54	
9.00-16:			
8-ply	30.12	3.36	.40
10-ply	36.00	3.36	.49
9.00-18, 10-ply	34.58	3.18	.53
9.00-20, 10-ply	34.76	3.35	.58
9.00-20/36 x 8, 12-ply	41.30	3.35	.58
9.00-22, 10-ply	37.56	3.52	.63
9.00-24, 10-ply	43.88	3.96	.68
9.00-24/40 x 8, 12-ply	47.27	3.96	.68
10.00-18 (9.75-18), 12-ply	46.03	3.80	.78
10.00-20 (9.75-20), 12-ply	46.15	4.00	.86
10.00-20/38 x 9, 14-ply	62.69	4.00	.86
10.00-22 (9.75-22), 12-ply	48.88	4.35	.93
10.00-24 (9.75-24), 12-ply	51.20	4.66	1.00
10.50-16, 10-ply	44.94	4.41	.49
10.50-16, 12-ply	49.03	4.41	.49
11.00-18, 10-ply	46.93	4.65	.78
11.00-18, 12-ply	51.35	4.65	.78
11.00-20 (10.50-20), 12-ply	51.65	4.71	.86
11.00-22 (10.50-22), 12-ply	55.10	5.08	.93
11.00-24 (10.50-24), 12-ply	58.47	5.37	1.00
12.00-20 (11.25-20), 14-ply	68.54	6.12	.86
12.00-24 (11.25-24), 14-ply	80.91	6.45	1.00
13.00-20 (12.75-20), 16-ply	98.00	8.85	.86
13.00-24 (12.75-24), 16-ply	106.70	9.66	1.00
14.00-20 (13.50-20), 16-ply	111.48	9.83	1.00
14.00-24 (13.50-24), 16-ply	120.27	10.65	1.17
(ii) Special-tread, mud-and-snow:			
6.00-16, 6-ply	9.38	.86	
6.00-20, 6-ply	10.10	1.05	.30
6.00-20/30 x 5, 8-ply	13.38	1.05	.30
6.50-16, 6-ply	10.75	.98	
6.50-20, 6-ply	12.62	1.54	.30
6.50-20/32 x 6, 8-ply	15.82	1.54	.30
7.50-16, special, 6-ply	11.09	1.02	
7.00-16, 6-ply	11.87	1.23	
7.00-17:			
6-ply	13.73	1.47	.29
8-ply	17.56	1.47	.29
7.00-20, 8-ply	17.92	2.02	.35
7.00-20/32 x 6, 10-ply	22.93	2.02	.35
7.50-16, 6-ply	14.94	1.68	

APPENDIX A—Continued

Article	Maximum price		
	Tire	Tube	Flap
(3) Bus-truck—Continued.			
(ii) Special-tread, mud-and-snow—Continued.			
7.50-16, 8-ply	\$16.08	\$1.68	
7.50-17, 8-ply	18.14	1.47	\$0.29
7.50-20, 8-ply	22.45	2.56	.45
7.50-20/24 x 7, 10-ply	31.49	2.56	.45
8.25-20, 10-ply	31.84	2.61	.45
9.00-13, 6-ply	16.48	2.54	
9.00-16:			
8-ply	31.82	3.36	.40
10-ply	36.00	3.36	.49
9.00-20, 10-ply	36.71	3.35	.58
9.00-24/40 x 8, 12-ply	50.49	3.96	.68
10.00-20, 12-ply	48.70	4.00	.86
10.00-24, 12-ply	54.10	4.60	1.00
10.50-16, 10-ply	47.43	4.41	.49
10.50-16, 12-ply	51.73	4.41	.49
11.00-18, 12-ply	54.19	4.65	.78
11.00-20, 12-ply	54.52	4.71	.86
11.00-24, 12-ply	61.80	5.37	1.00
12.00-24, 14-ply	87.02	6.45	1.00
13.00-24, 16-ply	105.04	8.85	.86
13.00-24, 18-ply	114.53	9.66	1.00
14.00-20, 16-ply	120.11	9.83	1.00
14.00-24, 16-ply	129.34	10.65	1.17
18.00-24, 16-ply	253.04	18.17	2.33
18.00-40, 20-ply	421.95	22.39	3.50
21.00-24, 16-ply	325.77	23.36	3.14
21.00-24, 20-ply	359.29	23.36	3.14
24.00-32:			
24-ply	664.96	35.28	8.46
30-ply	929.13	35.28	8.46
30.00-40:			
28-ply	1335.89	117.42	14.40
34-ply	1662.84	117.42	14.40
(iii) Special, for starting and stopping:			
No. 10 (6.00-16), 6-ply	9.31	.86	
No. 13 (6.50-16), 6-ply	11.24	.98	
No. 15 (7.00-16), 6-ply	13.42	.98	
No. 17 (6.50-20/30 x 6), 8-ply	16.46	1.05	.30
No. 18 (7.50-16), 8-ply	17.47	1.68	
No. 19 (7.00-20/32 x 6), 8-ply	21.38	2.02	.30
No. 22 (7.50-20/32 x 6), 10-ply	25.66	2.56	.35
No. 28 (8.25-20/34 x 7), 10-ply	36.03	2.61	.45
No. 34 (9.00-20), 10-ply	41.02	3.35	.58
No. 40 (10.00-20), 12-ply	56.61	4.00	.68
No. 42 (10.00-22), 12-ply	60.11	4.35	.63
No. 48 (11.00-20), 12-ply	63.77	4.71	.86
No. 50 (11.00-22), 12-ply	68.11	5.08	.93
(4) Earth-moving and excavating equipment, etc.:			
(i) Free-rolling or drawn vehicles:			
7.50-20, 8-ply	20.10	2.56	.45
8.25-20, 8-ply	24.46	2.61	.45
9.00-20, 10-ply	32.80	3.35	.58
10.00-20, 12-ply	43.08	4.00	.68
11.00-20, 12-ply	47.80	4.71	.86
12.00-20, 14-ply	64.74	6.12	.86
13.00-20, 14-ply	68.14	8.85	.86
14.00-20:			
12-ply	72.04	9.83	1.00
16-ply	95.69	9.83	1.00
16.00-20, 16-ply	144.65	10.07	1.61
16.00-24, 18-ply	198.57	16.61	1.89
18.00-24, 16-ply	220.29	18.17	2.33
18.00-24, 20-ply	238.45	18.17	2.33
21.00-24:			
16-ply	325.77	23.36	3.14
20-ply	359.29	23.36	3.14
24.00-32:			
24-ply	664.96	35.28	8.46
30-ply	929.13	35.28	8.46
(ii) Self-propelled vehicles:			
7.00-20/32 x 6, 10-ply	22.93	2.02	.35
7.50-20/34 x 7, 10-ply	31.49	2.56	.45
8.25-20:			
10-ply	31.94	2.61	.45
12-ply	36.85	2.61	.45
9.00-20, 10-ply	36.71	3.35	.58
9.00-20, 12-ply	43.92	3.35	.58
10.00-20:			
12-ply	48.70	4.00	.86
14-ply	68.12	4.00	.86
10.00-24, 12-ply	54.05	4.60	1.00
11.00-20, 12-ply	54.52	4.71	.86
11.00-24, 12-ply	61.71	5.37	1.00
12.00-24, 14-ply	85.40	6.45	1.00
12.00-24, 16-ply	99.30	6.45	1.00
13.00-24, 16-ply	107.49	9.66	1.00
14.00-24, 20-ply	144.67	10.92	1.17
16.00-24, 20-ply	184.90	16.61	1.89
18.00-24, 20-ply	277.83	18.17	2.33
21.00-24, 20-ply	359.29	23.36	3.14

APPENDIX A—Continued

Article	Maximum price	
	Tire ¹	Tube
(5) Implement, miscellaneous small equipment, drawn vehicles, low pressure:		
3.00-7. See Industrial, straight-side.	\$3.42	\$0.48
3.50-12, 4-ply		
4.00-8. See Industrial, straight-side.		
4.00-9, 4-ply	3.25	.47
4.00-12:		
4-ply	3.32	.52
6-ply	3.82	.52
4.00-18:		
2-ply	2.74	.69
4-ply	3.44	.69
4.00-30, 4-ply	7.84	1.18
4.00-30, 4-ply	8.51	1.38
5.00-15, 4-ply	3.80	.75
5.00-16, 4-ply	4.21	.75
5.00-21, 4-ply	5.00	.82
5.00-36, 4-ply	9.72	1.47
5.00-40, 4-ply	10.30	1.38
5.50-16, 4-ply	4.17	.80
6.00-9. See Industrial, straight-side.		
6.00-16:		
4-ply	4.27	.83
6-ply	5.45	.83
6.00-20, 4-ply	6.08	.93
6.50-16:		
4-ply	4.93	.69
6-ply	5.75	.99
8-ply	7.80	.99
6.50-24, 4-ply	8.94	1.96
6.50-36, 4-ply	11.29	2.32
7.00-16, 4-ply	6.16	1.05
7.50-16:		
4-ply	6.70	1.20
6-ply	7.89	1.20
8-ply	8.83	1.20
7.50-18:		
4-ply	7.44	1.29
6-ply	8.27	1.29
7.50-20, 4-ply	9.14	2.06
7.50-24:		
4-ply	10.91	2.45
6-ply	13.38	2.45
7.50-36, 6-ply	19.89	3.89
9.00-16, 10-ply	17.10	2.67
9.00-24:		
6-ply	18.03	3.68
8-ply	20.40	3.68
9.00-36, 6-ply	24.98	4.50
9.00-40, 8-ply	32.54	5.80
11.25-24, 6-ply	24.04	4.49
11.25-28:		
6-ply	26.72	5.04
8-ply	30.00	5.04
12.75-32:		
6-ply	36.73	7.79
8-ply	41.60	7.79
(6) Industrial:		
(i) Single-tube tires. (See Tires, single-tube.)		
(ii) Straight-side:		
2.50-4:		
2-ply	1.24	.40
4-ply	1.66	.40
3.00-5:		
2-ply	1.37	.42
4-ply	1.81	

APPENDIX A—Continued

Article	Maximum price	
	Tire ¹	Tube
(7) Motorcycle:		
3.20-18, 2-ply.....	\$3.16	\$0.51
3.85-18, 4-ply.....	3.95	.63
4.00-18, 4-ply.....	4.29	.63
4.00-19, 4-ply.....	4.41	.63
4.50-18, 4-ply.....	4.65	.63
4.50-19, 4-ply.....	4.70	.63
5.00-16, 4-ply.....	4.76	.69
(8) Road-building, grading, and main- taining equipment:		
(f) Front-wheel rib-tread:		
6.00-20, 6-ply.....	9.67	1.05
6.50-20, 8-ply.....	14.43	1.54
7.00-20, 10-ply.....	20.67	1.44
7.00-24, 10-ply.....	21.98	1.68
7.50-24, 10-ply.....	25.96	2.63
8.25-20, 10-ply.....	26.89	3.10
8.25-24, 10-ply.....	31.68	2.89
9.00-24, 10-ply.....	38.52	3.75
10.00-24, 10-ply.....	43.72	4.66
(g) Rear-wheel traction tread:		
8.25-24 FB, 10-ply.....	31.68	2.89
9.00-24 DC, 10-ply.....	35.73	3.68
9.00-24 FB, 10-ply.....	38.52	3.75
10.00-24 DC, 8-ply.....	35.00	4.41
12.00-24 DC:		
6-ply.....	32.28	4.23
8-ply.....	42.40	4.23
12.00-28 DC, 6-ply.....	36.73	5.04
13.00-24 DC:		
6-ply.....	40.09	5.79
8-ply.....	49.94	5.79
14.00-20 DC, 12-ply.....	78.54	5.41
(9) Tractor:		
(i) Front-wheel rib-tread:		
4.00-15, 4-ply.....	3.35	.65
4.00-19 (4-19), 4-ply.....	4.51	.69
5.00-15, 4-ply.....	4.26	.75
5.00-16, 4-ply.....	4.69	.77
5.25-21, 6-ply.....	8.82	.82
5.50-16, 4-ply.....	4.80	.80
6.00-9, See Industrial, straight-side.		
6.00-12, 4-ply.....	5.66	.75
6.00-16:		
4-ply.....	4.99	.83
6-ply.....	6.78	.83
6.00-20, 4-ply.....	7.84	.93
6.50-16, 6-ply.....	9.01	1.05
7.50-10, 6-ply.....	14.31	1.28
7.50-16:		
4-ply.....	10.06	1.20
6-ply.....	12.24	1.20
7.50-18:		
4-ply.....	10.28	1.29
6-ply.....	12.80	1.29
9.00-10, 6-ply.....	19.26	2.59
(ii) Rear-wheel traction-tread, con- ventional base:		
4.00-12, 2-ply.....	2.98	.52
4.00-18, 2-ply.....	3.45	.69
5.00-12, 2-ply.....	3.65	.70
5.00-16:		
2-ply.....	3.65	.77
4-ply.....	4.09	.77
5.50-16:		
2-ply.....	4.68	.80
4-ply.....	4.80	.80
6.00-16, 4-ply.....	4.99	.83
6.00-22 (7-22), 2-ply.....	7.35	.90
7.50-16, 3-ply.....	7.81	1.20
7.50-22 (9-22), 2-ply.....	10.51	2.33
7.50-24, 4-ply.....	14.04	2.45
9.00-16, 8-ply.....	22.22	3.31
(iii) Rear-wheel traction-tread, wide base:		
8-32, 4-ply.....	16.48	2.55
8-36, 4-ply.....	19.98	2.94
8-38, 4-ply.....	21.03	3.07
8-44, 4-ply.....	23.47	3.73
9-24:		
4-ply.....	14.91	2.04
8-ply.....	22.10	2.04
9-32, 4-ply.....	21.25	3.05
9-38, 4-ply.....	24.10	3.52
9-40, 4-ply.....	25.39	3.74
10-24, 4-ply.....	19.84	2.80
10-26, 4-ply.....	21.69	3.04
10-28, 4-ply.....	22.27	3.20
10-36, 4-ply.....	26.53	4.00
10-38:		
4-ply.....	27.06	4.20
6-ply.....	31.81	4.20
10-40, 4-ply.....	27.94	4.52
11-24, 4-ply.....	23.49	3.28
11-26:		
4-ply.....	25.71	3.68
6-ply.....	28.79	3.68

¹ On items where no separate maximum prices are set forth for flaps, the maximum prices set forth for tires apply to tires including flaps in all cases where tire flaps would be delivered with the tires under normal business practice.

APPENDIX A—Continued

Article	Maximum price	
	Tire ¹	Tube
(9) Tractor—Continued.		
(iii) Rear-wheel traction-tread, wide base—Continued.		
11-28, 4-ply.....	\$25.52	\$4.31
11-30:		
4-ply.....	30.59	5.17
6-ply.....	36.32	5.17
11-38:		
4-ply.....	32.91	5.46
6-ply.....	38.99	5.46
10-ply.....	49.99	5.46
11-40, 4-ply.....	34.54	5.80
12-24, 4-ply.....	27.78	4.83
12-26, 6-ply.....	33.39	5.20
12-30, 6-ply.....	36.90	6.10
12-36:		
4-ply.....	37.81	6.36
6-ply.....	40.03	6.36
12-38, 6-ply.....	42.46	6.83
13-24:		
4-ply.....	33.09	5.26
6-ply.....	35.83	5.26
13-26, 6-ply.....	37.59	5.67
13-28, 6-ply.....	38.27	6.25
13-30, 6-ply.....	38.94	7.30
13-34, 6-ply.....	43.88	8.09
14-24, 6-ply.....	41.91	7.39
14-30, 6-ply.....	44.10	10.90
14-34, 6-ply.....	49.10	11.50
15-28, 6-ply.....	52.49	13.43
15-30:		
6-ply.....	55.63	14.80
8-ply.....	59.20	14.80
15-32, 6-ply.....	62.09	15.32
(10) Tractor, for industrial vehicles:		
(i) Traction-tread, conventional base:		
5.25-21, 4-ply.....	7.33	.82
7.50-16, 4-ply.....	10.06	1.20
(ii) Traction-tread, wide base:		
8-24, 4-ply.....	11.93	1.90
9-24, 6-ply.....	18.95	2.04
10-24, 6-ply.....	23.25	2.84
10-28, 4-ply.....	22.27	3.20
12-26, 6-ply.....	33.39	5.20
13-26, 6-ply.....	37.59	5.67
(11) Trailer service; low platform; low speed:		
7.50-15, 10-ply.....	21.25	2.19
8.25-15, 12-ply.....	33.23	2.22
9.00-15, 12-ply.....	39.40	3.12
10.00-15:		
12-ply.....	46.04	3.68
14-ply.....	51.77	3.68
(12) Truck. See Bus-truck.		
(13) Wheelbarrow. See Industrial, straight side.		
(14) Airplane tires and tubes, pneu- matic, rayon:		
(i) High-pressure:		
(a) Landing wheels:		
26 x 6, 8 ply; smooth or nonskid.....	12.79	1.40
26 x 6, 8 ply; channel tread.....	14.77	1.40
30 x 5, 4 ply; smooth or nonskid.....	7.87	1.69
30 x 5, 4 ply; channel tread.....	8.66	1.69
30 x 7, 8 ply; smooth or nonskid.....	17.06	1.58
32 x 6, 4 ply; smooth or nonskid.....	10.57	2.49
32 x 8, 8 ply; smooth, nonskid or ribbed.....	21.50	2.55
32 x 8, 8 ply; channel tread.....	23.65	2.55
34 x 9, 10 ply; smooth or nonskid.....	35.50	5.17
34 x 9, 10 ply; channel tread.....	39.05	5.17
36 x 8, 6 ply; nonskid.....	16.65	4.94
38 x 10, 12-ply.....	.....	.....
40 x 10, 8-ply.....	46.13	4.18
(b) Auxiliary wheels:		
10 x 3, 4 ply; smooth or nonskid.....	6.17	.84
10.50 x 4, 6 ply; channel tread.....	9.12	1.90
12.50 x 4 1/2, 8 ply; channel tread.....	13.06	2.32
(ii) Low-pressure:		
(a) Landing wheels:		
20 x 7.00-6, 4 ply; nonskid or ribbed.....	12.89	3.20
22 x 6.50-10, 6 ply; smooth, nons- kid or ribbed.....	11.72	1.68
24 x 7.50-10, 6 ply; smooth, nons- kid or ribbed.....	11.35	4.85
24 x 7.50-10, special fabric base.....	6.05	6.05
26 x 8.50-10, 6 ply; smooth, nons- kid or ribbed.....	13.42	4.90
26 x 8.50-10, 6 ply; smooth, special bead cons.....	14.76	4.90
39 x 13.50-16, 10 ply; smooth.....	74.72	16.65
42 x 15.00-16, 10 ply; smooth, nons- kid or ribbed.....	54.75	9.00
42 x 15.00-16, 8 ply; smooth, nons- kid or ribbed.....	50.00	9.00
44 x 16.00-16, 10 ply; nonskid or ribbed.....	70.15	12.16
45 x 17.00-16, 10 ply; nonskid or ribbed.....	74.98	10.12

APPENDIX A—Continued

Article	Maximum price	
	Tire	Tube
(14) Airplane tires and tubes, pneu- matic, rayon—Continued.		
(ii) Low-pressure—Continued.		
(a) Landing wheels—Continued.		
46 x 18.00-16 (35 x 18-16), 12 ply; nonskid or ribbed.....	\$174.60	\$13.50
45 x 20.00-18, 12 ply; smooth.....	148.66	24.88
46 x 18.50-20, 12 ply; nonskid.....	117.25	14.05
50 x 17.00-20, 12 ply; nonskid.....	119.85	14.05
55 x 19.00-23, 16 ply; smooth, nonskid or ribbed.....	162.09	15.86
(b) Auxiliary wheels:		
13 x 5.00-4, 6 ply; smooth or nons- skid.....	10.50	2.50
17 x 6.00-6, 4 ply; smooth, nons- skid or ribbed.....	8.14	2.25
16 x 7.00-4, 4 ply; smooth.....	10.69	2.35
17 x 7.00-5, 4 ply; smooth.....	11.76	3.33
17.50 x 8.00-4, 4 ply; smooth or ribbed.....	9.07	2.35
19 x 8.00-5, 6 ply; smooth or ribbed.....	16.99	2.79
19 x 8.00-5, 4 ply; HD.....	11.84	2.79
22 x 9.00-6, 8 ply; smooth, nons- skid or ribbed.....	25.43	3.20
24 x 10.00-7, 10 ply; smooth, nons- skid or ribbed.....	45.22	4.90
26 x 9.00-13, 8 ply; plain.....	18.18	3.21
29 x 9.50-12, 6 ply; smooth or ribbed.....	25.87	4.93
32 x 11.00-12, special water valve.....	8.25	5.33
32 x 11.00-12, 8 ply; smooth.....	30.87	5.33
33 x 11.50-16.50, 10 ply; plain.....	32.33	3.89
36 x 12.50-14, 10 ply; smooth.....	53.23	8.19
36 x 12.50-14, 10 ply; grooved ribbed safety.....	55.23	8.19
(iii) Extra low pressure:		
(a) Landing wheels:		
25 x 11-4, 4 ply; smooth.....	24.75	6.25
29 x 13-5, 6 ply; smooth.....	38.75	7.75
30 x 13-6, 6 ply; smooth.....	42.75	8.50
35 x 15-6, 6 ply; smooth.....	51.75	9.50
45 x 20-10, 10 ply; nonskid.....	95.28	21.44
(b) Auxiliary wheels:		
12 x 5-3, 4 ply; smooth.....	15.00	3.00
14 1/2 x 5-5, 8 ply; channel tread.....	15.22	2.47
16 x 7-3, 4 ply; smooth.....	17.00	4.00
18 x 8-3, 4 ply; smooth.....	18.75	4.50
(iv) Streamline:		
(a) Type I:		
24-inch, 4 ply; pointed tread.....	10.70	1.79
27-inch, 6 ply; pointed tread.....	17.24	1.93
31-inch, 6 ply; pointed tread.....	21.32	2.68
36-inch, 6 ply; pointed tread.....	25.22	3.36
(b) Type II:		
24-inch, 4 ply; rounded tread.....	10.70	1.79
27-inch, 6 ply; rounded tread.....	17.24	1.93
31-inch, 6 ply; rounded tread.....	21.32	2.68
36-inch, 6 ply; rounded tread.....	25.22	3.36
40-inch, 8 ply; rounded tread.....	42.95	5.90
45-inch, 8 ply; plain.....	45.67	6.90
50-inch, 8 ply; plain.....	.....	.....
27.50 x 8.00 x 12.50, 4 ply; plain.....	11.52	2.80
(v) Low-profile nose-wheels:		
19 x 6.80-10, 6 ply; plain.....	14.98	2.16
22 x 7.25-11.50, 6 ply; plain.....	15.35	2.88
26 x 9.00-13.00, 8 ply; smooth.....	18.18	3.21
33 x 11.50-16.50, 10 ply; smooth.....	32.33	3.89
(vi) Smooth-contour:		
(a) Landing wheels:		
27-inch, 8 ply; smooth or nonskid.....	18.74	2.57
30-inch, 8 ply; smooth or nonskid.....	28.13	3.57
33-inch, 8 ply; smooth or nonskid.....	30.62	5.23
36-inch, 10 ply; smooth or nons- skid.....	42.24	5.59
39-inch, 10 ply; smooth or nons- skid.....	51.67	6.86
44-inch, 10 ply; nonskid.....	53.82	6.80
47-inch, 12 ply; nonskid or smooth.....	87.02	7.80
51-inch, 14 ply; smooth or nons- skid.....	154.94	17.00
66-inch, 16 ply; smooth or nons- skid.....	155.24	14.14
65-inch, 16 ply; smooth or nons- skid.....	349.65	29.77
(b) Auxiliary wheels:		
8.00, 4 ply; smooth.....	5.10	1.68
10.00, 6 ply; smooth.....	9.12	1.90
10.00, 6 ply; channel tread.....	9.12	1.90
12.50, 6 ply; smooth.....	8.81	2.32
12.50, 6 ply; channel tread.....	9.69	2.32
14.50, 6 ply; smooth.....	10.65	2.47
17.00, 6 ply; smooth.....	15.53	2.44
19.00, 6 ply; smooth.....	18.25	3.40
23.00, 8 ply; smooth.....	27.87	3.21
26.00, 10 ply; smooth.....	38.50	3.90
30.00, 10 ply; smooth.....	46.03	5.20

APPENDIX A—Continued

Article	Maximum price
(14) Airplane tires and tubes, pneumatic, rayon—Continued.	
(vii) Airplane safety tubes: double-tube construction:	
19.00-inch.....	\$14.80
23.00-inch.....	16.70
26.00-inch.....	17.90
30.00-inch.....	18.90
27.00-inch.....	16.80
30.00-inch.....	18.05
33.00-inch.....	19.20
36.00-inch.....	20.01

Article	Maximum price		
	Tire	Tube	Bead lock
(15) Combat, Run Flat:			
7.00-18.....	\$26.18	\$1.98	\$1.60
8.25-10.....	42.37	2.50	1.55
8.25-20.....	56.46	3.14	1.20
9.00-16.....	52.34	2.90	1.60
9.00-20.....	66.31	3.53	1.20
9.25-16.....	42.20	2.60	1.80
10.50-16.....	71.99	3.30	1.80
10.50-20.....	77.53	3.87	1.80
13.50-20.....	139.63	9.01	2.62

Article	Maximum price
(b) Tires, single-tube:	
(1) Bicycle:	
26 x 1 1/2.....	\$0.97
28 x 1 1/2.....	1.01
(2) Industrial:	
5 x 1.75, 2-ply.....	1.25
6 x 2.00, 4-ply.....	1.80
8 x 2.00:	
2-ply.....	1.34
4-ply.....	1.94
10 x 2.00, 2-ply.....	1.45
12 x 2.00, 2-ply.....	1.58
8 x 2.50, 4-ply.....	2.05
10 x 2.50, 2-ply.....	1.45
10 x 3.00:	
2-ply.....	1.72
4-ply.....	2.23
12 x 3.00:	
2-ply.....	2.06
4-ply.....	2.54
11 x 3.25, 4-ply.....	2.48
12 x 3.50:	
2-ply.....	2.21
4-ply.....	2.80
18 x 4.00, 4-ply.....	3.11
14 x 4.00:	
2-ply.....	2.69
4-ply.....	3.24
16 x 4.00:	
2-ply.....	3.00
4-ply.....	3.47
18 x 4.00:	
2-ply.....	3.68
4-ply.....	4.16
20 x 4.00:	
2-ply.....	4.10
4-ply.....	4.66
15 x 4.50, 4-ply.....	3.45
(3) Wheelbarrow:	
10 x 2.75, 2-ply.....	1.05
16 x 4.00, lug base:	
2-ply.....	2.88
4-ply.....	3.35

Article	Maximum price
(c) Tires, solid:	
(1) Industrial:	
8 1/2 x 4.....	5.84
9 x 2 1/2.....	5.34
9 x 5.....	8.55
10 x 3 1/2.....	6.45
10 x 4.....	7.14
10 x 5.....	8.00
10 x 6.....	9.49
10 1/2 x 5.....	8.24
10 1/2 x 6.....	9.66
10 1/2 x 7.....	9.90
11 x 2 1/2.....	5.63
12 x 3 1/2.....	6.57
14 x 4.....	8.15
15 x 3 1/2.....	7.01
15 x 5.....	9.17
15 x 6.....	12.06
15 x 7.....	14.38
15 x 8.....	16.35
16 x 3 1/2.....	7.33
16 x 4.....	6.96
16 x 4 1/2.....	8.33

APPENDIX A—Continued

Article	Maximum price
(c) Tires, solid—Continued.	
(1) Industrial—Continued.	
16 x 4 1/2.....	\$9.73
17 x 5.....	10.09
18 x 3.....	6.97
18 x 4.....	9.39
18 x 5.....	10.38
20 x 3 1/2.....	8.19
20 x 4.....	9.74
20 x 5.....	11.40
20 x 6.....	14.81
20 x 7.....	17.57
20 x 8.....	19.56
22 x 3 1/2.....	9.06
22 x 4.....	12.11
22 x 5.....	15.09
22 x 6.....	23.97
24 x 3.....	8.18
24 x 3 1/2.....	9.65
24 x 5.....	14.40
27 or 27 1/2 x 3 1/2.....	10.58
28 x 3 1/2.....	9.46
28 x 4.....	12.05
29 x 5.....	16.87
(2) Tractor-and-trailer:	
22 x 10.....	47.78
22 x 14.....	61.05
28 x 7.....	34.69
28 x 10.....	52.92
28 x 12.....	63.93
28 x 14.....	76.09
(3) Truck-cushion:	
32 x 5.....	27.13
34 x 5.....	29.00
36 x 5.....	30.58
36 x 6.....	36.97
36 x 7.....	46.56
36 x 10.....	67.58
36 x 12.....	84.43
40 x 5.....	33.74
40 x 7.....	50.33
40 x 8.....	57.94
40 x 10.....	74.03
40 x 12.....	92.57
40 x 14.....	113.34
40 x 16.....	154.85
(d) Tubes: automobile (passenger car), bus, motorcycle, and truck: safety, double-tube construction:	
4.00/4.50-18, MC.....	3.00
5.00-16, MC.....	3.53
6.00-16.....	3.78
6.25/6.50-16.....	4.06
6.50-15.....	4.56
7.00-15.....	4.56
7.50-15.....	5.00
7.50-16.....	5.02

Effective date. This regulation shall become effective July 1, 1943. [Maximum Price Regulation 415 originally issued June 28, 1943]

[Effective dates of amendments are shown in notes following parts affected]

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 21st day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-4587; Filed, Mar. 21, 1945; 3:54 p. m.]

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[MPR 558, Amdt. 1]

EASTERN WOODEN MINE MATERIALS AND INDUSTRIAL BLOCKING

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

Section 6 of Maximum Price Regulation 558 is amended to read as follows:

19 F.R. 11643, 14437.

SEC. 6. Special pricing. (a) If a seller wishes to sell a specification of Eastern Wooden Mine Materials and Industrial Blocking not specifically priced in this regulation, or wishes to make charges for extras not specifically provided for, he shall apply to the Lumber Branch, Office of Price Administration, Washington 25, D. C., for approval of a maximum price. He must provide the following information:

- (1) The requested price;
- (2) A complete description of the item for which price approval is desired;

(i) If a specification other than those provided by the regulation, he shall furnish a copy of the specification.

(ii) If any other extra is to be priced, he shall furnish a description of the extra for which an addition is requested.

(3) The price differential between the item to be priced and the most comparable item priced in the regulation, which existed in October 1941 or the first month preceding October 1941 in which both items were sold. The differential should be developed from the seller's own records, or if that is not possible, from the experience of other buyers and sellers.

(4) If no price differential exists, a detailed analysis of the comparative costs of supplying the two items shall be furnished.

(b) In the case of mines which purchase direct from producers or other sellers, a maximum price may be established by order under this paragraph, which shall be the maximum price for any producer selling to that mine at any point within the normal production area supplying that mine.

Any buyer applying for establishment of maximum prices under this paragraph shall provide the information required under subparagraph (a) which, in that subparagraph is required from the seller.

(c) As soon as the request has been filed, quotations and deliveries may be made at the requested price, but final payment may not be made until a price has been approved by the Office of Price Administration.

This amendment shall become effective March 26, 1945.

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

Issued this 21st day of March 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-4588; Filed, Mar. 21, 1945; 3:54 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 18]

DISTRIBUTION OF BASES TO CERTAIN FORMER MEMBERS OF THE ARMED FORCES

Preamble: The food rationing regulations do not in any way prevent any person from obtaining rationed foods for a new business which will be engaged in the production of rationed foods. Thus any person may apply for and obtain

sugar to be used in the commercial production of canned fruits. In addition, there is no restriction on the opening of establishments which will distribute rationed foods. Thus any person may open a retail or wholesale establishment and deal in rationed foods.

The supply situation in the case of rationed foods requires that the total amount allocated for industrial uses and refreshment services be curtailed. This curtailment is accomplished by giving businesses only a percentage of their use during a "base" period prior to the rationing of that food. Since established businesses have been thus restricted, it is obviously proper not to permit the free opening of new businesses. Therefore, the food rationing regulations, with but few exceptions, prohibit the obtaining of rationed foods by persons desiring to open new businesses involving the production of non-rationed items from rationed foods and from opening new institutional user establishments providing refreshment services. Thus a person is prevented by the sugar regulations from obtaining sugar for a new soft drink bottling plant or a new bakery and the institutional user order prevents his obtaining rationed foods for a new lemonade stand or other refreshment operation.

Congress has enacted the "Service-men's Readjustment Act of 1944" (called the "G. I. Bill of Rights") for the declared purpose of facilitating "the readjustment in civilian life of returning of World War II veterans". This statute provides in part for training World War II veterans and for government guarantees of loans to veterans wishing to establish businesses. It is therefore evident that Congress intended that some returning veterans should be readjusted by the government's assisting their entry into business. At the same time, it is clear beyond dispute that rationed commodities needed for war purposes must not be dissipated by non-war uses. The objective therefore is to let down the barriers that stand in the way of veterans opening new businesses where such action will not result in the diverting of needed rationed commodities from essential uses or in otherwise materially impairing the equity or effectiveness of the rationing system.

In view of the public interest in the readjustment of returning veterans it is deemed desirable that they be permitted to open new businesses involving the use of rationed foods to produce non-rationed items and for refreshment services. This order is designed to carry out that purpose while avoiding the abuses which might result from this increased claim upon the rationed food supply.

Sec.

1. Who may apply.
2. Application shall be made to the board.
3. How he applies.
4. Action on the application.
5. Restriction on use.
6. Reduction of base.
7. The base may not be transferred within a year after registration.
8. Moving of establishment.
9. Appeals.
10. Definitions.

AUTHORITY: § 1305.217 issued pursuant to Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; WPB Supp. Dir. 1-E, 7 F.R. 2965; WPB Supp. Dir. 1-M, 7 F.R. 8234; WPB Supp. Dir. 1-R, 7 F.R. 9684; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4319; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4319; War Food Order No. 59, 8 F.R. 3471; 9 F.R. 4319; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4319; and Supp. 1 to War Food Order No. 61, 9 F.R. 9134, 9389; War Food Order No. 64, 8 F.R. 953, 9 F.R. 4319.

SECTION 1. Who may apply. A person who was in the Army, Navy, Marine Corps or Coast Guard of the United States on or after September 16, 1940, and was discharged or released under conditions other than dishonorable, after active service of ninety days or more, or by reason of an injury or disability incurred in service in line of duty, and who wishes to open an industrial user establishment or to receive a base for refreshment services for a Group III institutional user establishment, may apply for registration and assignment to him of a base for one of these purposes.

SEC. 2. Application shall be made to the board. Application under this order must be made at the board for the place where the industrial user or institutional user establishment will be located.

SEC. 3. How he applies. (a) The application must be filed on OPA Form R-1226 and must state:

(1) The name and address of the applicant and of the establishment for which the application is made;

(2) Whether he is applying for registration as an industrial user, or for the assignment of a base for refreshment services for an institutional user establishment;

(3) That he was in the Army, Navy, Marine Corps or Coast Guard on or after September 16, 1940, and was discharged or released therefrom under conditions other than dishonorable, after active service of ninety days or more, or by reason of an injury or disability incurred in service in line of duty;

(4) That he already has the premises and equipment necessary for the operation of the business for which he is applying or that he will obtain such premises and equipment if he is otherwise entitled to receive a base under this order;

(5) That he is not and will not be financed directly or indirectly in the operation of that business by any person already registered as an industrial user entitled to an allotment under Second Revised Ration Order 3, Revised Ration Order 13 or Revised Ration Order 16, or as an institutional user providing refreshment services under General Ration Order 5;

(6) That he meets the requirements of paragraph (c) of this section;

(7) That the operation of the establishment covered by the application will be his principal occupation;

(8) That he does not have any other application pending under this order;

(9) The amount of each of the rationed foods he wishes to use during the next 12 months at the establishment covered by the application;

(10) If he is applying for registration as an industrial user:

(i) That he does not have any other business than the establishment covered by the application and did not have any such business either at the time of his discharge or release, or on March 22, 1945, whichever is later;

(ii) A description of the facilities and equipment he will use in the production of the products he will make at the establishment;

(iii) That he does not already have a base for any rationed food;

(iv) The products or uses for which the base is desired. (Certain groups of products or uses for industrial users are shown in Schedule I of the supplement to this order. Only one such group of products or uses may be selected by the applicant.);

(v) That any base to which he is entitled under this order will be used only for the purpose of making products intended for household use and which will be sold only for household use directly or through distributors who do no further processing of the product other than packaging or repackaging.

(11) If he is applying for registration as an institutional user providing refreshment services:

(i) That he does not have any other business than the establishment covered by the application and did not have any such business either at the time of his discharge or release, or on March 22, 1945, whichever is later, except an institutional user establishment at the same location as the one covered by the application which does not have a base for refreshment services;

(ii) That he does not already have a base for any rationed food other than a base for meal services for an establishment at the same location as the one covered by the application;

(iii) The type of operation for which the base is desired. (Certain types of operations for institutional user establishments providing refreshment services are shown in Schedule II of the supplement to this order. Only one such type of operation may be selected by the applicant.);

(iv) What refreshment items he will prepare and serve. (Thus he must state whether he will prepare and serve "coffee", "popcorn", "frozen custard", etc.);

(v) A description of the facilities and equipment he will use in the preparation and service of refreshment items at the establishment;

(vi) If it is to be a seasonal operation he must state the periods during which he will operate the establishment;

(vii) The seating capacity of the establishment;

(viii) The number of days in each week and the number of hours in each day it will be operated;

(ix) The number of persons he expects to serve refreshments only during the first thirty days of operation.

(b) The applicant must, at the time of his application, show his discharge papers or certificate of satisfactory completion of active duty, or a photostatic copy thereof, to the board.

(c) No person may obtain a base under this order unless:

(1) He is the principal owner and active head of the business covered by the application, and the principal occupation of any other person who owns part of that business will be in the operation of that business; or

(2) He is a joint owner of the business covered by the application and will be actively engaged in the operation of the business, and the only other persons who own a part of that business are members of his immediate family or persons who would themselves be entitled to a base under this order; or

(3) He is a joint owner of the business and will be actively engaged in the operation of the business, and the financial interests held by himself and by members of his immediate family or persons who would themselves be entitled to a base under this order aggregate the principal ownership of the business, and the principal occupation of any other part owner of that business will be in the operation of that business.

SEC. 4. Action on the application. (a) A board may not act on any application filed under this order. It shall note upon the application that it has seen the applicant's discharge papers or certificate of completion of active duty, or a photostatic copy thereof, and the date of discharge or release shown on such papers or certificate, and shall send the application, together with any other information received, to the District Office. It may attach its recommendation as to the action to be taken.

(b) (1) If the application is for an industrial user establishment using rationed foods for one of the groups of products or uses listed in Schedule I and the District Office finds that the statements made in the application are true, and that the application satisfies the requirements of section 3 and section 4 (a), it shall register the applicant on OPA Form R-1200 as an industrial user and grant him a base of rationed foods, depending on the group of products or uses of rationed foods he will make at the establishment covered by the application, in accordance with Schedule I in the supplement to this order. In no event, however, shall the base be larger than the base of a comparable establishment in the area in which his establishment is located. If the products or uses for which the applicant requests rationed foods are not included in Schedule I, the District Office may not act upon the application, but must send it together with any other information received, to the Washington Office for decision, or take such other action as the Washington Office may authorize or direct.

(2) If the application is for registration as a type of institutional user providing refreshment services listed in Schedule II and the District Office finds that the statements made in the appli-

cation are true, and that the application satisfies the requirements of section 3 and section 4 (a), it shall register the applicant as an institutional user, or amend his registration as an institutional user, as the case may be, and grant him a base for refreshment services. However, that base shall not be larger than the base of a comparable establishment in the area in which the establishment is located, or the base for refreshment services applicable to his type of operation set out in Schedule II of the supplement to this order. If the type of operation for which the applicant requests rationed foods is not included in Schedule II, the District Office may not act upon the application but must send it, together with any other information received, to the Washington Office for decision, or take such other action as the Washington Office may authorize or direct.

(c) If the applicant has not yet obtained premises and equipment necessary for the operation of the business covered by the application, the District Office shall, instead of granting a base (or allotment in the case of an institutional user) for that business, give him a statement in writing that he will be given a base, or allotment, as the case may be, when he obtains the necessary premises and equipment and shall state the group of products or type of operation for which it will be granted. Whenever a person to whom such a statement has been given by the District Office satisfies that office that he has obtained the premises and equipment necessary for the operation of business, the District Office shall grant the appropriate base or allotment.

(d) If two or more persons, eligible for a base under this order, apply for a base for the same establishment, the base granted may not be larger than if only one applies.

SEC. 5. Restriction on use. (a) If, at any time, within a year after a base is granted under this order, any of the following three things are done, the industrial or institutional user shall cease from that time on to be entitled to use or get allotments of rationed foods with respect to the base granted pursuant to this order:

(1) Rationed food or ration evidences obtained with respect to that base is transferred to another industrial or institutional user for industrial or institutional use; or

(2) The facts stated in paragraphs (a) (7), (a) (10) (iv), or (c) of section 3 cease to be true; or

(3) The establishment is sold or otherwise transferred.

SEC. 6. Reduction of base. (a) If an establishment which has been granted a base pursuant to this order for a group of products or uses, wishes to produce products in a different group of products or uses or to use the refreshment base in connection with a different type of institutional user operation, within one year after registration pursuant to this order, application must be made for an adjustment in accordance with the provisions of the ration order covering the

rationed foods used at the establishment. If permission is granted to change its use of a rationed food from one group to another and if the base which would be granted under this order for the group of products or uses to which it is changing is lower than the base previously granted him, the base will be reduced to the maximum base permitted for the new group of products or uses.

SEC. 7. The base may not be transferred within a year after registration. (a) If an establishment to which a base has been granted pursuant to this order is transferred within a year after registration, the transferee (unless he is a person who would be eligible for a base under this order) of that establishment may not receive the base granted pursuant to this order or the current allotment or any unused parts of prior allotments issued with respect to that base for the transferred establishment. However, if the registrant dies within a year after registration, the transferee of the establishment may be granted the base and the current allotment and unused parts of prior allotments, and the transferee is not subject to the restrictions contained in sections 5 and 6.

SEC. 8. Moving of establishment. (a) A person who is granted a base pursuant to this order may move that establishment only if he gets permission to do so from the District Office which granted the base.

SEC. 9. Appeals. (a) Any person aggrieved by the action of the District Office upon an application under this order may appeal from that action in the way permitted by Procedural Regulation No. 9.

SEC. 10. Definitions. (a) "Rationed food" means sugar, processed foods, and foods covered by Revised Ration Order 16.

(b) "Washington Office" means the national headquarters of the Office of Price Administration, Washington, D. C.

(c) The terms "allotments", "allotment period", "base", "base period use" when used with respect to industrial users and the terms "industrial user" and "industrial user establishment" have the meaning with respect to each rationed food which they have in the ration order covering that food.

(d) The terms "allotment", "allotment period" and "base" when used with respect to institutional users and the terms "board", "institutional user", "institutional user establishment", "meal service allotment", and "refreshment service allotment" have the meaning which they have in General Ration Order 5.

This order shall become effective March 26, 1945.

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

Issued this 22d day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-4624; Filed, Mar. 22, 1945;
11:35 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 18, Supp. 1]

DISTRIBUTION OF BASES TO CERTAIN FORMER MEMBERS OF THE ARMED FORCES

Supplement 1 is issued with respect to General Ration Order 18:

SCHEDULE I—INDUSTRIAL USERS

Group of products	Maximum base permitted No. of pounds
1. Bread and rolls only.	8,000
Sugar	
Lard, shortening and cooking and salad oils	6,000
2. General bakery products (including production of not more than 40,000 lbs. of bread and rolls per year.	
Sugar	20,000
Butter	400
Margarine	700
Lard	6,800
Shortening	11,000
Cooking and salad oils	1,100
Canned fruits	4,200
3. Ice cream, ices, sherbets, frozen custards (excluding mixes used for any of these purposes).	
Sugar	40,000

Group of products	Maximum base permitted No. of pounds
3. Ice cream, ices, sherbets, frozen custards—Con.	
Butter	32,000
Margarine	2,500
Lard, shortening, cooking and salad oils	5,500
Canned fruits	4,000
4. Bottled beverages (non-alcoholic).	
Sugar	50,000
5. Potato chips.	
Shortening, cooking and salad oils	15,000
6. Popcorn.	
Cooking and salad oils	3,000
7. Candy.	
Sugar	8,000
8. Mayonnaise and salad dressing.	(Will be determined by Washington office).
9. Table syrups (in containers of 1/2 gallon or less)	Do.
10. Branded fruits; maraschino cherries	Do.
11. Pickled fruits and vegetables; relishes	Do.
12. Pharmaceuticals (internal); allergy foods; vitamin oils; cough drops	Do.
13. Pharmaceuticals (external)	Do.

¹ To be divided among these items as the applicant desires.

Group of products	Maximum base permitted No. of pounds
14. Preserves; jams; jellies	Do.
15. Marmalade; fruit butters	Do.
16. Other	Do.

SCHEDULE II—INSTITUTIONAL USERS

Types of institutional user establishments.	Maximum base permitted
1. Establishments serving potato chips.	(Will be determined by Washington office).
2. Establishments serving popcorn or nuts	Do.
3. Establishments serving processed fruit juices, vegetable juices, or tomato juice	Do.
4. Establishments serving ice cream, sherbets, or frozen custard	Do.
5. Establishments serving coffee, tea, lemonade or orangeade ²	Do.
6. Establishments serving alcoholic beverages	Do.
7. Establishments serving carbonated beverages	Do.
8. Establishments engaged primarily in meal services with some incidental refreshment service business	Do.
9. Other	Do.

SCHEDULE III—FORM FOR APPLICATION UNDER GRO 18

This form may be reproduced without change. OPA Form (9-45) R-1226

Form approved Budget Bureau No. 08-R1336

Forms printed in the FEDERAL REGISTER are for information only, and do not follow the exact format prescribed by the issuing agency.

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION
VETERANS' APPLICATION FOR REGISTRATION AND ASSIGNMENT OF BASE
PURSUANT TO GENERAL RATION ORDER 18

(A) You may apply to your local War Price and Rationing Board for permission to register and receive a base for one of the following establishments if you meet these tests: (1) You were in the armed services of the United States on or after September 16, 1940; (2) you were discharged or released under conditions other than dishonorable, after service of 90 days or more, or in less than 90 days if you were released or discharged because of an injury or disability incurred in service in line of duty.

Check one.

- Industrial user establishment
- Institutional user establishment providing refreshment services

When you make application at your local board, you must show your discharge papers or certificate of satisfactory completion of active duty (or photostatic copy thereof) to the board member handling your application.

(B) If you are applying for permission to register as an industrial user, indicate by check-mark in the appropriate box to the right which group of products (or uses) you wish to make and answer questions (a) and (b) below. (Check one group only.)

- 1. Bread and rolls only
- 2. General bakery products (including production of not more than 40,000 lbs. of bread and rolls per year)
- 3. Ice cream, ices; sherbets, frozen custards (excluding mixes used for any of these purposes)
- 4. Bottled beverages (non-alcoholic)
- 5. Potato chips
- 6. Popcorn
- 7. Candy
- 8. Mayonnaise and salad dressing
- 9. Table syrups (in containers of 1/2 gallon or less)
- 10. Branded fruits; maraschino cherries
- 11. Pickled fruits and vegetables; relishes
- 12. Pharmaceuticals (internal); allergy foods; vitamin oils; cough drops
- 13. Pharmaceuticals (external)
- 14. Preserves; jams; jellies

Name of applicant: _____
 Address—Number and street: _____
 City, postal zone number, State: _____
 Address of establishment—Number and street: _____
 City, postal zone number, State: _____
 Name of establishment (if any): _____

The following space will be filled in by the local board:

Date: _____ Board No. _____

 _____ (County and State)
 I certify that the following information appeared on the discharge papers or certificate of satisfactory completion of active duty shown to me by the applicant:
 Type of papers presented _____
 Date of discharge or release _____
 Discharge: Dishonorable Other

 (Signature of Board Member)

The following space will be filled in by the District Office:

Date: _____ District Office _____
 County and State: _____
 Disapproved
 Approved for _____ pounds (sugar base)
 Approved for _____ points (processed foods base)
 Approved for _____ points (meat-fats base)

 (Signature of Food Rationing Representative)

15. Marmalade; fruit butters.
 16. Other (specify)
- (a) Will these products (or uses) be made for household uses only? Yes No
 (b) Will you sell these products either directly or through distributors who will do no further processing of the product other than packaging or repackaging? Yes No
- (C) If you are applying for permission to register as an institutional user, indicate by check-mark which type of refreshment operation you wish to engage in. (Check one type only.)
1. Establishment serving potato chips
 2. Establishment serving popcorn or nuts
 3. Establishment serving processed fruit juices, vegetable juices or tomato juice
 4. Establishment serving ice cream, sherbet or frozen custards
 5. Establishment serving coffee, tea, lemonade or orangeade
 6. Establishment serving alcoholic beverages
 7. Establishment serving carbonated beverages
 8. Establishment engaged primarily in meal service, with some incidental refreshment service business
 9. Other (specify)

(D) State below the amount (in pounds) of each rationed food you wish to use during the next 12 months in connection with the application:

Meat—fats:

Cheese lbs.
 Butter lbs.
 Margarine lbs.
 Lard lbs.
 Shortening lbs.
 Cooking and salad oils lbs.

Processed foods: (1 pint = 1 pound): canned and bottled fruit lbs.
 Sugar lbs.

(E) Do you already have a base for any rationed foods? Yes No If "Yes", state address and type of establishment for which you have that base:

1. Were you in the Army, Navy, Marine Corps or Coast Guard on or after September 16, 1940? Yes No Specify branch of service
 (a) Did you serve 90 days or more? Yes No
 (b) If you served less than 90 days, were you discharged or released because of an injury or disability incurred in service in line of duty? Yes No
2. Are you now in possession of the necessary premises and equipment to operate the establishment checked by you in (A)? Yes No
 If "No," will you obtain the necessary premises and equipment if you are assured that you will be assigned a base? Yes No
3. Have you been, or will you be, financed directly or indirectly, in the operation of your establishment, by an industrial user entitled to an allotment under the Sugar, Meat-Fats or Processed Foods Rationing Regulations; or by an institutional user providing refreshment services under the Institutional User Rationing Regulations? Yes No

(NOTE: Answer either question 4 or 5, whichever is applicable.)

4. If you are or will be the principal owner of the establishment covered by this application answer the following question: Will the principal occupation of any other person owning part of the business of the establishment be in the operation of that business? Yes No
 5. If you are or will be a joint owner of the establishment covered by this application answer the following questions:

(a) Will you be actively engaged in the operation of the business? Yes No

- (b) Are the only other persons who own a part of the business members of your immediate family, or veterans entitled to a base under GRO 18? Yes No
 If you check "No" for (b), answer the following two questions:
 (c) Do the interests held by you, together with members of your immediate family, or veterans entitled to a base under GRO 18, constitute principal ownership of the business? Yes No
 (d) Will the principal occupation of any other part owners of the business be in the operation of the business? Yes No

6. Will your principal occupation consist of operating the establishment covered by this application? Yes No

(NOTE: If you are applying for registration and assignment of a base as an INDUSTRIAL USER answer questions 7 and 8.)

7. (a) Are you engaged in any business other than that covered by this application? Yes No
 (b) Did you have any such business at the time of your discharge or release, or on March 22, 1945, whichever is later? Yes No
 8. Describe briefly the facilities and equipment you will use in producing the products checked in (B), page one of this form.

(NOTE: If you are applying for registration and assignment of an INSTITUTIONAL USER refreshment base, answer questions 9 through 14.)

9. (a) Are you engaged in any business other than that covered by this application (except an institutional user establishment without a refreshment base at the same location as the establishment for which this application is made)? Yes No
 (b) Did you have any such business at the time of your discharge or release, or on March 22, 1945, whichever is later? Yes No
 10. Describe briefly the facilities and equipment you will use in the preparation and service of refreshment items at your establishment.

(a) What is the seating capacity of your establishment? _____ persons.
 11. (a) Will the establishment covered by this application be operated on a year-round basis or on a seasonal basis? Year-round Seasonal
 If on a seasonal basis, state periods that establishment will be in operation _____

12. How many hours per week will you operate the establishment? _____ hours.
 13. How many persons do you expect to serve refreshments during your first thirty days of operation? _____ persons.

14. If you have checked items (2), (3), (4) or (5) of section C (page 1), indicate which of the items, listed in the type of operation you have checked, you intend to serve _____

If you have checked item (8) of section C, list the refreshment items you intend to serve _____

Certification: I certify that the above statements are true and correct to the best of my knowledge and belief.

(Signature of Applicant)

A FALSE CERTIFICATION IS A CRIMINAL OFFENSE

This supplement shall become effective March 26, 1945.

Issued this 22d day of March 1945.

CHESTER BOWLES,
 Administrator.

[F. R. Doc. 45-4625; Filed, Mar. 22, 1945; 11:35 a. m.]

PART 1316—COTTON TEXTILES

[MPR 11, Amdt. 23]

FINE COTTON GOODS

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

Exception (1) to § 1316.3 (b) (1) is amended to read as follows:

(i) Grey goods sold and delivered prior to April 16, 1945 for use by prime contractors in fulfilling contracts entered into with any War Procurement Agency calling for delivery of any of the finished fabrics described in the following specifications: QMC tentative specifications, PQD No. 444, June 23, 1944, as amended, Types 1, 2, 3, or 4, wind resistant water repellent oxford.

This amendment shall become effective March 27, 1945.

Issued this 22d day of March 1945.

CHESTER BOWLES,
 Administrator.

[F. R. Doc. 45-4628; Filed, Mar. 22, 1945; 11:36 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 582]

HAY

This regulation supersedes Second Revised Maximum Price Regulation No. 322 which formerly covered alfalfa hay.

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.

Sec.

1. Applicability.
2. Sales at other than maximum prices.
3. Definitions.
4. Evasion.
5. Licensing.
6. Records and reports.
7. Enforcement.
8. Protests and petitions for amendment.
9. Base prices.
10. Maximum prices for sales by the producer.
11. Maximum prices for sales of hay by a dealer or a retailer; limitations on the inclusion of such markups in computing maximum prices.
12. Invoices and information which must be shown thereon.

AUTHORITY: § 1351.1802 issued under 56 Stat. 23, 765; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECTION 1. *Applicability.* (a) Except as provided in paragraph (b) of this

section, this regulation shall apply to all sales within the 48 states and the District of Columbia of domestic and imported hay whether sold for immediate or future delivery.

(b) *Exceptions*—(1) *Export sales.* This regulation shall not apply to any export sales of hay. The maximum price for such sales shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation.

(2) *Emergency purchases.* This regulation shall have no application to any hay purchased by the United States or any of its agencies under such circumstances of emergency as to make immediate delivery imperative, and as to render it impossible to secure or unfair to require immediate delivery at the maximum price which would otherwise be applicable, if such purchases and deliveries are made pursuant to the provisions of section 4.3 (f) of Revised Supplementary Regulation No. 1 to the General Maximum Price Regulation, as amended.

Sec. 2. *Sales at other than maximum prices.* (a) Regardless of any contract or obligation, no person shall sell or deliver, and no person, in the course of trade or business, shall buy or receive hay at a price above the maximum price

established herein for such person, nor shall any person agree, solicit or attempt to do any of the foregoing: *Provided, however*, That this prohibition is subject to the exceptions provided in subparagraphs (1) and (2) of this section:

(1) Any contract for the purchase or sale of hay made prior to May 1, 1945, which was not in violation of any maximum price regulation in effect at the date of its execution may be performed according to its terms until May 15, 1945.

(2) 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; but no person may, unless authorized by the Office of Price Administration, deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is 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, and the Stabilization Act of 1942, as amended. The authorization may be given by the Administrator or any official of the Office of Price Administration having the authority to act upon the pending request for a change in price or to give the authorization. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

(b) Prices lower than the maximum prices established by this regulation may be charged and paid.

Sec. 3. Definitions. When used herein the following terms shall have the following meanings:

"Hay and grades of hay" refer to hay and grades of hay as established and defined by the Official Hay Standards of the United States Department of Agriculture, effective September 1, 1944, and as hereinafter set forth:

Division I—The class alfalfa and all alfalfa light mixed classes in Alfalfa and Alfalfa Mixed Hay, Group I of the official U. S. standards for hay.

Division II—All alfalfa heavy mixed classes in Alfalfa and Alfalfa Mixed Hay, Group I; all classes in Timothy and Clover Hay, Group II; all classes in Grain, Wild Oat, Vetch and Grain Mixed Hay, Group V; and all classes in Lespedeza and Lespedeza Mixed Hay, Group VI of the official U. S. standards for hay.

Division III—All classes in Soybean and Soybean Mixed Hay, Group VII and all classes in Cowpea and Cowpea Mixed Hay, Group VIII of the official U. S. standards for hay, also sweet clover hay and kudza hay (for which there are no U. S. hay standards).

Division IV—All classes in Prairie Hay, Group III, all classes in Johnson and Johnson Mixed Hay, Group IV; all classes in Peanut and Peanut Mixed Hay, Group IX; the class Grass Hay, Group X; and the class Mixed Hay, Group XI in the official U. S. standards for hay; also cane (sorgo), Sudan grass, and all other kinds of hay not specifically included in any of the foregoing divisions.

"Person" means an individual, corporation, partnership, association, or other organized groups of persons or the

legal successor or representative of any of the foregoing and includes the United States or any other Government or political subdivision or agency of any of the foregoing.

"Feeder" means, with respect to any lot of hay, a person who feeds hay to animals.

"Importer" means, with respect to any lot of hay produced outside the continental United States, the first person to whom such hay is delivered in the continental United States and who thereafter sells such hay within the 48 states or the District of Columbia. On that sale the importer will always also be either a producer, dealer or retailer, according to the manner in which he sells and the definition appropriate thereto, and he will be referred to herein as an importer-producer, importer-dealer or importer-retailer, as the case may be.

"Producer" means, with respect to any lot of hay:

(a) A person who grew or harvested the lot of hay; or

(b) A land owner who received the lot of hay as, or in lieu of, rent. In both cases it includes an importer-producer.

"Dealer" means, with respect to any lot of hay, a person who buys such hay and sells the same to feeders in carload lots or to any person other than a feeder in any quantity.

"Retailer" means, with respect to any lot of hay, any person, other than the producer, who sells the same to a feeder in a less than carload lot.

"Supplier" means, as to any seller, the person from whom he purchased the hay being priced.

"Customer" means, as to any seller, the person to whom he sells the lot of hay being priced.

"Ton" means 2,000 pounds.

"Market" means, with respect to any lot of hay, any point within the 48 states or the District of Columbia where such hay is sold after it has been shipped from the farm, where grown, and the corporate or switching limits, if any of that point.

"Carload lot" means either a lot of hay of 20,000 pounds or more or a lot of hay of 10,000 pounds or more when shipped in a mixed or pool car.

"Less than carload lot" means any lot of hay other than a carload lot.

"Transportation cost" means:

(a) When transportation is by for-hire carrier:

(1) If the shipment originates at a point in the continental United States, the actual lawful transportation charges, exclusive of loading and unloading charges not customarily included in such transportation charges, incurred in delivering to the purchaser;

(2) If the shipment originates outside the continental United States, the lowest rail rate of freight applicable to the shipment from the point of entry to destination;

(b) When transportation is by other than for-hire carrier, the reasonable value of the transportation service exclusive of loading charges not customarily included, not to exceed the maximum price the person could lawfully charge a third person for a like service if performed as a for-hire carrier other than a common carrier;

(c) When the shipment is by a combination of the foregoing the sum of the amounts computed for each factor of transportation.

"This regulation" means Maximum Price Regulation.

"Areas of production" are as follows:

"Area 1" is comprised of the following: The States of Montana, North Dakota, South Dakota, Minnesota, Nebraska, Wyoming, Colorado and the following counties in Kansas and all counties west thereof: Barber, Pratt, Stafford, Barton, Russell, Osborne and Smith.

"Area 2" is comprised of the following: The States of Washington, Oregon, Idaho, California, Nevada, Utah, Arizona, New Mexico, Texas, Oklahoma, Arkansas, Missouri, Iowa, Wisconsin, Ohio, Illinois, Indiana, Michigan and that portion of Kansas not included in Area 1.

"Area 3" is comprised of the following: The States of Louisiana, Mississippi, Tennessee, Kentucky, West Virginia, except Morgan, Berkeley, and Jefferson Counties; the following counties in Pennsylvania: Somerset, Fayette, Greene, Washington, Westmoreland, Cambria, Indiana, Allegheny, Beaver, Butler, Armstrong, Lawrence, Mercer, Crawford, Erie, Warren, Venango, Forest, Clarion, Jefferson, Elk, McKean, Potter, Cameron, Clearfield and Tioga; the following counties in New York: Chautauqua, Erie, Cattaraugus, Niagara, Orleans, Genesee, Wyoming, Allegany, Livingston, Monroe, Wayne, Ontario, Yates, Steuben, Chemung, Schuyler, Seneca, Cayuga, Tioga, Tompkins, Cortland, Onondaga, Madison, Oneida, Oswego, Lewis, Jefferson, St. Lawrence; the following counties in Virginia: Lee, Scott, Washington, Russell, Wise, Dickenson, Buchanan, and Tazewell; and Garrett County, Maryland.

"Area 4" is comprised of the following: The States of Alabama, Georgia, Florida, South Carolina, North Carolina, Delaware, Vermont, New Hampshire, Maine, the District of Columbia; the following counties in New York: Franklin, Clinton, Essex, Hamilton, Herkimer, Warren, Washington, Saratoga, Fulton, Montgomery, Schenectady, Rensselaer, Otsego, Chenango, Broome, Delaware, Sullivan, Ulster, Greene, Albany and Schoharie; the following counties in Pennsylvania: Bedford, Blair, Fulton, Huntingdon, Franklin, Adams, York, Lancaster, Chester, Delaware, Philadelphia, Bucks, Montgomery, Northampton, Pike, Wayne, Susquehanna, Bradford, Lycoming, Sullivan, Wyoming, Lackawanna, Luzerne, Monroe, Columbia, Carbon, Montour, Union, Mifflin, Juniata, Snyder, Northumberland, Schuylkill, Lehigh, Perry, Dauphin, Lebanon, Berks, Centre, Clinton, and Cumberland; Morgan, Berkeley and Jefferson counties in West Virginia; all the counties in Virginia except Lee, Scott, Washington, Russell, Wise, Dickenson, Buchanan and Tazewell; and all the State of Maryland except Garrett County.

"Area 5" is comprised of the following States: New Jersey, Rhode Island, Connecticut, Massachusetts; and the following counties in New York: Orange, Rockland, Westchester, Putnam, Dutchess, Columbia, Nassau, Suffolk, Bronx, New York, Kings, Queens and Richmond.

Sec. 4. Evasion. The provisions of this regulation shall not be evaded whether by direct or indirect methods in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of hay, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, or discount, premium or by tying-agreement or other trade understanding or by changing a previous business practice, or otherwise.

SEC. 5. Licensing. The provisions of Licensing Order No. 1¹ licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended. These provisions do not apply to any producer selling hay produced by him.

SEC. 6. Records and reports. (a) Every seller subject to this regulation shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, his customary records including, if any, all bills, invoices and other documents relating to every sale or delivery of hay after the effective date of this regulation.²

(b) Upon demand every such seller shall submit such records to the Office of Price Administration and keep such further records as the Office of Price Administration may from time to time require.³

SEC. 7. Enforcement. Persons violating any provision of this regulation are subject to the license revocation and suspension provisions, civil enforcement actions, suits for damages and criminal penalties as provided in the Emergency Price Control Act of 1942, as amended.

SEC. 8. Protests and petitions for amendment. Any person may file a protest against or petition for an amendment of any provision of this regulation in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

SEC. 9. Base prices. The appropriate base price is determined by reference to the following factors:

The month in which delivery is made or is to be made;

The grade of the hay;

Whether the hay is baled or loose, and if baled, the manner of baling;

The area of production in which it was produced. In the case of imported hay the area of production shall be deemed to be the area in which the point of entry is located.

(a) Unless an official certificate of grade has been issued, base prices per ton for all grades of unbaled hay are as follows:

JANUARY TO APRIL, INCLUSIVE

Areas	Divisions			
	I	II	III	IV
1.....	\$21.00	\$19.00	\$17.00	\$15.00
2.....	22.50	20.50	18.50	16.50
3.....	24.50	22.50	20.50	18.50
4.....	27.00	25.00	23.00	21.00
5.....	30.00	28.00	26.00	24.00

¹ 8 F.R. 13240.

² The record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

³ Subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

These base prices on like sales in other months are reduced as follows:

Months	Reduction per ton
(1) May to October inclusive.....	\$1.50
(2) November.....	1.00
(3) December.....	.50

(b) When an official Federal or State certificate of grade has been issued on the lot of hay in question, the foregoing base prices may be increased as follows:

\$2.00 per ton if the hay grades U. S. No. 1.
\$1.50 per ton if the hay grades U. S. No. 2 Leafy.
\$1.00 per ton if the hay grades U. S. No. 2 Green.
\$5.00 per ton if the hay grades U. S. Extra Leafy.

These increases shall not be cumulative.

(c) For any lot of baled hay, the foregoing base prices may be increased by \$5.00 per ton, if the hay is baled by the single compress method, or by \$7.00 per ton, if the hay is baled by the double compress method.

SEC. 10. Maximum prices for sales of hay by the producer. The maximum price for a sale or delivery of hay by the producer shall be

(a) At the farm where grown, the appropriate base price; or

(b) Where the producer sells the hay grown by him in a less than carload lot to a feeder who has a farm or feed lot located in the same county where the hay is grown or in a county abutting thereon and delivers the hay to such farm or feed lot of the feeder, the appropriate base price plus \$1.50 per ton and plus this transportation cost; or

(c) Where the producer sells the hay in carload lots and delivers the same off the farm where grown, the appropriate base price, plus \$1.00 per ton and plus his transportation cost.

(d) The producer will not be acting as such but as a dealer or retailer as the case may be; *Provided:* That before selling the hay the producer has it transported to a store or warehouse operated by him at which he carries on a regular business of selling hay. Under such circumstances, his maximum price shall be determined as though he purchased the hay from another producer at such producer's maximum price on the delivery made to such store or warehouse.

Limitations on payment. If the purchaser bears any expense for services connected with the growing, cutting, piling, collecting from field or assembling at points on farm where available for ready transportation from farm, or for baling (if purchased baled), the amount of such expense borne by the producer must be deducted in making payment of the appropriate maximum price hereinbefore set forth.

SEC. 11. Maximum prices for sales of hay by a dealer or a retailer; limitations on the inclusion of such markups in computing maximum prices. The maximum price for a sale or delivery of hay by a dealer or by a retailer shall be determined by adding his transportation cost and the appropriate markup, set forth be-

low to his supplier's maximum price on the sale to him, adjusted to reflect the difference, if any, between the base price for the month in which the seller makes delivery and the base price for the month in which his supplier made delivery to him.

(a) **Retailer.** The maximum markup of the retailer, with respect to any lot of hay, shall be \$6.00 per ton where unloaded into the retailer's warehouse or store not located on the farm where the hay was grown; or if not so unloaded \$3.00 per ton.

Because a retailer is defined as being a person who sells to a feeder, there cannot be more than one sale by a retailer of a lot of hay and not more than one retail markup can ever be added on the sale of a single lot of hay.

(b) **Dealer.** Except as limitations on total dealers' markups are provided in paragraph (c), the maximum markup of any dealer who sells a lot of hay delivered elsewhere than on the farm where grown shall be:

\$4.00 per ton if warehoused by the dealer and resold in a less than carload lot to any person other than a feeder;

\$1.50 per ton where the hay is delivered from the farm where grown to the dealer's customer without unloading into a store or warehouse for the dealer's account;

\$2.00 per ton in all other cases.

No markup is permitted on a delivery by a dealer unless the hay has been removed from the farm where grown.

(c) **Limitations of dealers' markups.** If there are several sales of a single lot of hay by different dealers, the total amount of all dealers' markups, including the producer's markup of \$1.00 per ton where he sells in carload lots or \$1.50 where he sells in less than carload lots, regardless of the number of such sales, shall not exceed the applicable amount determined under the following rules:

(1) If the hay is being resold in the first market into which it moves after being shipped from the farm,

(i) \$4.00 per ton if the hay has been warehoused by the seller and is being resold in a less than carload lot to any person other than a feeder, or

(ii) \$2.00 per ton in all other cases.

(2) If the hay is being resold in a market other than the first market into which it moves after being shipped from the farm,

(i) \$6.00 per ton if the hay has been warehoused and is being resold in a less than carload lot to anyone other than a feeder, or

(ii) \$4.00 per ton in all other cases.

SEC. 12. Invoices and information which must be shown thereon and statements of information. (a) On each sale of hay of 2,000 pounds or more, the seller shall give his customer an invoice or bill of sale which must show the sales price and the area of production in which the hay was grown and must separately state all transportation costs and markups included in the invoice price.

This regulation shall become effective May 1, 1945.

Issued this 22d day of March 1945.

CHESTER BOWLES,
Administrator.

Approved: March 6, 1945.

ASHLEY SELLERS,
Assistant War Food
Administrator.

[F. R. Doc. 45-4631; Filed, Mar. 22, 1945;
11:36 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C, Amdt. 180]

MILEAGE RATIONING: GASOLINE REGULATIONS

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

Ration Order 5C is amended in the following respects:

1. Section 1394.8112 (b) is amended by substituting for the first sentence the following sentence: "Every consumer who has in his possession or control any Class D coupon which is not serially numbered or any Class B-5, Class C-5, Class E-1 or Class R-1 coupons which were issued to him as a ration and which have not expired may surrender such coupons to the Board having jurisdiction to renew such rations or, upon good cause shown to any Board."

2. Section 1394.8153 (a) (6) (ii) is amended by substituting a semi-colon for the period at the end of the sentence and adding the following phrase: "Class B-4 coupons issued on Form OPA R-527F."

3. Section 1394.8153 (a) (6) (iii) is amended by substituting a semi-colon for the period at the end of the sentence and adding the following phrase: "Class C-4 coupons issued on Form OPA R-528F."

4. Section 1394.8153 (a) (7) is revoked.

5. A new § 1394.8153 (a) (7) is added to read as follows:

(7) On and after April 1, 1945, no transfer may be made in exchange for any Class D coupons which are not serially numbered or any Class B-5 or Class C-5 coupons.

6. Section 1394.8153 (b) (5) is added to read as follows:

(5) On and after April 1, 1945, no transfer may be made in exchange for any Class E-1 or Class R-1 coupons.

7. Section 1394.8206b (a) (23) is added to read as follows:

(23) After April 20, 1945, any Class D coupon which is not serially numbered, or Class B-5, Class C-5, Class E-1, or Class R-1 coupon.

8. Section 1394.8206b (c) is amended to read as follows:

(c) A distributor shall deposit any ration check issued to him as a ration, and he may, at any time, deposit all or any part of the coupons or other evidences received by him from a Board as a ration

whether or not he has used the gasoline for which the coupons or other evidences were issued. A distributor is not required, however, to deposit coupons or gasoline purchase permits issued to him as a ration at the time he receives them from a Board. A distributor who has received his ration in the form of coupons or gasoline purchase permits and who withdraws gasoline from his facilities as a distributor for his own use, shall deposit in his account a quantity of such coupons or gasoline purchase permits equal in gallonage value to the quantity of gasoline so withdrawn.

9. Section 1394.8207 (d) is amended by substituting for the expression "or (20)," the expression "(20), (21), or (22)."

10. Section 1394.8207 (g) and (h) are revoked because the present effect of these paragraphs has been incorporated in § 1394.8207 (d).

11. A new § 1394.8207 (g) is added to read as follows:

(g) on and after April 11, 1945, no distributor shall transfer or offer to transfer gasoline to any dealer and no dealer shall accept a transfer of gasoline in exchange for any Class D coupon which is not serially numbered, or any Class B-5, Class C-5, Class E-1 or Class R-1 coupon.

12. Section 1394.8215 (h) is added to read as follows:

(h) (1) Immediately upon the close of business on March 31, 1945, each dealer who has in his possession or control Class D coupons without serial numbers or Class B-5, Class C-5, Class E-1 or Class R-1 coupons which he acquired before April 1, 1945, in exchange for lawful transfers of gasoline, shall attach each type of such coupons to separate gummed sheets (Form OPA R-120) to which no other coupons are attached. Each dealer shall summarize such coupons on a summary form (Form OPA R-541) on which no other coupons are listed. On or before April 10, 1945, each dealer shall surrender such coupons and summaries either to a distributor in exchange for a transfer of gasoline, or to the Board having jurisdiction over the area in which his place of business is located in exchange for one or more ration checks equal in gallonage value to the coupons so surrendered.

(2) After April 10, 1945, no distributor shall accept from any dealer or distributor any Class D coupons without serial numbers or Class B-5, Class C-5, Class E-1 or Class R-1 coupons, nor shall any distributor make any transfers of gasoline in exchange for such coupons. On or before April 20, 1945, each distributor shall deposit in appropriate bank accounts maintained by him any such coupons received by him in exchange for any lawful transfers of gasoline made on or before April 10, 1945.

This amendment shall become effective March 26, 1945.

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

NOTE: The reporting and record-keeping requirements of this amendment have been

approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 22d day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-4626; Filed, Mar. 22, 1945;
11:36 a. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND MIXTURES

[MPR 127, Amdt. 29]

FINISHED PIECE GOODS

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

Maximum Price Regulation No. 127 is amended in the following respects:

1. Section 1400.78a (b) (15) is amended to read as follows:

(15) Deliveries prior to April 16, 1945 of wind resistant, water repellent oxford made under QMC tentative specifications PQD No. 444, June 23, 1944, as amended, for Types 1, 2, 3, or 4.

2. Section 1400.82 (b) subparagraph (7) is added to read as follows:

(7) Notwithstanding any other provision of this paragraph (b), for grey goods produced by another person and delivered to a converter at a time when such grey goods are exempt from price control, the converter shall use as his basic grey goods cost the sum actually paid for such grey goods.

This amendment shall become effective March 27, 1945.

Issued this 22d day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-4629; Filed, Mar. 22, 1945;
11:36 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373, Amdt. 136]

FRUITS AND VEGETABLES IN HAWAII

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

Section 21 is amended in the following respects:

1. The table following paragraph (c) (1) is amended by changing the prices of two items to read as follows:

	Wholesale maximum prices	Retail maximum prices
Carrots.....	\$3.50 per crate.....	\$0.10 per lb.
Potatoes, white...	\$4.90 per 100 lb. bag...	\$0.07 per lb.

2. The table following paragraph (d) (1) is amended by deleting the size "344's" from the item oranges, and changing two items to read as follows:

	Wholesale maximum prices	Retail maximum prices
Lemons:	<i>Per box</i>	<i>Per doz</i>
252's.....	\$7.20	\$0.43
300's.....	7.20	.36
360's.....	7.20	.32
Grapefruits:		<i>Each</i>
64's.....	4.65	.10
70's.....	4.65	.09
80's.....	4.65	.08

This amendment shall become effective as of February 28, 1945.

Issued this 22d day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-4630; Filed, Mar. 22, 1945;
11:38 a. m.]

TITLE 35—PANAMA CANAL

Chapter I—Canal Zone Regulations

PART 4—OPERATION AND NAVIGATION OF PANAMA CANAL AND ADJACENT WATERS

PART 24—SANITATION, HEALTH, AND QUARANTINE

MISCELLANEOUS AMENDMENTS

1. Section 4.20, as amended (35 CFR, Cum. Supp., 4.20; 8 F.R. 12349), is further amended by deleting paragraph (c), concerning bills of health, from the list of documents required of an arriving vessel, and by deleting footnote 2 in reference to said paragraph (c).

2. Section 4.30a, as added September 9, 1939 (35 CFR, Cum. Supp., 4.30a), concerning the discharge or signing on of crew members, is amended by deleting from the end of said section the phrase "at the time when request is made for a bill of health".

3. Section 24.41, concerning quarantine procedure on boarding arriving vessels, is amended by deleting the phrase "bills of health".

4. Section 24.45a, as added September 9, 1939 (35 CFR, Cum. Supp., 24.45a), requiring bills of health, is revoked.

(Rules 9, 12, 104, and 106, E.O. 4314, Sept. 25, 1925)

J. C. MEHAFFEY,
Governor.

MARCH 15, 1945.

[F. R. Doc. 45-4611; Filed, Mar. 22, 1945;
11:25 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[2d Rev. S. O. 244, Amtd. 1]

PART 95—CAR SERVICE

DISTRIBUTION OF GRAIN CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 21st day of March, A. D. 1945.

Upon further consideration of the provisions of Second Revised Service Order No. 244 (10 F.R. 2252) of February 24, 1945, and good cause appearing therefor:

It is ordered, That Second Revised Service Order No. 244 (10 F.R. 2252) of February 24, 1945, be, and it is hereby, amended by adding the following subparagraph to paragraph (a) thereof:

(iii) The term "grain" means barley, buckwheat, corn, grain sorghums, oats, rye, spelt and wheat; also soybeans and flaxseed (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17)).

It is further ordered, That this order shall become effective at 12:01 a. m., March 24, 1945; that a copy of this order and direction be served upon all State railroad regulatory bodies; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 45-4609; Filed, Mar. 22, 1945;
11:20 a. m.]

TITLE 50—WILDLIFE

Chapter III—International Fisheries Commission

PART 301—PACIFIC HALIBUT FISHERIES

Regulations of the International Fisheries Commission adopted pursuant to the Pacific Halibut Fishery Convention between the United States of America and the Dominion of Canada, signed January 29, 1937.

- Sec.
- 301.1 Regulatory areas.
 - 301.2 Limit of catch in each area.
 - 301.3 Length of closed season.
 - 301.4 Issuance of licenses and conditions limiting their validity.
 - 301.5 Retention of halibut taken with other fish under permit.
 - 301.6 Issuance of permits and conditions limiting their validity.
 - 301.7 Statistical return by vessels.
 - 301.8 Statistical return by dealers.
 - 301.9 Closed small halibut grounds.
 - 301.10 Dory gear prohibited.
 - 301.11 Nets prohibited.
 - 301.12 Responsibility of master.
 - 301.13 Supervision of unloading and weighing.

AUTHORITY: §§ 301.1 to 301.13, inclusive, issued under 50 Stat. 1351.

§ 301.1 *Regulatory areas.* (a) The convention waters shall be divided into the following areas, all directions given being magnetic.

(b) Area 1 shall include all convention waters southeast of a line running

northeast and southwest through Willapa Bay Light on Cape Shoalwater, as shown on Chart 6185, published in July, 1939, by the United States Coast and Geodetic Survey, which light is approximately in latitude 46°43'17" N., longitude 124°04'15" W.

(c) Area 2 shall include all convention waters off the coasts of the United States of America and of Alaska and of the Dominion of Canada between Area 1 and a line running through the most westerly point of Glacier Bay, Alaska, to Cape Spencer Light as shown on Chart 8304, published in June, 1940, by the United States Coast and Geodetic Survey, which light is approximately latitude 58°11'57" N., longitude 136°38'18" W., thence south one-quarter east and is exclusive of the areas closed to all halibut fishing in § 301.9.

(d) Area 3 shall include all the convention waters off the coast of Alaska that are between Area 2 and a straight line running south from the southwestern extremity of Cape Sagak on Umnak Island, at a point approximately latitude 52°49'30" N., longitude 169°07'00" W., according to Chart 8802, published in January, 1942, by the United States Coast and Geodetic Survey, and that are south of the Alaska Peninsula and of the Aleutian Islands and shall also include the intervening straits or passes of the Aleutian Islands.

(e) Area 4 shall include all convention waters which are not included in Areas 1, 2, and 3, and in those areas defined in § 301.9.

§ 301.2 *Limit of catch in each area.*

(a) The catch of halibut to be taken during the halibut fishing season of the year 1945 from Area 2 shall be limited to approximately 24,500,000 pounds of salable halibut, and from Area 3 to approximately 28,000,000 pounds of salable halibut, the weights in each or any such limit to be computed as with heads off and entrails removed.

(b) The catch of halibut to be taken from each area during the halibut fishing season of the year 1945 shall also be limited to halibut which with the head on are 26 inches or more in length as measured from the tip of the lower jaw to the extreme end of the middle of the tail or to halibut which with the head off and entrails removed are 5 pounds or more in weight, and the possession of any halibut of less than the above length or the above weight, according to whether the head is on or off, by any vessel or by any master or operator of any vessel or by any person, firm or corporation, is prohibited.

(c) The International Fisheries Commission shall as early in the said year as is practicable determine the date on which it deems each limit of catch defined in paragraph (a) of this section will be attained, and the limit of each such catch shall then be that which shall be taken prior to said date, and fishing for or catching of halibut in the area or areas to which such limit applies shall at that date be prohibited until after the end of the closed season as defined and modified in § 301.3 except as provided in § 301.5 and in Article I of the

Convention, and provided that if it shall at any time become evident to the International Fisheries Commission that the limit will not be reached by such date, it may substitute another date.

§ 301.3 *Length of closed season.* (a) Under the authority of Article I of the aforesaid Convention the closed season as therein defined shall be modified so as to end at 12 midnight of the 30th day of April of the year 1945 and of each year thereafter and shall begin at 12 midnight of the 30th day of November of each year unless an earlier date is determined upon for any area under the provisions of paragraph (b) of this section.

(b) Under authority of Article I of the Convention, the closed season as therein defined shall begin in each area on the date on which the limit is reached as provided in § 301.2 (c) and the closing of such area or areas shall be taken to have been duly approved unless before the said date either the President of the United States of America or the Governor General of Canada shall have signified his disapproval, (the burden of proving any such signification being upon the person alleging it) and provided that the closing date of Area 2 or of Area 3, whichever shall be later, shall apply to Area 4, and that the closure of Area 2 shall apply to Area 1.

(c) Nothing contained in the regulations in this part shall prohibit the fishing for species of fish other than halibut or prohibit the International Fisheries Commission from conducting fishing operations as provided for in Article I of the Convention.

§ 301.4 *Issuance of licenses and conditions limiting their validity.* (a) All vessels of any tonnage which shall fish for halibut in any manner or hold halibut in possession in any area, or which shall transport halibut otherwise than as a common carrier documented by the Government of the United States or of Canada for the carriage of freight, must be licensed by the International Fisheries Commission, provided that vessels of less than five net tons or vessels which do not use set lines need not be licensed unless they shall require a permit as provided in § 301.5.

(b) Each licensed vessel shall carry this license on board at all times while at sea whether it is validated for halibut fishing or endorsed with a permit as provided in § 301.6 and this license shall at all times be subject to inspection by authorized officers of either of said Governments or by representatives of the International Fisheries Commission.

(c) The license shall be issued without fee by the customs officers of either of said Governments or by representatives of the International Fisheries Commission. A new license may be issued by the officer accepting statistical return at any time to vessels which have furnished proof of loss of the license form previously issued, or when there shall be no further space for record thereon, providing the receipt of statistical return shall be shown on the new form for any halibut or other species taken during or after the voyage upon which loss occurred. The old license form shall be

forwarded in each case to the International Fisheries Commission.

(d) The license of any vessel shall be validated before departure from port for each halibut fishing operation for which statistical returns are required. This validation of a license shall be by customs officers or by fishery officers of either of said Governments when available at places where there are no customs officers and shall not be made unless the area in which the vessel will fish is entered on the license form and unless the provisions of § 301.7 have been complied with for all landings and all fishing operations since issue of the license, provided that if the master or operator of any vessel shall fail to comply with the provisions of § 301.7, the license of such vessel may be validated by customs officers upon evidence either that there has been a judicial determination of the offense or that the laws prescribing penalties therefor have been complied with, or that the said master or operator is no longer responsible for, nor sharing in, the operations of said vessel.

(e) No license shall be validated for departure for halibut fishing in Areas 1 or 2 more than three days, and in Areas 3 or 4 more than five days before the end of the closed season as defined in § 301.3 (a).

(f) No license shall be valid for halibut fishing in more than one area, as defined in § 301.1, during any one trip nor shall it be revalidated for halibut fishing in another such area while the vessel has any halibut on board.

(g) The license shall not be valid for halibut fishing in any area closed to halibut fishing or for the possession of halibut in any area closed to halibut fishing except while in actual transit to or within a port of sale.

(h) The license shall not be valid for halibut fishing in any area while a permit endorsed thereon is in effect, nor shall it be validated while halibut taken under such permit is on board.

(i) The license of any vessel shall not be valid for the possession of any halibut in any area other than that for which validated, if such vessel is in possession of baited gear, except in those waters included within a twenty-five mile radius of Cape Spencer Light, Alaska.

§ 301.5 *Retention of halibut taken with other fish under permit.* (a) There may be retained in possession on any vessel which shall have a permit as provided in § 301.6 such halibut as is caught incidentally to fishing by that vessel in any area that is closed to halibut fishing under § 301.2 with set lines (of the type commonly used in the Pacific coast halibut fishery) for other species, not to exceed at any time one pound of halibut for each seven pounds of salable fish, actually utilized, of other species not including salmon or tuna, and such halibut may be sold as the catch of said vessel, the weight of all fish to be computed as with heads off and entrails removed.

(b) The catch of halibut taken and retained under such permit shall be limited to halibut which with the head on are 26 inches or more in length as measured from the tip of the lower jaw

to the extreme end of the middle of the tail or to halibut which with the head off and entrails removed are 5 pounds or more in weight and the possession of any halibut of less than the above length or the above weight, according to whether the head is on or off, by any vessel or by any master or operator of any vessel or by any person, firm or corporation, is prohibited.

(c) Halibut retained under such permit shall not be landed or otherwise removed or be received by any person, firm or corporation from the catching vessel until all halibut on board shall have been reported to a customs, fishery or other authorized officer of either of said Governments nor shall any vessel receive it for transportation unless it shall be reported to the said officer prior to departure from port, and no halibut or other fish shall be landed or removed or be received from the catching vessel except under such supervision as the said officer may deem advisable.

(d) Halibut retained under such permit shall not be purchased or held in possession by any person other than the master, operator or crew of the catching vessel in excess of the proportion herein allowed until such excess whatever its origin shall have been forfeited and surrendered to the customs, fishery or other authorized officers of either of said Governments. In forfeiting such excess, the vessel shall be permitted to surrender any part of its catch of halibut: *Provided*, That the amount retained shall not exceed the proportion herein allowed.

(e) Permits for the retention and landing of halibut in the year 1945 shall become invalid at 12 midnight of the 15th day of November of said year or at such earlier date as the International Fisheries Commission shall determine.

§ 301.6 *Issuance of permits and conditions limiting their validity.* (a) Any vessel which shall be used in fishing for other species than halibut in any area closed to halibut fishing under § 301.2 must have a license and a permit if it shall retain, land or sell any halibut caught incidentally to such fishing or possess any halibut of any origin during such fishing, as provided in § 301.5.

(b) The permit shall be shown by endorsement of the issuing officer on the face of the halibut license form held by said vessel and shall show the area for which the permit is issued.

(c) The permit shall terminate at the time of first landing thereafter of fish of any species and a new permit shall be secured before any subsequent fishing operation for which a permit is required.

(d) A permit shall not be issued to any vessel which shall have halibut on board taken while said vessel was licensed to fish in an open area unless such halibut shall be considered as taken under the issued permit and as thereby subject to forfeiture when landed if in excess of the amount permitted in § 301.5.

(e) A permit shall not be issued to, or be valid if held by, any vessel which shall fish with other than set lines of the type commonly used in the Pacific coast halibut fishery.

(f) The permit of any vessel shall not be valid unless the permit is granted

before departure from port for each fishing operation for which statistical returns are required. This granting of a permit shall be by customs officers or by fishery officers of either of said Governments when available at places where there are no customs officers and shall not be made unless the area in which the vessel will fish is entered on the license form and unless the provisions of § 301.7 have been complied with for all landings and all fishing operations since issue of the license or permit, provided that if the master or operator of any vessel shall fail to comply with the provisions of § 301.7, the permit of such vessel may be granted by customs officers upon evidence either that there has been a judicial determination of the offense or that the laws prescribing penalties therefor have been complied with, or that the said master or operator is no longer responsible for, nor sharing in, the operations of said vessel.

§ 301.7 *Statistical return by vessels.*

(a) Statistical return as to the amount of halibut taken during fishing operations must be made by the master or operator of any licensed vessel and as to the amount of halibut and other species by the master or operator of any vessel operating under permit as provided for in §§ 301.5 and 301.6, within 48 hours of landing, sale or transfer of halibut or of first entry thereafter into a port where there is an officer authorized to receive such return, except that when operating within any area in which the catch is not limited in amount by the regulations in this part the master or operator of a licensed vessel shall make statistical returns at such times as are required by the customs officers or the International Fisheries Commission, but shall at all times keep with the license form such records as are necessary to make such return.

(b) The statistical return must state the port of landing and the amount of each species taken within the area defined in the regulations in this part, for which the vessel's license is validated.

(c) The statistical return must include all halibut landed or transferred to other vessels and all halibut held in possession on board and must be full, true and correct in all respects herein required. A copy of such return must be forwarded to the International Fisheries Commission at such times as the latter shall require.

(d) The master or operator and/or any person engaged on shares in the operation of any vessel licensed or holding a permit under the regulations in this part may be required by the International Fisheries Commission or by any officer of either of said Governments authorized to receive such return to certify to its correctness to the best of his information and belief and to support the certificate by a sworn statement. Validation of a license or issuance of a permit after such sworn return is made shall be provisional and shall not render the license or permit valid in case the return shall later be shown to be false or fraudulently made.

(e) The master or operator of any vessel holding a license or permit under

the regulations in this part shall keep an accurate log of all fishing operations including therein date, locality, amount of gear used, and the amount of halibut taken daily in each such locality. This log record shall be open to inspection of representatives of the International Fisheries Commission authorized for this purpose.

(f) The master, operator and/or any other person engaged on shares in the operation of any vessel licensed under the regulations in this part may be required by the International Fisheries Commission or by any officer of either of said Governments to certify to the correctness of such log record to the best of his information and belief and to support the certificate by a sworn statement.

§ 301.8 *Statistical return by dealers.*

(a) All persons, firms or corporations that shall buy halibut or receive halibut for any purpose from fishing or transporting vessels or other carrier shall keep and on request furnish to customs officers or to any enforcing officer of either of said Governments or to representatives of the International Fisheries Commission, records of each purchase or receipt of halibut, showing date, locality, name of vessel, person, firm or corporation purchased or received from and the amount in pounds according to trade categories of the halibut and other species landed with the halibut.

(b) All records of all persons, firms or corporations concerning the landing, purchase, receipt and sale of halibut and other species landed therewith shall be open at all times to inspection of any enforcement officer of either of said Governments or of any authorized representative of the International Fisheries Commission. Such persons, firms or corporations may be required to certify to the correctness of such records and to support the certificate by a sworn statement.

(c) The possession by any person, firm or corporation of halibut which such person, firm or corporation knows to have been taken by an unlicensed vessel or a vessel without a permit when such license or permit is required, is prohibited.

§ 301.9 *Closed small halibut grounds.*

(a) The following areas have been found to be populated by small, immature halibut and are hereby closed to all halibut fishing and the possession of halibut of any origin is prohibited therein during fishing for other species:

(b) First, that area in the waters off the coast of Alaska within the following boundary as stated in terms of the magnetic compass unless otherwise indicated: from the north extremity of Cape Ulitka, Noyes Island, approximately latitude 55°33'48" N., longitude 133°43'35" W., to the south extremity of Wood Island, approximately latitude 55°39'44" N., longitude 133°42'29" W.; thence to the east extremity of Timbered Islet, approximately latitude 55°41'47" N., longitude 133°47'42" W.; thence to the true west extremity of Timbered Islet, approximately latitude 55°41'46" N., longitude 133°48'01" W.; thence southwest three-quarters south sixteen and five-

eighths miles to a point approximately latitude 55°34'46" N., longitude 134°14'40" W.; thence southeast by south twelve and one-half miles to a point approximately latitude 55°22'23" N., longitude 134°12'48" W.; thence northeast thirteen and seven-eighths miles to the southern extremity of Cape Addington, Noyes Island, latitude 55°26'11" N., longitude 133°49'12" W.; and to the point of origin on Cape Ulitka. The boundary lines herein indicated shall be determined from Chart 8157, as published by the United States Coast and Geodetic Survey at Washington, D. C., in June 1929, and Chart 8152, as published by the United States Coast and Geodetic Survey at Washington, D. C., in March 1933, and reissued March 1939, except for the point of Cape Addington which shall be determined from Chart 8158, as published by the United States Coast and Geodetic Survey in December 1923: *Provided*, That the duly authorized officers of the United States of America may at any time place a plainly visible mark or marks at any point or points as nearly as practicable on the boundary line defined herein, and such mark or marks shall thereafter be considered as correctly defining said boundary.

(c) Second, that area lying in the waters off the north coast of Graham Island, British Columbia, within the following boundary: from the northwest extremity of Wiah Point, latitude 54°06'50" N., longitude 132°19'18" W., true north five and one-half miles to a point approximately latitude 54°12'20" N., longitude 132°19'18" W.; thence true east approximately sixteen and three-tenths miles to a point which shall lie northwest (according to magnetic compass at any time) of the highest point of Tow Hill, Graham Island, latitude 54°04'24" N., longitude 131°48'00" W.; thence southeast to the said highest point of Tow Hill. The points on the shoreline of the above mentioned island shall be determined from Chart 3754, published at the Admiralty, London, April 11, 1911: *Provided*, That the duly authorized officers of the Dominion of Canada may at any time place a plainly visible mark or marks at any point or points as nearly as practicable on the boundary line defined herein, and such marks shall thereafter be considered as correctly defining said boundary.

§ 301.10 *Dory gear prohibited.* The use of any hand gurdy or other appliance in hauling halibut gear by hand power in any dory or small boat operated from a vessel licensed under the provisions of the regulations in this part is prohibited in all convention waters.

§ 301.11 *Nets prohibited.* It is prohibited to retain halibut taken with a net of any kind or to have in possession any halibut while using any net or nets other than bait nets for the capture of other species of fish, nor shall any license or permit held by any vessel under the regulations in this part be valid during the use or possession on board of any net or nets other than bait nets which are utilized for no other purpose than the capture of bait for said vessel.

§ 301.12 *Responsibility of master.* Wherever in the regulations in this part

any duty is laid upon any vessel, it shall be the personal responsibility of the master or operator of said vessel to see that said duty is performed and he shall personally be responsible for the performance of said duty. This provision shall not be construed to relieve any member of the crew of any responsibility with which he would otherwise be chargeable.

§ 301.13 *Supervision of unloading and weighing.* The unloading and weighing of the halibut of any vessel licensed or holding a permit under the regulations in this part shall be under such supervision as the customs or other authorized officer may deem advisable in order to assure the fulfillment of the provisions of the regulations in this part.

Previous regulations superseded. The regulations in this part shall supersede all previous regulations adopted pursuant to the Convention between the United States of America and the Dominion of Canada for preservation of the halibut fishery of the northern Pacific Ocean and Bering Sea, signed January 29, 1937, except as to offenses occurring prior to the approval of the regulations in this part. The regulations in this part shall be effective as to each succeeding year, with the dates herein specified changed accordingly, until superseded by subsequently approved regulations. Any determination made by the International Fisheries Commission pursuant to the regulations in this part shall become effective immediately.

G. W. NICKERSON,
Chairman.
CHARLES E. JACKSON,
A. J. WHITMORE,
EDWARD W. ALLEN,
Secretaries.

Approved: February 24, 1945.

FRANKLIN D. ROOSEVELT.

[F. R. Doc. 45-4586; Filed, Mar. 21, 1945; 3:04 p. m.]

Notices

FEDERAL POWER COMMISSION.

[Docket No. G-579]

PENN-YORK NATURAL GAS CORP., and REPUBLIC LIGHT, HEAT AND POWER CO., INC.

ORDER FIXING DATE OF FURTHER HEARING

MARCH 21, 1945.

It appearing to the Commission that: (a) On September 22, 1944, Penn-York Natural Gas Corporation and Republic Light, Heat and Power Company, Inc., filed a joint amended application (i) for authority on the part of Penn-York to abandon certain pipe line facilities, and (ii) for a certificate of public convenience and necessity on the part of Republic to acquire and operate the pipe line facilities to be abandoned by Penn-York in the vicinity of Sheridan and Arkwright in Chautauqua County, New York;

(b) A public hearing was held in Buffalo, New York, on January 9-10, 1945, concerning the matters involved and the issues presented by the joint amended application filed on September 22, 1944;

(c) During the course of such hearing it was developed that certain compressor stations owned and operated by Penn-York and an integral part of its gas transmission system were to be abandoned, removed and sold to Republic; that Republic proposed to install such compressors in a compressor station to be built at Sheridan, Chautauqua County, New York, and to operate such compressors and compressor station as an integral part of its gas transmission and gas storage facilities; that the joint amended application of September 22, 1944, filed by Penn-York and Republic did not cover either the abandonment of the compressors by Penn-York or the acquisition, installation and operation of the compressors and certain compressor station facilities contemplated by Republic;

(d) On January 27, 1945, a joint supplemental application was filed by Penn-York and Republic purporting to seek (i) authority on the part of Penn-York to abandon certain land and compressor station facilities in the Town of Sheridan, New York, as well as its Collins compressor station located in Erie County, New York, and (ii) a certificate of public convenience and necessity on the part of Republic to acquire, construct and operate compressor station facilities in the Town of Sheridan, New York.

The Commission orders that: (a) A public hearing be held commencing on March 31, 1945, at 10:00 a. m. (e. w. t.) in Room 704 in the United States Court House, Buffalo, New York, respecting the matters involved and the issues presented by the joint amended application filed September 22, 1944, and the joint supplemental application filed on January 27, 1945:

(b) Interested State commissions may participate in said hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-4596; Filed, Mar. 22, 1945; 11:13 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 4747]

JOHN SCHLAFCKE

In re: Estate of John Schlafcke, deceased; File D-28-9257; E. T. sec. 12145.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Karl Schlafcke, Heinrich Krueger, Emma Steudte and the issue, names unknown, of Heinrich Krueger, and each of them, in and to the estate of John Schlafcke, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Karl Schlafcke, Germany.
Heinrich Krueger, Germany.
Issue, names unknown, of Heinrich Krueger, Germany.
Emma Steudte, Germany.

That such property is in the process of administration by Helena Schlafcke, 605 La Peer Street, Saginaw, Michigan, as Administratrix with Will Annexed of the estate of John Schlafcke, acting under the judicial supervision of the Probate Court of Saginaw County, Saginaw, Michigan;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany):

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 13, 1945.

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

[F. R. Doc. 45-4597; Filed, Mar. 22, 1945; 11:14 a. m.]

[Vesting Order 4748]

MARIE VON ARNIM

In re: Trust created for Marie von Arnim, under the Will and Codicil of Bertha von Quact, deceased; File D-28-2590; E. T. sec. 4715.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Marie von Arnim, and of the person or persons, name or names unknown, lawful issue of Marie von Arnim, and each of them, in and to the Trust created for Marie von Arnim under the Will and Codicil of Bertha von Quast, deceased.

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Marie von Arnim, Germany.

Person or persons, name or names unknown, lawful issue of Marie von Arnim, Germany.

That such property is in the process of administration by First Trust Company of St. Paul State Bank, First National Bank Building, St. Paul, Minnesota, as Trustee of the Trust created for Marie von Arnim, under the Will and Codicil of Bertha von Quast, deceased, acting under the judicial supervision of the District Court of Ramsey County, Second Judicial District, Minnesota;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 13, 1945.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-4598; Filed, Mar. 22, 1945; 11:14 a. m.]

[Vesting Order 4758]

KATI GÜNTHER

In re: Estate of Kati Günther, also known as Kati Gunther, Kathe Gunther, Katti Gunther, Katie Gunther, Katharina Gunther, Kate Gunther, Kati Guenther and Kati Bin, deceased; File No. D-28-6631; E. T. sec. 4875.

Under the authority of the Trading with the Enemy Act, as amended and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows:

(a) All right, title, interest and claim of any kind or character whatsoever of Karl Guenther, Georg Guenther, Marie Koehler, Maria Franck, "John" Guenther, "Peter" Guenther, and Heinrich Guenther, and each of them, in and to the Estate of Kati Günther, also known as Kati Gunther, Kathe Gunther, Katti Gunther, Katie Gunther, Katharina Gunther, Kate Gunther, Kati Guenther and Kati Bin, deceased,

(b) All right, title, interest and claim of any kind or character whatsoever of Heinrich Guenther and his issue, and each of them, in and to the trust created under the Last Will and Testament of Kati Günther, also known as Kati Gunther, Kathe Gunther, Katti Gunther, Katie Gunther, Katharina Gunther, Kate Gunther, Kati Guenther and Kati Bin, deceased.

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Karl Guenther, Germany.
Heinrich Guenther, Germany.
Issue, names unknown of Heinrich Guenther, Germany.

Georg Guenther, Germany.
Maria Koehler, Germany.
Maria Franck, Germany.
"John" Guenther (first name unknown), Germany.
"Peter" Guenther (first name unknown), Germany.

That such property is in the process of administration by the German Society of the City of New York as Trustee and the Treasurer of the City of New York as Depository, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in

lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 14, 1945.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-4599; Filed, Mar. 22, 1945; 11:14 a. m.]

[Vesting Order 4757]

JULIUS HAIRHOUSE

In re: Estate of Julius Hairhouse, deceased; File No. D-28-1537; E. T. sec. 203.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Emma Brass, Hulda Winter and Margarete Gandner, also known as Margaretha Gandner, in and to the sum of \$6,804.28 representing the distributive shares of Emma Brass, Hulda Winter and Margarete Gandner, also known as Margaretha Gandner, under the will of Julius Hairhouse, as determined by the Morris County Orphans' Court in an order dated November 3, 1944 and entered in the matter of the estate of Julius Hairhouse, deceased, is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Emma Brass, Germany.
Hulda Winter, Germany.
Margarete Gandner, also known as Margaretha Gandner, Germany.

That such property is in the process of administration of The Dover Trust Company, as trustee and executor, acting under the judicial supervision of the Morris County Orphans' Court, Morristown, New Jersey;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country," as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 14, 1945.

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

[F. R. Doc. 45-4600; Filed, Mar. 22, 1945;
11:15 a. m.]

[Vesting Order 4758]

META W. HINRICHS

In re: Mortgage Participation Certificate No. 155215 in Mortgage #F-935, in the name of Meta W. Hinrichs and guaranteed by Bond and Mortgage Guarantee Company under Guarantee No. 181,453; Mortgage Participation Certificate No. 155257 in Mortgage #F-1122, in the name of Meta W. Hinrichs and guaranteed by Bond and Mortgage Guarantee Company under Guarantee No. 186,084; Mortgage Participation Certificate No. 168870 in Mortgage #F-736, in the name of Meta W. Hinrichs and guaranteed by Bond and Mortgage Guarantee Company under Guarantee No. 170,874; File F-28-8350; E. T. sec. 4776.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All rights and interests evidenced by Mortgage Participation Certificate No. 155215 in Mortgage #F-935 guaranteed by Bond and Mortgage Guarantee Company under Guarantee No. 181,453, and the right to the transfer and possession of any and all instruments evidencing such rights and interests,

All rights and interests evidenced by Mortgage Participation Certificate No. 155257 in Mortgage #F-1122 guaranteed by Bond and Mortgage Guarantee Company under Guarantee No. 186,084, and the right to the transfer and possession of any and all instruments evidencing such rights and interests,

All rights and interests evidenced by Mortgage Participation Certificate No. 168870

in Mortgage #F-736 guaranteed by Bond and Mortgage Guarantee Company under Guarantee No. 170,874, and the right to the transfer and possession of any and all instruments evidencing such rights and interests,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Meta W. Hinrichs, Germany.

That such property is in the process of administration by Manufacturers Trust Company, as Trustee, acting under the judicial supervision of the Supreme Court of the State of New York, County of Kings;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 14, 1945.

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

[F. R. Doc. 45-4601; Filed, Mar. 22, 1945;
11:15 a. m.]

[Vesting Order 4759]

HENRY J. KRUISKAMP

In re: Estate of Henry J. Kruiskamp, deceased; File D-28-3868; E. T. sec. 6610.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and

pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: The sum of \$524.95 in the possession and custody of the County Treasurer in and for the County of Allegan, Michigan, deposited for the benefit of Hendrika Hamburg, Gerrit W. Sondermann and Mannus Sondermann, pursuant to an order of the Probate Court for the County of Allegan, dated February 24, 1942, in the Estate of Henry J. Kruiskamp, deceased, subject, however, to any lawful commission of the Treasurer in and for the County of Allegan, Michigan,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Hendrika Hamburg, Germany.
Gerrit W. Sondermann, Germany.
Mannus Sondermann, Germany.

That such property is in the process of administration by the Treasurer of Allegan County, Michigan, as Custodian and Depository, acting under the judicial supervision of the Probate Court of Allegan County, Allegan, Michigan;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 14, 1945.

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

[F. R. Doc. 45-4602; Filed, Mar. 22, 1945;
11:15 a. m.]

[Vesting Order 4760]

PHILIPPINE LAISTNER

In re: Estate of Philippine Laistner, also known as Philippine B. Laistner, deceased; File D-28-9290; E. T. sec. 12212.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Karl Laistner and Fred Laistner, and each of them, in and to the estate of Philippine Laistner, also known as Philippine B. Laistner, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Karl Laistner, Germany.
Fred Laistner, Germany.

That such property is in the process of administration by Evangelical Lutheran St. Mark's Church, as executor, acting under the judicial supervision of the Surrogate's Court, Kings County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 14, 1945.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-4603; Filed, Mar. 22, 1945; 11:15 a. m.]

[Vesting Order 4761]

SIGMUND LUSTGARTEN

In re: Estate of Sigmund Lustgarten, deceased; File No. D-28-1689; E. T. sec. 654.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Fritz Lustgarten and Das Medecinsche Professoren Collegium (The Medical Faculty of the University of Vienna), Austria, and each of them, in and to the estate of Sigmund Lustgarten, deceased,

is property payable or deliverable to, or claimed by, an agency or instrumentality and a national of a designated enemy country, Germany, namely,

National and Agency or Instrumentality and Last Known Address

Fritz Lustgarten, Germany (Austria).
Das Medecinsche Professoren Collegium (The Medical Faculty of the University of Vienna) Austria, Germany (Austria).

That such property is in the process of administration by the Treasurer of the City of New York, as depository, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 14, 1945.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-4604; Filed, Mar. 22, 1945; 11:15 a. m.]

[Vesting Order 4762]

DOROTHEA M. MEYER

In re: Mortgage Participation Certificate No. 155212 in Mortgage #F-935, in the name of Dorothea M. Meyer and guaranteed by Bond and Mortgage Guarantee Company under Guarantee No. 181,453; Mortgage Participation Certificate No. 155254 in Mortgage #F-1122, in the name of Dorothea M. Meyer and guaranteed by Bond and Mortgage Guarantee Company under Guarantee No. 186,084; Mortgage Participation Certificate No. 168867 in Mortgage #F-736, in the name of Dorothea M. Meyer and guaranteed by Bond and Mortgage Guarantee Company under Guarantee No. 170,874; File F-28-7828; E. T. sec. 3988.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All rights and interests evidenced by Mortgage Participation Certificate No. 155212 in Mortgage #F-935 guaranteed by Bond and Mortgage Guarantee Company under Guarantee No. 181,453, and the right to the transfer and possession of any and all instruments evidencing such rights and interests.

All rights and interests evidenced by Mortgage Participation Certificate No. 155254 in Mortgage #F-1122 guaranteed by Bond and Mortgage Guarantee Company under Guarantee No. 186,084, and the right to the transfer and possession of any and all instruments evidencing such rights and interests.

All rights and interests evidenced by Mortgage Participation Certificate No. 168867 in Mortgage #F-736 guaranteed by Bond and Mortgage Guarantee Company under Guarantee No. 170,874, and the right to the transfer and possession of any and all instruments evidencing such rights and interests.

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Dorothea M. Meyer, Germany.

That such property is in the process of administration by Manufacturers Trust Company, as Trustee, acting under the judicial supervision of the Supreme Court of the State of New York, County of Kings;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 14, 1945.

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

[F. R. Doc. 45-4605; Filed, Mar. 22, 1945;
11:15 a. m.]

[Vesting Order 4763]

ERNST F. PERL

In re: Mortgage Participation Certificate No. 155253 in Mortgage #F-1122, in the name of Ernst F. Perl and guaranteed by Bond and Mortgage Guarantee Company under Guarantee No. 186,084; Mortgage Participation Certificate No. 168866 in Mortgage #F-736, in the name of Ernst F. Perl and guaranteed by Bond and Mortgage Guarantee Company under Guarantee No. 170,874; Mortgage Participation Certificate No. 155211 in Mortgage #F-935, in the name of Ernst F. Perl and guaranteed by Bond and Mortgage Guarantee Company under Guarantee No. 181,453; file F-28-9008; E. T. sec. 4933.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All rights and interests evidenced by Mortgage Participation Certificate No. 155253 in Mortgage #F-1122 guaranteed by Bond and Mortgage Guarantee Company under Guarantee No. 186,084, and the right to the transfer and possession of any and all instruments evidencing such rights and interests,

All rights and interests evidenced by Mortgage Participation Certificate No. 168866 in Mortgage #F-736 guaranteed by Bond and Mortgage Guarantee Company under Guarantee No. 170,874, and the right to the transfer and possession of any and all instruments evidencing such rights and interests,

All rights and interests evidenced by Mortgage Participation Certificate No. 155211 in Mortgage #F-935 guaranteed by Bond and Mortgage Guarantee Company under Guar-

No. 59—4

antee No. 181,453, and the right to the transfer and possession of any and all instruments evidencing such rights and interests, is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Ernst F. Perl, Germany.

That such property is in the process of administration by Manufacturers Trust Company, as Trustee, acting under the judicial supervision of the Supreme Court of the State of New York, County of Kings;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 14, 1945.

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

[F. R. Doc. 45-4606; Filed, Mar. 22, 1945;
11:16 a. m.]

[Vesting Order 4764]

UNITED STATES V. H. H. AND J. C. PFLUEGER

In re: United States v. H. H. and J. C. Pflueger; File F-28-6659; E. T. sec. 2031.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows:
a. That certain bank account maintained

with the Crocker First National Bank of San Francisco, 1 Montgomery Street, San Francisco, California, which is due and owing to and held for H. H. Pflueger in the name of J. C. Pflueger, trustee for H. H. Pflueger, including but not limited to any and all security rights in and to any and all collateral for all or part of such account, and the right to enforce and collect the same,

b. The contents of Safe Deposit Box No. 7245 in the vaults of the Crocker First National Bank of San Francisco, 1 Montgomery Street, San Francisco, California, including particularly but not limited to, the bonds and stock certificates therein, together with all rights of access thereto, subject, however, to any lawful charges for storage of the Crocker First National Bank of San Francisco, and

c. All shares of stock as represented by any and all stock certificates among the contents of Safe Deposit Box No. 7245 in the vaults of the Crocker First National Bank of San Francisco, 1 Montgomery Street, San Francisco, California, together with any and all declared and unpaid dividends thereon,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, H. H. Pflueger, whose last known address is Germany, and that such property is property within the United States owned or controlled by the said national of a designated enemy country, Germany;

That such property is the subject of a judicial action or proceeding entitled United States v. H. H. and J. C. Pflueger now pending in the United States District Court for the Northern District of California, San Francisco, California;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 14, 1945.

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

[F. R. Doc. 45-4607; Filed, Mar. 22, 1945;
11:16 a. m.]

[Vesting Order 4765]

MARIE SCHEID

In re: Estate of Marie Scheid, deceased; File No. D-28-8981; E. T. sec. 11354.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Jakob Scheid, also known as Jackub Scheid, Erna Scheid, Andreas Scheid, the issue, names unknown, of Andreas Scheid, Valtin Scheid, the issue, names unknown, of Valtin Scheid, Georg Scheid, the issue, names unknown, of Georg Scheid, Katie Scheid, the issue, names unknown, of Katie Scheid, Susie Vester, the issue, names unknown, of Susie Vester, Barbara Miller, the issue, names unknown, of Barbara Miller, Katie Krebs and Elsie Scheid, and each of them, in and to the estate of Marie Scheid, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Jakob Scheid, also known as Jackub Scheid, Germany.

Erna Scheid, Germany.

Andreas Scheid, Germany.

The issue, names unknown, of Andreas Scheid, Germany.

Valtin Scheid, Germany.

The issue, names unknown, of Valtin Scheid, Germany.

Georg Scheid, Germany.

The issue, names unknown, of Georg Scheid, Germany.

Katie Scheid, Germany.

The issue, names unknown, of Katie Scheid, Germany.

Susie Vester, Germany.

The issue, names unknown, of Susie Vester, Germany.

Barbara Miller, Germany.

The issue, names unknown, of Barbara Miller, Germany.

Katie Krebs, Germany.

Elsie Scheid, Germany.

That such property is in the process of administration by Anna Sundermann and Beatrice L. Goldstone, as Executrices of the Estate of Marie Scheid, acting under the judicial supervision of the Surrogate's Court of Westchester County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on March 14, 1945.

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

[F. R. Doc. 45-4608; Filed, Mar. 22, 1945;
11:16 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 3452]

SMART STYLE FURNITURE CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Smart Style Furniture Company, 1842-50 West 21st Street, Chicago, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article—Hot Plate, two burner, 4 heat.
Model—Premier No. 102.

Maximum Prices for Manufacturer to:	
Jobbers	\$4.30
Retailers (6 or more)	5.08
Retailers (less than 6)	5.47
Maximum Prices for Sellers Other Than the Manufacturer to:	
Retailers (6 or more)	5.08
Retailers (less than 6)	5.47
User	8.20

These prices are inclusive of Federal excise tax.

These maximum prices are for the articles described in the manufacturer's application dated March 6, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are

f. o. b. factory and subject to a cash discount of 2% for payment in 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$8.20
Model No. 102
Do not detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

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

(e) This order shall become effective on the 22d day of March 1945.

Issued this 21st day of March 1945.

JAMES G. ROGERS,
Acting Administrator.

[F. R. Doc. 45-4525; Filed, Mar. 21, 1945;
11:49 a. m.]

[MPR 260, Order 681]

E. REGENSBURG & SONS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered, That:*

(a) E. Regensburg & Sons, 468 4th Avenue, New York 16, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Admiration	Petit Corona	50	Per M \$1.31	Cents 17

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

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

This order shall become effective March 22, 1945.

Issued this 21st day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-4522; Filed, Mar. 21, 1945; 11:48 a. m.]

[MPR 260, Order 682]

CINCINNATI CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pur-

suant to § 1358.102 (b) of Maximum Price Regulation No. 260, It is ordered, That:

(a) Cincinnati Cigar Company, 1002 Broadway, Cincinnati 2, Ohio (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
La Prosa.....	President.....	50	\$82.50	11
	Brevas.....	50	48.00	6
Banker.....	Teller.....	50	64.00	8
La Prosa.....	King.....	50	72.00	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

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

This order shall become effective March 22, 1945.

Issued this 21st day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-4523; Filed, Mar. 21, 1945; 11:49 a. m.]

[MPR 260, Order 683]

DOMINGO CIGAR FACTORY & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, It is ordered, That:

(a) Domingo Cigar Factory & Co., 1708 14th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Dolorina.....	Brevas.....	50	\$169	22
	Lon Gde.....	50	131	17

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the

same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

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

This order shall become effective March 22, 1945.

Issued this 21st day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-4524; Filed, Mar. 21, 1945;
11:49 a. m.]

[MPR 260, Order 680]

JOSEPH MUSOLFF

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Joseph Musolff, Route No. 2, Box 28, Stevens Point, Wis. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size of frontmark	Packing	Maximum list price	Maximum retail price
Miona.....	5".....	50	Per M \$48	Cents 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of

the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

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

This order shall become effective March 21, 1945.

Issued this 20th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-4450; Filed, Mar. 20, 1945;
11:48 a. m.]

[Rev. Gen. Order 32, Amdt. 19]

REGIONAL ADMINISTRATORS

DELEGATION OF AUTHORITY TO ACT FOR PRICE ADMINISTRATOR

Revised General Order No. 32 is amended by adding paragraph (c) (6) to read as follows:

(6) The Regional Administrator for Region VIII is hereby authorized to exercise within his region the functions, duties, powers and authority conferred upon the Price Administrator for the purpose of establishing by order specific maximum prices for all sales other than those covered by Revised Maximum Price Regulation No. 507, of any species of frozen fish and seafood, domestic and imported, where maximum prices are not established for any frozen fish or seafood of that species in Maximum Price Regulation No. 364 or Maximum Price Regulation No. 579, *Provided, That,*

(i) During the year preceding the issuance of the order substantially all of such frozen fish and seafood which was consumed in the United States entered the United States at or was produced within Region VIII.

(ii) Substantially all of such frozen fish or seafood during the year preceding the issuance of the order was consumed within Region VIII.

(iii) A maximum price has been established for fresh fish and seafood for such species by regulation or order issued by the Price Administrator or by the Administrator of Region VIII.

(iv) The maximum prices fixed by the order for any species of frozen fish or seafood is in line with the established maximum prices for fresh fish or seafood for that species.

(v) The prices established are fixed in accordance with and will effectuate the provisions of the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and Executive Order No. 9328.

(vi) The Regional Administrator shall consider the level of prices and pattern of distribution in Maximum Price Regulation No. 364—Frozen Fish and Seafood—or any regulation which may supersede it.

(vii) The Regional Administrator for Region VIII shall issue with each order an opinion setting out the above circumstances.

This amendment shall become effective March 27, 1945.

Issued this 22d day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-4627; Filed, Mar. 22, 1945;
11:36 a. m.]

[MPR 389, Order 9]

GOLDEN GATE SAUSAGE CO.

ESTABLISHMENT OF MAXIMUM PRICES

On December 27, 1944 Golden Gate Sausage Company, 304 Davis Street, San Francisco, California, filed a revised application for the establishment of maximum prices on sales of 13 products, 11 of which are listed hereinafter as sausage products. These products were to be made in accordance with the individual secret formulae submitted by the applicant. That application is assigned Docket No. 6036.3-389-2(a)-11.

Due consideration has been given to the application and an Opinion in support of this order has been issued simultaneously herewith and filed with the Division of the Federal Register.

For the reasons set forth in that opinion and 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 the provisions of section 2 (a) (6) of Maximum Price Regulation No. 389; *It is ordered:*

(a) That the maximum prices other than at retail for the sausage products named hereinafter and made by the Golden Gate Sausage Company, 304 Davis Street, San Francisco, California, in accordance with the individual formulae submitted to the Office of Price Administration in its application for this order, except for the product "fresh Italian pork sausage" which must be

made in accordance with the formula submitted after adjusting it to conform to the specification changes described in the opinion accompanying this order, shall be determined by the seller as follows:

(1) The base price for each product listed is established at the following amounts per hundredweight:

Name	Price per cwt.
Dry salami (#1).....	\$38.00
Salametti secchi.....	36.00
Salametti cotto.....	24.00
Mortadella di Bologna.....	30.50
Galatina.....	31.50
Fresh Italian pork sausage.....	35.00
Salametti freschi (Salami links).....	27.25
Sopresata (head cheese).....	21.00
Linguicia.....	48.00
Clorizo.....	23.75
Blood sausage.....	14.50

(2) To the base price should be added the proper zone differential provided in section 12 (b) of Maximum Price Regulation No. 389. In determining the proper zone differential to be added, the zone descriptions provided in section 14 of Maximum Price Regulation No. 389 shall be used.

(3) That to the sum of the base price plus the applicable zone differential the permitted additions to base prices provided in section 12 (c) of Maximum Price Regulation No. 389 may be added when applicable.

(b) That with the first delivery of listed products to a wholesaler, peddler-truck-seller, or intermediate distributor, Golden Gate Sausage Company shall supply each such seller with a written notice in the following form:

(Insert date)

Our OPA ceiling prices for (insert name of product) have been established by the Office of Price Administration at the base price of \$..... per hundredweight, to which may be added the zone differentials provided in section 12 (b) of Maximum Price Regulation No. 389 (See section 14 for zone boundaries) plus the permitted additions of section 12 (c). We are required to inform you that if you are a wholesaler, a peddler-truck-seller, or an intermediate distributor you must figure your ceiling prices for this product pursuant to the same sections of Maximum Price Regulation No. 389.

(c) That with the first delivery of listed products to a retailer the seller shall supply such retailer with a written notice in the following form:

(Insert date)

Our OPA ceiling prices for (insert name of product) have been established by the Office of Price Administration. We are required to inform you that if you are a retailer, you must figure your ceiling price for this item in accordance with the provisions of the General Maximum Price Regulation.

(d) That all pertinent provisions of Maximum Price Regulation No. 389, including the descriptive labelling and invoicing provisions of section 4, the recording and reporting provisions of section 6, and the definitions of section 13, in addition to the pricing provisions of paragraphs (b) and (c) of section 12 shall be applicable to all sales made under this order.

(e) All prayers of the application not herein granted are denied.

(f) This Order No. 9 may be revoked or amended by the Price Administrator at any time.

This Order No. 9 shall become effective March 22, 1945.

Issued this 22d day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-4645; Filed, Mar. 22, 1945; 11:42 a. m.]

[MPR 120, Amdt. 6 to Order 906]

BITUMINOUS COAL IN DISTRICT 8

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, *It is ordered:*

Order No. 906 under Maximum Price Regulation No. 120 is amended in the following respects:

In the table of maximum prices exceptions the item "Mine Index No. 80", "Calvin" is deleted in its entirety.

This Amendment No. 6 to Order No. 906 shall become effective on April 1, 1945.

Issued this 22d day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-4632; Filed, Mar. 22, 1945; 11:42 a. m.]

[MPR 136, Order 420]

PACIFIC CAR AND FOUNDRY CO.

ESTABLISHMENT OF MAXIMUM PRICES

Order No. 420 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. Pacific Car and Foundry Company. Docket No. 6083-136.25a-138.

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended; *It is ordered:*

(a) The maximum prices for sales by the Pacific Car and Foundry Company, Renton, Washington, of Models J and K carcowinches shall be determined as follows: The company shall deduct from the following list prices all discounts, allowances and other deductions that it had in effect to a purchaser of the same class on October 1, 1941:

Model:	List price
J.....	\$1,945
K.....	4,858

(b) The maximum prices for sales by resellers of Models J and K carcowinches shall be determined as follows: The reseller shall add to the maximum net price he had in effect to a purchaser of the same class, just prior to the issuance of this order, the amount in dollars-and-cents by which his net invoiced cost has been increased due to the adjustment granted by this order.

(c) The Pacific Car and Foundry Company shall notify each person who buys Models J and K carcowinches for resale of the dollars-and-cents amount by which this order permits the reseller to increase his maximum price. A copy of such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C.

(d) All requests not granted herein are denied.

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

This order shall become effective March 23, 1945.

Issued this 22d day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-4633; Filed, Mar. 22, 1945; 11:42 a. m.]

[MPR 188, Order 3457]

AMERICAN SANITARY MANUFACTURING CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum list prices for sales by any person of unplated, unpolished brass fittings and trimmings manufactured by American Sanitary Manufacturing Company of Abingdon, Illinois, which were not delivered or offered for delivery by such person during March 1942, shall be 85 percent of the highest list prices for which he delivered or offered for delivery during March 1942 the identical chrome plated brass fittings and trimmings manufactured by American Sanitary Manufacturing Company of Abingdon, Illinois.

(b) The maximum list prices for sales by any person of unplated unpolished brass fittings and trimmings manufactured by the American Sanitary Manufacturing Company of Abingdon, Illinois, which were delivered or offered for delivery by such person during March 1942, shall be the highest list prices for which he delivered or offered for delivery the identical unplated unpolished brass fittings and trimmings during March 1942.

(c) The maximum list prices determined by American Sanitary Manufacturing Company of Abingdon, Illinois, under the provisions of (a) above, shall, on sales to jobbers, be subject to a discount of 50 percent.

(d) In addition to the discount enumerated in (c) above, all sellers shall extend or render discounts, allowances and services at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(e) The maximum prices for sales on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(f) American Sanitary Manufacturing Company shall notify in writing each of its purchasers at or before the time of the first invoice the maximum prices established by this order for American Sanitary Manufacturing Company on sales to such purchasers, and the maximum resale prices established for such purchasers.

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

This order shall become effective March 23, 1945.

Issued this 22d day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-4643; Filed, Mar. 22, 1945; 11:41 a. m.]

[MPR 188, Order 87 under Order A-2]

ENNIS MANUFACTURING CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to paragraph (a) (16) of Order A-2 under § 1499.159b of Maximum Price Regulation No. 188, It is ordered:

(a) *Manufacturer's maximum prices.* Ennis Manufacturing Company, of Reading, Pennsylvania, may sell and deliver the hand tools, listed below, which it manufactures, and which are described in its application, dated September 18, 1944, at prices no higher than the maximum prices for sales of these articles in effect immediately prior to the effective date of this order, plus the applicable adjustment charge, set forth below.

Article and adjustment charge:	Per dozen
Model No. 13 Hammer.....	\$0.11
Model No. 13 B Hammer.....	.08
Model No. 20 Hammer.....	.05
Model No. 101 Tin Snip.....	.14

These adjustment charges may be made and collected only if stated separately.

The maximum prices of the manufacturer, as adjusted, are f. o. b. Reading, Pennsylvania, except that freight on New York shipments shall be prepaid, and they are subject to a cash discount of two percent for payment within ten days, net thirty days.

(b) *Maximum prices of purchasers for resale.* Each jobber or other wholesaler, who handles the items of hand tools for which the manufacturer's maximum prices have been adjusted as provided in paragraph (a) in the course of their distribution from the manufacturer to the retailer, may add to his properly established maximum price for these articles, in effect immediately prior to the effective date of this order, the dollar-and-cents amount of the adjustment charge which he is required to pay to the manufacturer, provided the amount of such adjustment charge has been separately stated.

The maximum prices, as adjusted, of a jobber or other wholesaler are subject to the seller's customary discounts, al-

lowances and other price differentials in effect during March 1942 on sales to each class of purchaser.

(c) *Notification.* Every person who makes a sale or delivery at an adjusted price permitted by this order shall furnish the purchaser with an invoice containing the following notice:

NOTICE OF OPA ADJUSTMENT

Order No. 87 under Order A-2 under MPR 188 authorizes the manufacturer and all jobbers and other wholesalers of the articles covered by this invoice to adjust their maximum prices, in effect prior to March 23, 1945, by adding no more than the exact dollar-and-cents amount of the adjustment charge appearing on this invoice, provided that amount is stated separately on an invoice which contains this notice.

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

This order shall become effective March 23, 1945.

Issued this 22d day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-4636; Filed, Mar. 22, 1945; 11:39 a. m.]

Regional and District Office Orders.

[Region I Order G-1 Under RMPR 271]

POTATOES IN BOSTON REGION

For reasons set forth in an opinion accompanying this order, and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 11 (c) (3) of Revised Maximum Price Regulation No. 271, It is hereby ordered:

1. The provisions of paragraphs (c) (1) and (2) of section 11 of Revised Maximum Price Regulation No. 271 as applied in Region I are modified so as to read as follows:

(c) *Maximum prices for intermediate sellers.* (1) The maximum price which intermediate sellers may charge for each lot or shipment of potatoes or onions is, in each case, the base price plus 60 cents per cwt., in the case of potatoes, or the base price plus 40 cents per 50 pounds, in the case of onions. However, if such intermediate sellers are "first receivers" as defined herein, they may charge for each lot or shipment of potatoes only the base price plus 33 cents per cwt.

(2) If the intermediate seller is a hotel and restaurant supply house, the maximum price for sales except to intermediate sellers or retailers shall be the "base price" plus 70 cents per cwt. (in the case of potatoes), and 55 cents per 50 pounds in the case of onions). However, if such intermediate seller is a "first receiver" as defined herein, his maximum price for sales except to intermediate sellers or retailers shall be the "base price" plus only 43 cents per cwt. (in the case of potatoes).

2. "First receiver" means an intermediate seller at any wholesale receiving point who has purchased the particular potatoes being priced in any quantity

from a country shipper direct, or through a broker or a grower's sales agent, or in carlots or trucklots from any person, and who resells those potatoes in less than carlot or less than trucklot quantities to any person.

3. Except as modified herein, all provisions contained in Revised Maximum Price Regulation No. 271 are applicable to all sales of potatoes in Region I.

This order shall become effective February 21, 1945.

Issued this 20th day of February 1945.

FRANK D. O'NEIL,
Acting Regional Administrator.

[F. R. Doc. 45-4477; Filed, Mar. 20, 1945; 4:23 p. m.]

[Region II Order G-9 Under SR 15 and MPR 280, Amtd. 2]

FLUID MILK IN NEW YORK

For the reasons set forth in an opinion issued and filed with the FEDERAL REGISTER and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 and § 1351.807 of Maximum Price Regulation No. 280, as amended, and pursuant to authorization received from the Price Administrator of the Office of Price Administration; It is ordered, That Order No. G-9 be amended in the following respects:

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

(a) The maximum price for the sale and delivery in glass or paper containers of special or Grade A pasteurized fluid milk and special or Grade A raw fluid milk in those portions of the State of New York, described in Appendix A of this order, at retail, at wholesale to subdealers, or at wholesale to any other person (including industrial and commercial users) other than the ultimate consumer, and in other than glass or paper containers (bulk) at wholesale to stores, hotels, restaurants and institutions, shall be the seller's applicable maximum price as set forth in the appropriate schedule of Appendix A, except as specified in paragraphs (b), (c) and (d) of this order.

2. Paragraph (b) is amended to read as follows:

(b) *Maximum prices for sellers of special fluid milk who sold Grade A pasteurized milk in March 1942.* Unless specified in the appropriate schedule of Appendix A, the maximum price for the sale and delivery of special fluid milk in glass or paper containers in those portions of the State of New York described in Appendix A, at retail, at wholesale to subdealers, or at wholesale to any other person (including industrial and commercial users) other than the ultimate consumers, and in other than glass or paper containers (bulk) at wholesale to stores, hotels, restaurants and institutions shall be the seller's maximum price for the same type of sale and delivery in the same type and size of container of special fluid milk in March 1942 plus an

amount equal to the seller's absolute differential, if any, between his March 1942 price for Grade A pasteurized fluid milk and the applicable maximum price specified for the sale of Grade A pasteurized fluid milk in the appropriate schedule of Appendix A for the same type of sale and delivery in the same type and size of container.

3. Paragraphs (c), (d), (e), (f), (g), (h), (i), and (j), are redesignated (e), (f), (g), (h), (i), (j), (k), and (l), respectively.

4. A new paragraph (c) is added to read as follows:

(c) *Maximum prices for sellers of special fluid milk who did not sell Grade A pasteurized milk in March 1942*—(1) *Special pasteurized fluid milk with 4.2% butterfat content or higher.* Unless specified in the appropriate schedule of Appendix A, the maximum price for the sale and delivery of special pasteurized fluid milk with a butterfat content of 4.2% or higher in those portions of the State of New York, described in Appendix A, in quart or pint glass or paper containers at retail, at wholesale to subdealers, or at wholesale to any other person (including industrial and commercial users) other than the ultimate consumer, and in other than glass or paper containers (bulk) at wholesale to restaurants and institutions, shall be the maximum prices set forth in Table A below.

TABLE A

Type and size of container:	Maximum Price
In bulk or in quart glass or paper containers.	The applicable maximum price specified for the sale of Grade A pasteurized fluid milk in the appropriate schedule of Appendix A, for the same type of sale and delivery in the same type and size of container, plus ½ cent.
In pint glass or paper containers.	The applicable maximum price specified for the sale of Grade A pasteurized fluid milk in the appropriate schedule of Appendix A, for the same type of sale and delivery in the same type and size of container.

(2) *Special raw fluid milk with 4.2% butterfat content or higher.* Unless specified in the appropriate schedule of Appendix A, the maximum price for the sale and delivery of special raw fluid milk with a butterfat content of 4.2% or higher in those portions of the State of New York, described in Appendix A, in other than glass or paper containers (bulk) at wholesale to stores, hotels, restaurants and institutions or in quart or pint glass or paper containers at retail, at wholesale to subdealers, or at wholesale to any other person (including industrial and commercial users) other than the ultimate consumer, shall be the seller's applicable maximum price as specified in the appropriate schedule of Appendix A for Grade A pasteurized fluid milk for the same type of sale and delivery and in the same type and size of container.

(3) *Special raw or special pasteurized fluid milk with less than 4.2% butterfat content.* Unless specified in the appropriate schedule of Appendix A, the maximum price for the sale and delivery of special raw or special pasteurized fluid milk with less than 4.2% butterfat content in those portions of the State of New York, described in Appendix A, in other than glass or paper containers (bulk) at wholesale to stores, hotels, restaurants and institutions or in quart or pint glass or paper containers at retail, at wholesale to subdealers, or at wholesale to any other person (including industrial and commercial users) other than the ultimate consumer shall be the seller's maximum price in March 1942 for such milk for the same type of sale and delivery and in the same type and size of container, plus the appropriate figure for his area set forth in Table B below.

TABLE B

	Per quart	Per pint
	Cents	Cents
Area I.....	1½	¾
Area II.....	2	1
Area III.....	1	½
Area IV.....	1	½
Area V.....	.....	.....
Area VI.....	½	.....
Area VII.....	.....	.....
Area VIII.....	1	½
Area IX.....	.....	.....
Area X.....	.....	.....
Area XI.....	.....	.....
Area XII.....	.....	.....

5. A new paragraph (d) is added to read as follows:

(d) *Maximum prices for sellers of Grade A raw fluid milk.* Unless specified in the appropriate schedule of Appendix A, the maximum price for the sale and delivery of Grade A raw fluid milk in those portions of the State of New York, described in Appendix A, in other than glass or paper containers (bulk) at wholesale to stores, hotels, restaurants and institutions or in quart or pint glass or paper containers at retail, at wholesale to subdealers, or at wholesale to any other person (including industrial and commercial users) other than the ultimate consumer shall be the seller's maximum price for such milk for the same type of sale and delivery and in the same type and size of container in March 1942 plus the appropriate figure for his area set forth in Table B above.

6. Paragraph (l), formerly designated as paragraph (j), is amended to read as follows:

(1) *Definitions.* (1) "Fluid milk" means cow's milk, raw or processed, which is sold for consumption in fluid form as whole milk. It shall not include condensed or evaporated milk.

(2) "Approved fluid milk" means fluid milk which at least satisfies the minimum butterfat content, sanitary and health standards established by the appropriate statutes, orders or regulations of the State of New York, unless such definitions are superseded by statutes, orders or regulations of that political subdivision of the State of New York within which such type of milk is sold and delivered.

(3) "Special fluid milk" means approved fluid milk, which in addition (i) complies with quality or production standards established by governmental authorities or non-governmental medical, farm or trade bodies, or (ii) contains high butterfat content or (iii) is processed in addition to, or other than by, cooling, weighing, testing, pasteurization, reconstitution, packaging, standardization, or separation. For example, it includes certified, golden guernsey, high fat, homogenized, Vitamin D, Homogenized-Vitamin D, soft curd, skim, buttermilk (both cultured and churned), chocolate and chocolate drink.

(4) "Standard fluid milk" or "regular fluid milk" means approved fluid milk other than special fluid milk as defined above.

(5) "Grade A Pasteurized fluid milk" and "Grade A Raw fluid milk" are standard or regular fluid milk and shall have the meanings prescribed for such types of milk by the appropriate statutes, orders or regulations of the State of New York unless such definitions are superseded by statutes, orders or regulations of that political subdivision of the State of New York within which such types of milk are sold and delivered.

(6) "Premium fluid milk" means special fluid milk (i) which was sold at a price differential above Grade A pasteurized fluid milk in a particular market during March 1942, or (ii) for which a price differential above Grade A pasteurized is established under the provisions of this regulation.

(7) "Subdealer" means any milk dealer handling Grade A pasteurized or raw fluid milk or any premium or special milk who purchases such Grade A pasteurized or raw fluid milk or special or premium milk from processors or other milk dealers and who resells such milk in the same containers as those in which he purchased it.

(8) "At wholesale-into-store" means a sale of Grade A pasteurized or raw fluid milk or special or premium milk at wholesale to any person (including industrial and commercial users) other than the ultimate consumer.

(9) "At retail-out-of-store" means a sale of Grade A pasteurized or raw fluid milk or special or premium milk at retail by a grocery store, meat market, dairy store, rooming house, or other establishment which delivers Grade A pasteurized or raw fluid milk or premium or special milk separately or together with other purchases and shall include a sale of Grade A pasteurized or raw fluid milk or premium or special milk at retail by a handler or subdealer at his plant or place of business.

(10) "At retail-to-the-home" means a sale and delivery of Grade A pasteurized or raw fluid milk or special or premium milk at retail from an inventory stocked in trucks or other conveyances operated by driver-salesmen over regular routes and shall not include a sale of Grade A pasteurized or raw fluid milk or special or premium milk at retail by a grocery store, meat market, dairy store, rooming house or other establishment which delivers such milk separately or together with other purchases.

(11) "To subdealers" means the sale of Grade A pasteurized or raw fluid milk or special or premium milk in glass or paper containers to a subdealer delivered at the seller's place of business.

This order shall become effective March 8, 1945.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4861)

Issued this 8th day of March 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45-4479; Filed, Mar. 20, 1945;
4:24 p. m.]

[Region II Rev. Order G-18 Under RMPR 122,
Amdt. 8]

SOLID FUELS IN ROCHESTER AND MONROE COUNTY, N. Y.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G-18 is amended in the following respects:

1. Paragraphs (e) (1) and (e) (2) are amended to read as follows:

(e) *Schedule II.* Schedule II establishes specific maximum prices for certain kinds, sizes and quantities of bituminous coal, delivered to or at any point within Coal Area IV. There is a separate table for "Direct-delivery" sales and "Yard" sales.

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

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

Kind and size of bituminous coal:	Per net ton
High volatile bituminous coal from District No. 2:	
Lump, egg, nut and stoker (except "Castle Shannon" Coal, Mine Index No. 224).....	\$7.30
Nut and slack.....	7.20
Slack.....	7.00
"Castle Shannon" coal, Mine Index No. 224, lump, egg, nut, and stoker.....	7.55
High volatile bituminous coal from Districts Nos 1, 3 or 4:	
Lump, egg, nut and stoker.....	7.15
Nut and slack.....	7.05
Slack.....	6.85
Low volatile bituminous coal from District No. 1—Pennsylvania:	
All lump, all double screened coal with top sizes over 2" and coal customarily sold as Run-of-Mine:	
1—Coal in Price Classification "A".....	8.55
2—Coal in Price Classifications "B" through "E" inclusive.....	7.75

Where deliveries are requested in quantities of less than two tons, the foregoing prices, for the kinds and sizes of coal included in such deliveries, may be increased by 50¢ per net ton.

Special service rendered at the request of the purchaser:	Maximum Authorized Service Charges (Cents per net ton)
"Carry" or "Wheel" (except for sales amounting to less than ½ ton).....	75
"Carrying upstairs or downstairs" for each floor above or below the ground floor (except for sales amounting to less than ½ ton). The charge shall be in addition to any charge for "Carry" or "Wheel".....	75

(2) "Yard" sales.

FOR SALES OF BITUMINOUS COAL OF THE KINDS, SIZES AND QUANTITIES SPECIFIED TO DEALERS AND TO CONSUMERS

Kind and size of bituminous coal sold	Sales to dealers	Sales to consumers
	Per net ton, for sales of ½ ton or more	Per net ton, for sales of ½ ton or more
High volatile bituminous coal from District No. 2:		
Lump, egg, nut and stoker (except "Castle Shannon" Coal, Mine Index No. 224).....	\$6.30	\$6.60
Nut and slack.....	6.20	6.50
Slack.....	6.00	6.30
"Castle Shannon" coal, Mine Index No. 224:		
Lump, egg, nut, and stoker.....	6.55	6.85
High volatile bituminous coal from Districts Nos. 1, 3 or 4:		
Lump, egg, nut or stoker.....	6.15	6.45
Nut and slack.....	6.05	6.35
Slack.....	5.85	6.15
Low volatile bituminous coal from District No. 1—Pennsylvania:		
All lump, all double screened coal with top sizes over 2" and coal customarily sold as Run-of-Mine:		
1—Coal in Price Classification "A".....	7.55	7.85
2—Coal in Price Classifications "B" through "E" inclusive.....	6.75	7.05

This Amendment No. 8 to Revised Order No. G-18 shall become effective on March 1, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of February 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45-4478; Filed, Mar. 20, 1945;
4:24 p. m.]

[Region II Order G-68 Under MPR 136]

MODERN-BOND CORP.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in the accompanying opinion and under the authority vested in the Regional Administrator, Region II, of the Office of Price Administration by § 1390.25a of Maximum Price Regulation No. 136; *It is hereby ordered*, That:

(a) Maximum prices of Modern-Bond Corporation, Wilmington 99, Delaware, on its sales of certain bottling machines, of repair parts therefor, and of certain reloading tools, shall be as follows:

Machine or part:	Adjusted Maximum Price
Power Soda Machine—Motor Drive.....	\$935.00
Type "N-1", "N-2", or "N-4" Power Crowner—Motor Drive.....	665.00
Type "P" Power Crowner—Motor Drive.....	760.00
Type "C" Foot Power Soda Machine.....	510.00
Type "E" Foot Soda Machine.....	290.00
Type "M-1" Foot Crowner.....	75.00
Type "Z" 48-spout Revolving Rinser with plain tubes.....	75.00
Bullet molds.....	8.50
Model "C" hand reloading tool.....	13.00
Repair parts for Type "P" Power Crowner.....	(¹)
Repair parts for Type "M-1" Foot Crowner.....	(²)

¹ Maximum net price as established under Maximum Price Regulation 136 without benefit of this Order, plus 5%.

² Maximum net price as established under Maximum Price Regulation 136 without benefit of this Order, plus 11%.

(b) All prayers for relief not granted herein are denied. Modern-Bond Corporation may request a review of this order by the Price Administrator by filing with this Office, within 60 days of the date this order is mailed to it, a request for review thereof in accordance with the provisions of Revised Procedural Regulation No. 1.

(c) All customary discounts, allowances, and other price differentials shall be maintained.

(d) Resellers of the machines or parts set forth in paragraph (a) hereof who receive Modern-Bond Corporation's customary 20% discount may add to their maximum prices as determined under Maximum Price Regulation 136, without benefit of this order, the dollars and cents amount of the increase permitted by this order in Modern-Bond Corporation's price to them. At or before the first sale after the date hereof to any such reseller Modern-Bond Corporation shall notify him in writing of the provisions of this paragraph.

(e) This order may be revoked, amended or corrected at any time.

(f) A copy of this order is being filed with the Division of the Federal Register, where it is open to inspection by the public.

This order shall become effective immediately.

Issued this 6th day of March 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45-4478; Filed, Mar. 20, 1945;
4:22 p. m.]

[Nashville Order G-1 Under MPR 285]

BANANAS IN NASHVILLE, TENN., DISTRICT

For the reasons stated in an opinion issued simultaneously herewith, and under the authority of Executive Order 9250, Executive Order 9328, Regional Delegation Order No. 25, and § 1351.1254 (a) of Maximum Price Regulation 285, it is hereby ordered:

SECTION 1. *What this order does.* This order establishes an additional handling

charge of 35¢ per cwt. over the maximum price for banana wholesalers located within the district served by the Nashville District Office.

SEC. 2. *Maximum prices for additional handling.* Any banana wholesaler located within the district served by the Nashville District Office may add to his proper maximum price for bananas a charge in an amount not to exceed 35¢ per cwt. to cover transportation costs outside of his free delivery zone. Such charge may not be added for the cost of local hauling within the free delivery zone surrounding the wholesaler's customary receiving point.

SEC. 3. *Effective date.* This order shall become effective immediately.

(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 30th day of December 1944.

CARSON VAUGHAN,
District Director.

[F. R. Doc. 45-4476; Filed, Mar. 20, 1945; 4:23 p. m.]

[Region V Order G-6 Under RMPR 122, Amdt. 2]

SOLID FUELS IN CAPE GIRARDEAU AND JACKSON, MO.

Pursuant to the Emergency Price Control Act of 1942, as amended, and the authority vested in the Regional Administrator of Region V by § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the opinion issued simultaneously herewith, *It is ordered*, That Order No. G-6 under Revised Maximum Price Regulation No. 122 is amended as follows:

Paragraph 3 of section (d), Price Schedule, is revised and amended to read as follows:

(3) Prices set forth in this schedule are for untreated coal. A charge of 10¢ per ton may be added to these prices when such coal is thoroughly and adequately treated with chemicals or oil to allay dust or prevent freezing. (See section (j) (1).)

Paragraph headed Maximum Price Schedule is revised and amended to read, as follows:

MAXIMUM PRICE SCHEDULE	
Description of Fuel	
HIGH VOLATILE BITUMINOUS COAL FROM ILLINOIS (DISTRICT 10)	
	Maximum price per ton
I. Rail Prices:	
(A) Southern Sub District (Price Groups 1, 2, 8)	
1. Lump; Egg, bottom size larger than 2", washed or raw (size Groups 1, 2, 3)	\$6.40
(B) Belleville & Du Quoin Sub Districts (Price Groups 10, 16 to 22 incl.)	
1. Lump; Egg, washed or raw, bottom size larger than 2" (Size Groups 1, 2, 3)	5.55
2. Lump; Egg, washed or raw, bottom size 2" or smaller (Size Groups 4, 5, 6)	5.25

No. 59—5

MAXIMUM PRICE SCHEDULE—Continued

Description of Fuel—Continued

HIGH VOLATILE BITUMINOUS COAL FROM ILLINOIS (DISTRICT 10)—continued

II. Rail and Truck Prices:

- (A) Southern Sub District (Rail Price Groups 1, 2, 8), and Coal transported by truck from mines located in Franklin, Jackson, Perry, Randolph, Saline, and Williamson Counties (Truck Price Groups 16 (A) and (B) and 17 (A) and (B)).
- 1. Lump; Egg, washed or raw, bottom size 2" or smaller (Size Groups 4, 5, 6)----- \$6.10
- 2. Nut; Pea, washed or air cleaned, top size 2" or smaller, bottom size larger than 1 millimeter (Size Groups 21, 22)----- 5.45
- Special Stoker, dry dedusted, top size not exceeding 3/8", bottom size larger than 28 mesh (Size Group 28)----- 5.45
- 3. Screenings; washed or air cleaned, top size 2" or smaller (Size Groups 23, 24)----- 5.25

Section (j) *Records and reports*, is revoked and redesignated *Sales slips or receipts*; records and shall read as follows:

(j) *Sales slips or receipts; records.*

(1) Every person selling solid fuels subject to this order shall, either at the time of, or within thirty days after the date of a sale or delivery of solid fuels governed by this order, give to his purchaser an invoice, sales slip or receipt, and shall keep an exact copy thereof for so long as Revised Maximum Price Regulation No. 122 is in effect or for so long as the Emergency Price Control Act of 1942, as amended, shall permit, whichever period is longer, showing the following information: the name and address of the seller and the purchaser; the kind, size and quantity of the solid fuels sold, the date of the sale or delivery and the price charged. In addition, he shall separately state on each such invoice, sales slip or receipt, the amount, if any, of the required discounts, authorized service charges and taxes which must be deducted from or which may be added to the established maximum prices: *Provided*, That a dealer who is authorized to make a special service charge for chemical or oil treatment of coal need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated: *And further provided*, That provisions of this section shall not apply to sales of solid fuels in less than quarter ton lots unless requested by the purchaser.

Section (k) is hereby revoked and redesignated "*Posting of maximum prices*" and shall read as follows:

(k) *Posting of maximum prices.* (1)

Each dealer subject to this order shall post all of the maximum prices set by it for all types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel.

This order shall become effective the 26th day of January 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, this 24th day of January 1945.

W. A. ORTH,
Regional Administrator.

[F. R. Doc. 45-4475; Filed, Mar. 20, 1945; 4:22 p. m.]

[Region VII Order G-1 Under MPR 188]

BARNETT-HENRY ASSOCIATES

ESTABLISHMENT OF MAXIMUM PRICES

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and §§ 1499.158 and 1499.158a of Maximum Price Regulation No. 188, and for the reasons set forth in the accompanying opinion, this Order No. G-1 is issued.

(a) *What this order does.* This order establishes maximum prices for an article of furniture (a serving cart) manufactured by Barnett-Henry Associates, 1021 Sixteenth Street, Denver, Colorado, when sold by the manufacturer to resellers and when sold by the manufacturer, a retailer, or any other reseller to ultimate consumers or to hospitals or any other institution in lots of 25 carts or more.

(b) *Established maximum prices.* Upon and after the effective date of this Order No. G-1, the maximum prices for the article of furniture in question, which is by the manufacturer given the trade name of Tray-A-Way Cart, when built and finished in accordance with the specifications set forth in the application of the manufacturer now on file herein, shall be as follows:

Tray-A-Way Cart sold by manufacturer f. o. b. plant to retailer	\$4.25
Tray-A-Way Cart sold by the manufacturer f. o. b. its plant or sold by a retailer or any other reseller f. o. b. its place of business to an ultimate consumer	7.95
Tray-A-Way Cart when sold by the manufacturer f. o. b. plant, by a retailer or any other reseller f. o. b. its place of business, to a hospital or other institution in lots of 25 carts or more-----per cart	5.35

And when sold in lots of less than 25 carts, the maximum price to a hospital or other institution shall be the price above established for sales to an ultimate consumer.

The above maximum prices for sales made by the manufacturer shall be subject to a discount of 2% for payment within 10 days from date of invoice. All resellers shall maintain and allow their customary discounts and allowances.

(c) *Notice to be given purchasers for resale.* When the manufacturer or any other seller makes a first sale under this Order No. G-1 to a person who purchases for resale, he must show upon his invoice or on a separate slip or rider attached thereto the following:

By virtue of Order No. G-1 under Maximum Price Regulation No. 188, the OPA authorized maximum prices for this Tray-A-Way Cart are:

- (1) When sold to a retailer, \$4.25.
 (2) When sold to an ultimate consumer, \$7.95.
 (3) When sold to a hospital or other institution in lots of 25 carts or more, \$5.35 per cart.
 (4) When sold to a hospital or other institution in lots of less than 25 carts, \$7.95 per cart.

(d) *Applicability of other regulations.* Except insofar as the same are inconsistent with or contradictory of any one or more of the terms and provisions of this Order No. G-1, all of the terms and provisions of Maximum Price Regulation No. 188 shall remain in full force and effect as to the manufacturer Barnett-Henry Associates.

(e) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Administrator or the Regional Administrator.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Effective date.* This order shall become effective on the 6th day of March 1945.

Issued this 5th day of March 1945.

JOSEPH W. PENFOLD,
 Acting Regional Administrator.

[F. R. Doc. 45-4470; Filed, Mar. 20, 1945;
 4:21 p. m.]

[Region VI Rev. Order G-1 Under RMPR 271]
 POTATOES AND ONIONS IN CHICAGO REGION

An opinion accompanying this revised order has been issued simultaneously herewith. Order No. G-1, issued under § 1351.1001, Article II, section II (c) (3) (IV) (7) of Revised Maximum Price Regulation No. 271, is redesignated Revised Order No. G-1 under Revised Maximum Price Regulation No. 271 and is revised and amended to read as set forth herein. It is hereby ordered:

(a) *What this order does.* This order establishes maximum markups for intermediate sellers' sales of white flesh table stock potatoes and dry onions and provides a method of calculating dollars-and-cents maximum prices in Region VI. The maximum prices herein established shall be the only maximum prices for the sales covered except to the extent that any prices established by this order are inconsistent with the prices for the same commodity established by any community flat pricing order issued under Revised General Order No. 51, in which case the prices established by such community flat pricing order shall be the maximum price for such sales. Schedule A which contains the price schedules put in effect by this order is divided into two subsections establishing maximum prices for carlot and trucklot receivers and for distributing wholesalers. A method for

permitting carlot and trucklot receivers who customarily perform the distributing wholesaler's function to use the maximum prices of the distributing wholesaler is given in section (c). The definitions of "distributing wholesaler" and "carlot or trucklot receiver" and other terms used in this order are found in section (d).

(b) *Maximum prices for intermediate sellers.* The seller shall calculate his maximum prices for each lot of potatoes and onions sold by him by first determining his base price as provided in section 11 (a) of Revised Maximum Price Regulation No. 271. The seller shall then determine whether he is a carlot or trucklot receiver or a distributing wholesaler. He shall then add to his base price for each grade of potatoes or dry onions the appropriate mark-up as specified in Schedule A of this order for the particular distributive function which he performs on each individual sale.

(c) *When a carlot or trucklot receiver may use the price of a distributing wholesaler.* A carlot or trucklot receiver who has received approval from the Regional Office of the Office of Price Administration or from any district office in Region VI to act as a distributing wholesaler in the sale of lettuce as provided for in Order No. G-1 under Maximum Price Regulation No. 426 is hereby considered to be a distributing wholesaler under this order and may continue to use the distributing wholesaler's markup in Schedule A (2) without further application to or order from the Office of Price Administration Regional or District Offices. Any other carlot or trucklot receiver who, during the four-month period from July 1, 1942, to November 1, 1942, or if not in business during that period, during the four-month period most closely subsequent to that period, made 65% or more of his total dollar volume of sales of fresh fruits and vegetables to retailers, hotels, restaurants and institutions and who desires to use the maximum prices provided for distributing wholesalers shall file with the appropriate district office of the Office of Price Administration serving his community an application in duplicate containing the following information:

(1) A statement that the application is being made pursuant to section (c) of Revised Regional Order No. G-1 under Revised Maximum Price Regulation No. 271 for permission to use distributing wholesaler's maximum prices as set forth in Schedule A (2).

(2) The amount of sales in dollars of fresh fruits and vegetables from July 1, 1942, to November 1, 1942, or if the applicant was not in business during that period, during the four-month period most closely subsequent to that four-month period.

(3) The amount of sales in dollars to retailers, hotels, restaurants and institutions for the same period.

No carlot or trucklot receiver may use the distributing wholesaler's markups in his maximum prices after March 10, 1945, unless he has qualified by reason of action previously taken under Order No. G-1 of Maximum Price Regulation No. 426 as above set forth or unless he

has received permission from his district office of the Office of Price Administration pursuant to an application filed under this section.

Pursuant to the authority conferred by the Emergency Price Control Act of 1942, as amended, and section 11 (c) (3) (iv) of Revised Maximum Price Regulation No. 271, It is ordered, That each of the district directors within Region VI be and they are hereby authorized to receive applications for reclassification filed under this order and to grant or deny permission for carlot or trucklot receivers to use the markups of distributing wholesalers. Any action taken by any district director pursuant to this delegation of authority shall have the same force and effect as if taken by the Price Administrator or by the Regional Administrator. The Office of Price Administration reserves the right to withdraw permission given any carlot or trucklot receiver to use the applicable markup for distributing wholesalers and if notice is given to such effect, or if the seller qualifies as a distributing wholesaler under action taken under Order No. G-1 of Maximum Price Regulation No. 426 and a withdrawal of permission is issued under such order, the seller must from that time forward use the prices for carlot or trucklot receivers in Schedule A (1).

(d) *Definitions.* (1) "Carlot or trucklot receiver" means any intermediate seller who purchases potatoes or onions in carlot or trucklot quantities. Except as modified by section (c) of this order, a person is a carlot or trucklot receiver for all potatoes or onions received in this manner.

(2) "Distributing wholesaler" means any intermediate seller who purchases potatoes or onions in less than carlot or trucklot quantities and sells to retailers, hotels, restaurants or institutions.

(3) "Retailer distributing warehouse" means a chain store warehouse or retailer-owned cooperative warehouse where potatoes and onions are received and held for distribution to members of the chain or cooperative.

(4) Other terms used in this order are defined in section 8 of Revised Maximum Price Regulation No. 271 or shall have the same meaning as otherwise provided in that regulation.

(e) *Geographical applicability.* The provisions of this order shall be applicable to all sales pursuant to which delivery is made within the states of Illinois, Wisconsin, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Lake County in the state of Indiana.

(f) The maximum prices which are set forth in this revised order shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to potatoes or onions alone or in conjunction with any other commodity or by way of commission, service, transportation or any other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding or otherwise.

(g) Except as otherwise provided herein, the provisions of Revised Maximum

Price Regulation No. 271 shall remain in full force and effect.

(h) This revised order may be revoked, amended or corrected at any time.

This order shall become effective on the 10th day of March 1945.

This order has been approved by the Regional Director of the War Food Administration.

Issued this 2d day of March 1945.

RAE E. WALTERS,
Regional Administrator.

SCHEDULE A

Markups over base price (Computed under Section 11 (a) of RMPR 271)

	Onions 50 lbs.	Potatoes 100 lbs.
(1) Carlot or trucklot receivers:		
(a) Non-delivered sale from railroad car or truck.....	\$.08	\$.12
(b) Delivered from the railroad car or truck to the physical premises of another wholesaler, a retail store, retailer distributing warehouse, or a hotel, restaurant or institutional user within the seller's free delivery zone.....	.13	.20
(c) F. O. B. seller's warehouse sale to any purchaser provided that commodity shall have been removed from car or truck to a place in seller's warehouse or store.....	.13	.20
(d) Delivered from seller's warehouse to the physical premises of another wholesaler, a retail store, retailer distributing warehouse, or a hotel, restaurant or an institutional user within the seller's free delivery zone.....	.18	.28
(e) Delivered to the premises of any purchaser outside the seller's free delivery zone.....	(1)	(1)
(2) Distributing wholesalers:		
(a) F. O. B. seller's business establishment to another wholesaler.....	.13	.20
(b) Delivered to the physical premises of another wholesaler within the seller's free delivery zone.....	.18	.28
(c) F. O. B. seller's business establishment to any purchaser other than another wholesaler.....	.34	.50
(d) Delivered to the physical premises of a retail store, retailer distributing warehouse, hotel, restaurant or institutional user with the seller's free delivery zone.....	.40	.60
(e) Delivered sales by a hotel and restaurant supply house to the physical premises of a hotel, restaurant or institutional user within seller's free delivery zone.....	.55	.70
(f) Delivered to the premises of any purchaser outside the seller's free delivery zone.....	(2)	(2)

¹The applicable price determined under (1) (b) or (1) (d) above, plus zone differential, if such differential has been filed in accordance with Section 11 (c) (3) (iv) of RMPR 271 with the appropriate district office of OPA or has been established by an order of the District Office.
²The price determined under (2) (b), (2) (d) or (2) (e) above, whichever is applicable, plus zone differential if such zone differential has been filed in accordance with Sec. 11 (c) (3) (iv) of RMPR 271 with the appropriate District Office of OPA or has been established by an Order of the District Office.

[F. R. Doc. 45-4471; Filed, Mar. 20, 1945; 4:21 p. m.]

[Region VI Order G-11 Under RMPR 122, Amdt. 7]

SOLID FUELS IN CHICAGO, ILL., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-11 under Revised Maximum Price Regulation No. 122 is amended in the following respect:

Paragraph (c) is amended by adding a new subparagraph (3) therein to read as follows:

(3) On sales of the following described kinds and sizes of coal until, but not including May 1, 1945, a dealer may collect, in addition to the maximum prices set forth in the schedule, the amounts specified below: *Provided*, That a dealer shall make such additions for no greater total tonnage of each kind and size of coal than that for which extra charges were incurred by him for Sunday work performed at the mine; *And provided, further*, That the charges so made shall be separately stated on the dealer's invoice and identified by the statement: "extra for Sunday mine work":

(i) Coal described in Part I Item 9 of the Price Schedule above as "Low Volatile Bituminous Coal from District No. 7 (West Virginia and Virginia), Screenings, 1 1/4" and smaller", 15c per ton.

(ii) Coal described in Part II Item 9 of the Price Schedule above as "High Volatile Bituminous Coal from District No. 8 (Eastern Kentucky and West Virginia) Screenings, 2" or 1 1/2" x 0, Mine Index No. 196", 5c per ton.

(iii) Coal described in Part II paragraph 10 of the Price Schedule above as "High Volatile Bituminous Coal from District No. 8 (Eastern Kentucky and West Virginia) Screenings, Size Group No. 18, modified or dedusted, top size 2" and smaller", 5c per ton.

This Amendment No. 7 to Order No. G-11 shall become effective immediately.

Issued this 28th day of February 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-4480; Filed, Mar. 20, 1945; 4:25 p. m.]

[Region VI Order G-16 Under RMPR 122]

SOLID FUELS IN LINCOLN, NEBR., AREA

(a) *Applicability*. This Appendix No. 15 applies to sales of solid fuels delivered within the corporate limits of the city of Lincoln, Nebraska, and within the towns of West Lincoln, Lakeview, and Belmont, Nebraska.

(b) *Price schedule*. Immediately below and as a part of this section (b) is a price schedule that sets forth maximum prices for delivered sales by dealers in lots of one (1) ton or more of specified kinds and sizes of solid fuels. Service charges are set forth in section (d). Charges for treatment of coal are set forth in section (d). Discounts are set forth in section (e). Definitions are set forth in section (f). Sales in lots of fractions of a ton or tons shall be governed by the price schedule as follows:

(i) On delivered sales of less than 1 ton, the price shall be proportional to the price per ton plus an additional charge of 25c, but in no event shall the total price be in excess of that for a sale of 1 ton; for example, if the price of 1 ton is \$13.85, the price of 1/2 ton would be \$6.95 plus 25c or a total of \$7.20; the price of 3/4 ton would be \$10.40 plus 25c or a total of \$10.65.

(ii) On delivered sales of more than 1 ton, for each fraction of a ton sold, the price shall be proportional to the price per ton; for example, if the price of 1 ton is \$13.85, the price of 1 1/2 tons would be \$20.80.

(iii) On yard sales of any fraction of a ton, whether more or less than 1 ton, the price shall be proportional to the price per ton; for example, if the price of 1 ton at the yard is \$12.10, the price of 1/2 ton would be \$6.05; of 1 1/2 tons—\$18.15.

PRICE SCHEDULE

I. HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT NO. 10 (ILLINOIS)

Delivered per ton

- A. Southern Sub-district Price Group
 - Nos. 1, 2, 8:
 - 1. Lump & Egg—Size Group Nos. 1, 2 & 3 (all lump and egg coals, bottom size larger than 2" washed or raw) including 6" lump and 6" x 3" egg..... \$11.05
 - 2. Egg—Size Group No. 5 (all egg coals bottom size larger than 1 1/2" but not exceeding 2" and top size larger than 2" but not exceeding 4" washed or raw, including 3" x 2")..... 10.30
 - 3. Special Stoker—Size Group Nos. 21, 22 and 28 (washed or air cleaned nut and pea coal, bottom size larger than 1 millimeter and top size not exceeding 2"; and dry dedusted special stoker, bottom size larger than 28 mesh and top size not exceeding 3/8")..... 9.25
- B. Duquoin Sub-district Price Group No. 8:
 - 1. Washed Screenings—Size Group Nos. 23 and 14 (washed or air cleaned screenings top size not exceeding 2")..... 8.75
- C. Belleville and Duquoin Sub-districts Price Group Nos. 10 and 16-22 inclusive:
 - 1. Lump & Egg—Size Group Nos. 1, 2 and 3 (for size description see I A 1 above)..... 9.60

II. BITUMINOUS COAL FROM DISTRICT NO. 14 (ARKANSAS-OKLAHOMA)

- A. Production Group No. 1 (Includes all mines in Pope County, all mines in the "Spadra" field of Johnson County, Arkansas:
 - 1. Nut—Size Group No. 11 (all double screened coals with a top size larger than 1 1/2" but not larger than 2 1/2" and a bottom size larger than 3/8" but not larger than 1 1/2")..... \$15.85
- B. Production Group No. 2 (Includes all mines in the Denning Coal Hill and Altus field of Franklin and Johnson Counties and all mines in the Philpott field of Johnson and Franklin Counties, Arkansas:
 - 1. Grate—Size Group No. 6 (all double screened coals with a bottom size larger than 4") From Mine Index No. 559 only..... 14.85

PRICE SCHEDULE—Continued

II. BITUMINOUS COAL FROM DISTRICT NO. 14.
(ARKANSAS-OKLAHOMA)—continued

	Delivered per ton
C. Production Group No. 3 (Includes all mines in the "Paris" field of Logan County, Arkansas and mines in Franklin County located in Paris Basin):	
1. Lump (Machine Cut) Size Group No. 4 (All lump coal, screened over perforated plates with round holes 2½" and larger)...	\$14.25
2. Grate—Size Group No. 6 (All double screened coals with a bottom size larger than 4")...	14.35
D. Production Group No. 5 (Includes all mines in Sebastian County, Arkansas):	
1. Lump (Solid Shot) Size Group No. 3 (All lump coal, screened over perforated plates with round holes 2½" or smaller)...	12.85
2. Lump (Machine Cut) Size Group No. 4 (All lump coal, screened over perforated plates with round holes 2½" and larger)...	13.85
E. Production Group No. 6 (Includes all mines in the "Panama" field of Leflore County, Oklahoma):	
1. Lump (Machine Cut) Size Group No. 4 (All lump coal, screened over perforated plates with round holes 2½" and larger)...	13.95
F. Production Group No. 7 (Includes mines in the "Bokoshe" and "Milton" field of Leflore County, Oklahoma, mines in the McCurtain field of Haskell County, and all mines in Sequoyah County, Oklahoma):	
1. Lump (Machine Cut) Size Group No. 4 (All lump coal, screened over perforated plates with round holes 2½" and larger)...	13.25
G. Production Group No. 8 (Includes all mines in the Poteau-Wister field in Leflore County, Oklahoma):	
1. Lump (Machine Cut) Size Group No. 4 (All lump coal, screened over perforated plates with round holes 2½" and larger)...	13.80

III. HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT NO. 15 (KANSAS, MISSOURI AND PART OF OKLAHOMA)

A. Production Group No. 1 (All mines located in Cherokee, Crawford, Bourbon, Neosho, Labette and Wilson Counties, Kansas; and Barton, Jasper, Dade, Cedar and that portion of Vernon County lying south of an east and west line drawn through the town of Nevada, Missouri):	
1. Standard Nut—Size Group No. 6 (Double screened coals with a top size larger than 2" but not exceeding 3"; bottom size 1¼" and smaller, including 3" x 1¼")	\$9.00
2. No. 2 Nut—Size Group No. 7 (Double screened coals with a top size larger than 1¼" but not exceeding 2") Washed coal only	8.45
3. Stoker—Size Group No. 11 (Double screened coals with a top size 1¼" and smaller, bottom size larger than ¼" but not exceeding ⅝")	8.00

PRICE SCHEDULE—Continued

III. HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT NO. 15 (KANSAS, MISSOURI AND PART OF OKLAHOMA)—continued

	Delivered per ton
B. Production Group No. 2 (All mines in Linn County, Kansas; and Bates, Henry, St. Clair, Miller, Morgan, Pettis and Johnson Counties; and that portion of Vernon County lying north of an east and west line drawn through the town of Nevada in Missouri):	
1. Furnace or Egg—Size Group No. 3 (Double screened coals with a top size larger than 3" but not exceeding 10", bottom size larger than 1¼")	\$8.60
C. Production Group No. 3 (All mines located in Boone, Callaway, Audrain, Randolph, Clark, Macon, Moniteau, Linn, Grundy, Harrison, Adair, Chariton, Schuyler, Putnam, Cole, Howard, Monroe, Warren, Lincoln, Sullivan and Ralls Counties in Missouri):	
1. Fancy Nut—Size Group No. 5 (Double screened coals with a top size larger than 2" but not exceeding 3", bottom size larger than 1¼")	8.15
2. Special Stoker—Size Group No. 11 (Double screened coals with a top size 1¼" and smaller, bottom size larger than ¼" but not exceeding ⅝")	7.60
3. Washed Screenings—Size Group No. 13 (All washed screenings top size not exceeding 1¼" x 0)	7.20
D. Production Group No. 10 (All mines located in McIntosh and in Okmulgee Counties, Oklahoma):	
1. Lump—Size Group Nos. 1 and 2 (All single screened lump coal with a bottom size 3" and smaller; all double screened coals with a top size larger than 10") From Deep Shaft Mines only	11.75
2. Special Stoker—Size Group No. 11 (Double screened coals with a top size 1¼" and smaller, bottom size larger than ¼" but not exceeding ⅝") From Deep Shaft mines only	9.05
E. Production Group No. 11 (All mines located in Tulsa, Wagoner, Roger, Craig and Nowata Counties, Oklahoma, and all that part of Muskogee County, Oklahoma, north of a line drawn straight east and west across Muskogee County, along the southern limits of the town of Forum, Oklahoma):	
1. Lump—Size Group Nos. 1 and 2 (all single screened lump coal with a bottom size 3" and smaller; all double screened coals with a top size larger than 10")	10.45
2. Standard Nut—Size Group No. 6 (Double screened coals with a top size larger than 2" but not exceeding 3", bottom size 1¼" and smaller)	9.80
3. Special Stoker—Size Group No. 11 (Double screened coals with a top size 1¼" and smaller, bottom size larger than ¼" but not exceeding ⅝")	8.95

PRICE SCHEDULE—Continued

IV. HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT NO. 17 (WESTERN AND SOUTHERN COLORADO, INCLUDING COLFAX COUNTY, NEW MEXICO)

	Delivered per ton
A. Sub-district No. 4—Oak Hills (that part of Routt County, Colorado, lying on and adjacent to the main line of the D. & S. L. Railroad, at and adjacent to the town of Oak Creek, and extending north along the line of the D. & S. L. Railroad, Phippsburg to Steamboat Springs, Colorado):	
1. Nut—Size Group No. 9 (All double screened coals top size larger than 1½" but not exceeding 3" and bottom size larger than 1" but not exceeding 1½"; including 3" x 1¼")	\$12.65
V. PENNSYLVANIA ANTHRACITE	
1. Egg, Stove, Nut	\$23.10

(c) *Service charges.* Immediately below and as a part of this section (c) is a schedule of charges which a dealer may make for the special services described when rendered in connection with sales of solid fuels covered by this appendix. These charges may be made only if the buyer requests the service and the dealer renders it pursuant to the request. The charges must be separately stated on the dealer's invoice:

SCHEDULE OF SERVICE CHARGES

	Per ton
1. Trimming or mowing back in the bin	25¢
2. Wheel or carry from curb	50¢
3. Carrying up or down stairs—each flight	75¢

(d) *Charge for treatment of coal.* Whenever a dealer has been charged by his supplier for the chemical or oil treatment of coal at the mine, he may add such treatment charge to the applicable maximum price set by this Appendix No. 15, provided that the treated coal is kept separate and is not mixed with untreated coal. When a treatment charge is made pursuant to this section the dealer need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated.

(e) *Discounts.* The maximum prices set forth in section (b) shall be subject to the following discounts:

	Per ton
1. On "delivered" sales paid for on delivery or within 10 days thereafter	\$0.50
2. On "delivered" sales of "shovelled" coal to apartment buildings consisting of 4 or more apartments, commercial buildings, office buildings, hotels, and industrial and institutional users	1.00
3. On "yard" sales in lots of 1 ton or more	1.00

(f) *Definitions.* (1) "Shovelled" coal shall mean coal which is shovelled from a railroad car or yard bin directly into a truck or conveyance for delivery to the purchaser.

(2) Except as otherwise provided herein or as the context may otherwise require, all terms used in this appendix shall bear the meaning given them in

Revised Maximum Price Regulation No. 122 or the Emergency Price Control Act of 1942; if not therein defined, they shall be given their ordinary and popular trade meaning.

This Appendix No. 15 to Order No. G-16 shall be effective March 16, 1945.

Issued this 6th day of March 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-4481; Filed, Mar. 20, 1945; 4:25 p. m.]

[Region VI Order G-108 Under SR 15]

FLUID MILK IN WEST LIBERTY, IOWA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, it is ordered:

(a) *Maximum distributor prices for sales to civilian purchasers.* The maximum prices for the sale and delivery of fluid milk for human consumption having a butterfat content of 4.2% or more at wholesale and retail in West Liberty, Iowa, shall be the maximum prices determined under the General Maximum Price Regulation or the following prices, whichever shall be higher:

Container size	Wholesale	Retail
Gallons (bottled).....	\$0.40	\$0.46
1/2 gallon.....	.21	.24
Quarts.....	.10 1/4	.12 1/2
Pints.....	.05 3/4	.07
1/2 pints.....	.03 1/4	.05

Where the maximum price set forth is expressed in terms of 1/2 cent, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(b) *Maximum distributor prices for sales to Army or Navy.* The maximum price for the sale and delivery of fluid milk to the Army and Navy shall be the price at wholesale computed under paragraph (a) of this order for the particular size and type of container, plus whichever of the following provisions is the higher:

(1) One-half cent per quart or a proportionate amount for a part of a quart.

(2) The actual transportation costs from the seller's plant to the point of delivery at the lowest common carrier rate.

(c) *Applicability of distributor prices.* For the purpose of paragraph (a) of this order, sales and deliveries within the West Liberty, Iowa, area shall mean:

(1) All sales made within the city limits of West Liberty, Iowa, and all sales delivered from an establishment located in West Liberty, Iowa.

(2) All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within West Liberty, Iowa.

(d) *Definitions.* (1) "Sales at wholesale" shall include all delivered sales to retail stores, restaurants, schools, hospitals, prisons and other institutions.

(2) "Army or Navy" means the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores, officers' messes and stores operated as Army canteens or post exchanges.

(e) *Relation of this order to Office of Price Administration Regulations.* Except as modified by this order, the provisions of the General Maximum Price Regulation shall remain in full force and effect and shall not be evaded by any change in business or trade practices.

(f) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective March 10, 1945.

Issued this 5th day of March 1945.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-4472; Filed, Mar. 20, 1945; 4:22 p. m.]

[Region VIII Order G-19 Under 3 (e)]

RECONDITIONED PILLOWS IN SAN FRANCISCO REGION

For the reasons set forth in the accompanying opinion and pursuant to the authority conferred upon the Regional Administrator of the Office of Price Administration by § 1499.3 (e) of the General Maximum Price Regulation; *It is hereby ordered:*

(a) The maximum prices for sales to jobbers, to retailers, and at retail by persons who are unable to establish a price therefor under § 1499.2 of the General Maximum Price Regulation, of pillows 17" x 24", weighing 3 pounds, and 21" x 27" weighing 3 1/2 pounds, purchased from the United States through the Treasury Department of Procurement, and subsequently reconditioned, shall be as follows:

Sales	Maximum price re-conditioned pillow—17" x 24"	Maximum price re-conditioned pillow—21" x 27"	Unit
To jobbers.....	\$0.355	\$0.475	Each.
To retailers.....	.445	.595	Each.
At retail.....	.89	1.19	Each.

The terms shall be 2/10 F. O. B. seller's place of business.

(b) This order shall apply to sales in the States of California, Washington, Nevada, Oregon, except Malheur County, and Arizona, except those portions of Coconino County and Mohave County lying north of the Colorado River, and the following counties in the State of Idaho: Benewah, Bonner, Boundary,

Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and Idaho.

(c) 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.

(d) This order shall become effective February 28, 1945.

Issued this 28th day of February 1945.

CHAS. R. BAIRD,
Regional Administrator.

[R. R. Doc. 45-4474; Filed, Mar. 20, 1945; 4:22 p. m.]

[D. C. Gen. Order X Under RO 5C, Revocation]

GASOLINE IN WASHINGTON, D. C.

It appearing that the conditions obtaining at the time of the issuance of General Order No. X (10 F.R. 544) no longer exist, the said General Order No. X is hereby revoked.

Effective 12:01 a. m., March 20, 1945.

ROBERT K. THOMPSON,
District Director.

[F. R. Doc. 45-4466; Filed, Mar. 20, 1945; 4:20 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register March 12, 1945.

REGION II

Buffalo Order 1-F, Amendment 47, covering fresh fruits and vegetables in certain cities in New York, filed 9:46 a. m.

Buffalo Order 2-F, Amendment 47, covering fresh fruits and vegetables in certain cities in New York, filed 9:46 a. m.

New York Order 2-C, Amendment 1, covering poultry in the New York Area, filed 9:42 a. m.

New York Order 2-C, Amendment 3, covering poultry in the New York Area, filed 9:46 a. m.

New York Order 1-C, Amendment 4, covering poultry in the New York Area, filed 9:47 a. m.

New York Order 3-C, Amendment 4, covering poultry in certain areas in the New York Area, filed 9:47 a. m.

New York Order 4-C, Amendment 4, covering poultry in certain areas in New York and New Jersey, filed 9:47 a. m.

New York Order 9-F, Amendment 2, covering fresh fruits and vegetables in the five boroughs in New York, filed 9:48 a. m.

New York Order 10-F, Amendment 2, covering fresh fruits and vegetables in certain counties in New York, filed 9:48 a. m.

New York Order 11-F, Amendment 2, covering fresh fruits and vegetables in certain counties in New York, filed 9:47 a. m.

REGION IV

Nashville Order 2-C, covering community food prices in the Nashville Area, filed 9:42 a. m.

Nashville Order 5-W, covering dry groceries in the Nashville Area, filed 9:45 a. m.

Nashville Order 11-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Tennessee, filed 9:44 a. m.

Nashville Order 11-F, Amendment 4, covering fresh fruits and vegetables in certain counties in Tennessee, filed 9:44 a. m.

Nashville Order 12-F, Amendment 5, covering fresh fruits and vegetables in certain counties in Virginia, filed 9:44 a. m.

Nashville Order 12-F, Amendment 6, covering fresh fruits and vegetables in certain counties in Virginia, filed 9:43 a. m.

Nashville Order 12-F, Amendment 7, covering fresh fruits and vegetables in certain counties in Tennessee and Virginia, filed 9:43 a. m.

Nashville Order 16, covering community food prices in the Nashville Area, filed 9:45 a. m.

REGION VIII

Portland Order 3-B, Amendment 1, covering fresh fruits and vegetables in the Portland Area, filed 9:48 a. m.

Portland Order 10-F, Amendment 8, covering fresh fruits and vegetables in certain cities in Oregon, filed 9:51 a. m.

Portland Order 10-F, Amendment 9, covering fresh fruits and vegetables in certain cities in Oregon and Washington, filed 9:51 a. m.

Portland Order 10-F, Amendment 10, covering fresh fruits and vegetables in certain cities in Washington, filed 9:51 a. m.

Portland Order 11-F, Amendment 8, covering fresh fruits and vegetables in certain cities in Oregon, filed 9:50 a. m.

Portland Order 11-F, Amendment 9, covering fresh fruits and vegetables in certain cities in Oregon, filed 9:50 a. m.

Portland Order 11-F, Amendment 10, covering fresh fruits and vegetables in certain cities in Oregon, filed 9:51 a. m.

Portland Order 12-F, Amendment 6, covering fresh fruits and vegetables in certain cities in Oregon, filed 9:50 a. m.

Portland Order 12-F, Amendment 7, covering fresh fruits and vegetables in certain cities in Oregon, filed 9:50 a. m.

Portland Order 12-F, Amendment 8, covering fresh fruits and vegetables in certain cities in Oregon, filed 9:50 a. m.

Portland Order 13-F, Amendment 6, covering fresh fruits and vegetables in certain cities in Oregon, filed 9:50 a. m.

Portland Order 13-F, Amendment 7, covering fresh fruits and vegetables in certain cities in Oregon, filed 9:50 a. m.

Portland Order 13-F, Amendment 8, covering fresh fruits and vegetables in certain cities in Oregon, filed 9:50 a. m.

Portland Order 14-F, Amendment 6, covering fresh fruits and vegetables in certain cities in Oregon, filed 9:49 a. m.

Portland Order 14-F, Amendment 7, covering fresh fruits and vegetables in certain cities in Oregon, filed 9:49 a. m.

Portland Order 14-F, Amendment 8, covering fresh fruits and vegetables in certain cities in Oregon, filed 9:50 a. m.

Portland Order 15-F, Amendment 6, covering fresh fruits and vegetables in certain cities in Oregon, filed 9:49 a. m.

Portland Order 15-F, Amendment 7, covering fresh fruits and vegetables in certain cities in Oregon, filed 9:49 a. m.

Portland Order 15-F, Amendment 8, covering fresh fruits and vegetables in certain cities in Oregon, filed 9:49 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-4622; Filed, Mar. 22, 1945;
11:35 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register March 19, 1945.

REGION I

Augusta Order 1-F, Amendment 30, covering fresh fruits and vegetables in certain areas in Maine, filed 11:07 a. m.

REGION II

Baltimore Order 2-M, covering malt beverages in bottles or cans in Allegany County, Maryland, filed 3:55 p. m.

Baltimore Order 4-F, Amendment 24, covering fresh fruits and vegetables in certain areas in Maryland, filed 3:55 p. m.

Baltimore Order 6-F, Amendment 24, covering fresh fruits and vegetables in certain areas in Maryland, filed 3:55 p. m.

Baltimore Order 7-F, Amendment 5, covering fresh fruits and vegetables in certain areas in Maryland, filed 3:35 p. m.

Baltimore Order 8-F, Amendment 5, covering fresh fruits and vegetables in certain areas in Maryland, filed 3:53 p. m.

Baltimore Order 9-F, Amendment 1, covering fresh fruits and vegetables in certain counties in Maryland, filed 3:35 p. m.

Buffalo Order 1-F, Amendment 44, covering fresh fruits and vegetables in certain cities in New York, filed 3:34 p. m.

Buffalo Order 2-F, Amendment 44, covering fresh fruits and vegetables in certain cities in New York, filed 3:34 p. m.

Camden Order 3-F, Amendment 19, covering fresh fruits and vegetables in certain counties in New Jersey, filed 3:36 p. m.

Camden Order 4-F, Amendment 19, covering fresh fruits and vegetables in certain counties in New Jersey, filed 3:36 p. m.

Erie Order 14-F, Amendment 10, covering fresh fruits and vegetables in certain counties in Pennsylvania, filed 3:45 p. m.

Erie Order 14-F, Amendment 11, covering fresh fruits and vegetables in certain counties in Pennsylvania, filed 3:53 p. m.

Erie Order 14-F, Amendment 12, covering fresh fruits and vegetables in certain counties in Pennsylvania, filed 3:45 p. m.

New York Order 1-F, Amendment 2, covering poultry in certain areas in the state of New York, filed 3:58 p. m.

New York Order 1-C, Amendment 3, covering poultry in certain areas in New York, filed 3:32 p. m.

New York Order 2-C, Amendment 2, covering poultry in certain areas in New York, filed 3:58 p. m.

New York Order 3-C, Amendment 3, covering poultry in certain areas in New York and New Jersey, filed 3:57 p. m.

New York Order 4-C, Amendment 3, covering poultry in certain areas in New York and New Jersey, filed 3:57 p. m.

New York Order 1-F, Amendment 48, covering fresh fruits and vegetables in the five boroughs in New York, filed 3:56 p. m.

New York Order 3-F, Amendment 35, covering fresh fruits and vegetables in certain cities in New York, filed 3:56 p. m.

New York Order 6-F, Amendment 30, covering fresh fruits and vegetables in certain counties in New York, filed 3:57 p. m.

New York Order 7-F, Amendment 7, covering fresh fruits and vegetables in certain counties in New York, filed 3:33 p. m.

New York Order 8-F, Amendment 7, covering fresh fruits and vegetables in certain counties in New York, filed 3:33 p. m.

New York Order 20, Amendment 1, covering dry groceries in the State of New York, filed 3:35 p. m.

Philadelphia Order 6-F, Amendment 14, covering fresh fruits and vegetables in certain counties in Pennsylvania, filed 3:37 p. m.

Philadelphia Order 7-F, Amendment 14, covering fresh fruits and vegetables in certain counties in Pennsylvania, filed 3:37 p. m.

Philadelphia Order 8-F, Amendment 14, covering fresh fruits and vegetables in certain counties in Pennsylvania, filed 3:37 p. m.

Syracuse Order 3-F, Amendment 18, covering fresh fruits and vegetables in certain cities in New York, filed 3:36 p. m.

Syracuse Order 4-F, Amendment 13, covering fresh fruits and vegetables in certain counties in New York, filed 3:36 p. m.

Trenton Order 33, covering eggs in the Trenton, New Jersey Area, filed 3:34 p. m.

Trenton Order 34, covering eggs in the Trenton, New Jersey Area, filed 3:33 p. m.

REGION IV

Columbia Order 17-C, Amendment 1, covering poultry in the South Carolina Area, filed 3:42 p. m.

Columbia Order 18-C, Amendment 1, covering poultry in the South Carolina Area, filed 3:42 p. m.

Columbia Order 22-O, Amendment 1, covering eggs in the South Carolina Area, filed 3:43 p. m.

Jacksonville Order 9-F, Amendment 12, covering fresh fruits and vegetables in Jacksonville, Florida, filed 3:44 p. m.

Jacksonville Order 11-F, Amendment 5, covering fresh fruits and vegetables in certain counties in Florida, filed 3:44 p. m.

Memphis Order 6-F, Amendment 18, covering fresh fruits and vegetables in certain areas in Tennessee, filed 3:42 p. m.

Nashville Order 16, Amendment 1, covering dry groceries in the Nashville, Tenn., Area, filed 3:43 p. m.

Nashville Order 17, covering community food prices in the Nashville Area, filed 3:43 p. m.

Raleigh Order 4-W, covering dry groceries in the Raleigh, North Carolina Area, filed 3:40 p. m.

Raleigh Order 17, covering community food prices in certain counties in the state of North Carolina, filed 3:40 p. m.

Raleigh Order 18, covering community food prices in the Raleigh, North Carolina Area, filed 3:41 p. m.

REGION VI

Dallas Order 1-F, Amendment 52, covering fresh fruits and vegetables in the Dallas, Tex., Area, filed 3:40 p. m.

New Orleans Order 1-F, Amendment 17, covering fresh fruits and vegetables in certain counties in Louisiana, filed 3:39 p. m.

New Orleans Order 2-F, Amendment 59, covering fresh fruits and vegetables in certain areas in Louisiana, filed 3:39 p. m.

New Orleans Order 2-F, Amendment 60, covering fresh fruits and vegetables in certain areas in Louisiana, filed 3:38 p. m.

REGION VI

Des Moines Order 1-F, Amendment 52, covering fresh fruits and vegetables in the Des Moines Area, filed 3:38 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-4623; Filed, Mar. 22, 1945;
11:35 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-997]

FEDERAL WATER AND GAS CORP. AND OHIO WATER SERVICE CO.

ORDER GRANTING APPLICATION-DECLARATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 19th day of March, A. D. 1945.

Federal Water and Gas Corporation ("Federal"), a registered holding com-

pany, and Ohio Water Service Company ("Ohio"), a subsidiary of Federal, having filed a joint application-declaration under the Public Utility Holding Company Act of 1935, particularly sections 7, 10, and 12 and Rules U-42 and U-43, regarding the reclassification of Ohio's 40,522 shares of outstanding Class A common stock (no par value, with a stated value of \$3,155,897.71) into 121,566 shares of common stock (par value \$10 a share or an aggregate par value of \$1,215,660) and a paid-in surplus of \$1,940,237.71, against which paid-in surplus Ohio proposes to make certain charges in connection with certain adjustments in its accounts; the receipt by Federal of 80,880 shares of such new stock in exchange for the 26,960 shares of Class A common stock presently owned by it; Federal proposes to divest itself of its interests in Ohio and proposes to use the proceeds of such divestment, or an amount equivalent thereto, in a manner necessary or appropriate to the integration or simplification of the holding company system of which Federal is a member and pursuant to appropriate orders of this Commission where such orders are required by the act or the rules and regulations promulgated thereunder, and in connection with such proposed divestment and use of the proceeds thereof Federal and Ohio have requested that the Commission's order to issue herein conform to the formal requirements of sections 371 (b), 371 (f), and 1808 (f) of the Internal Revenue Code, as amended;

The Commission having on February 10, 1943 issued an order which approved, pursuant to section 11 (e) of the act, portions of a plan filed by Federal and its subsidiaries providing, among other things, for the divestment by Federal of its interest in Ohio, and which directed that certain steps, including the divestment by Federal of its interest in Ohio, be taken to affect compliance with the requirements of section 11 (b) of the act;

A public hearing having been held on said joint application-declaration after an appropriate notice, and the Commission having been fully advised in the premises and having made and filed its findings and opinion herein;

It is ordered, That the joint application-declaration, as amended, be, and the same hereby is, granted and permitted to become effective forthwith subject to the terms and conditions of Rule U-24 and to the following additional term and condition:

That Ohio eliminate from its property account an amount of \$535,102, representing excess over original cost to the system of said properties, by an immediate charge to earned surplus of \$321,202 and the balance of \$213,900 by an immediate charge to capital surplus; which account was credited with and now contains this portion of such excess.

It is further ordered and recited, That the reclassification of the stock of Ohio Water Service Company from 40,522 shares of Class A common stock, without par value and with a stated value of \$3,155,890.71, to 121,566 shares of common stock, par value of \$10 a share and an aggregate par value of \$1,215,660, and the subsequent sale by Federal Water

and Gas Corporation of the 80,880 shares of such new common stock, to be received by it in exchange for its present holdings of Class A common stock of Ohio Water Service Company, to Otis & Co. for \$1,090,040, are necessary or appropriate to the integration or simplification of the Federal Water and Gas Corporation holding company system and are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

It is further ordered and recited, That the proposed sale by Federal Water and Gas Corporation of the 80,880 shares of common stock of Ohio Water Service Company be effected by July 1, 1945, the Commission reserving jurisdiction to determine by subsequent order herein the expenditure or investment that shall be made, within twenty-four months of said sale, of the proceeds of the sale, or an amount equivalent thereto, as may hereafter be proposed by Federal Water and Gas Corporation and as may be shown to be necessary or appropriate to the integration or simplification of the holding company system of which Federal Water and Gas Corporation is a member.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-4584; Filed, Mar. 21, 1945;
2:55 p. m.]

[File No. 811-336]

THE MARYLAND FUND, INC.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 21st day of March, A. D. 1945.

An application, and an amendment thereto, having been filed on behalf of the Maryland Fund, Inc., a registered closed-end investment company, by American Business Shares, Inc., surviving corporation in a merger heretofore consummated between itself, The Maryland Fund, Inc., and Quarterly Income Shares, Inc., for an order declaring that the registration of The Maryland Fund, Inc. under the Investment Company Act of 1940 cease to be in effect;

It is ordered, That a hearing on the aforesaid application and amendment be held on April 2, 1945 at 10:00 o'clock, eastern war time, in the forenoon of that day at the Securities and Exchange Commission Building, Room 318, 18th and Locust Streets, Philadelphia, Pennsylvania.

It is further ordered, That William W. Swift, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice is hereby given to the applicant and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-4612; Filed, Mar. 22, 1945;
11:25 a. m.]

[File No. 811-335]

QUARTERLY INCOME SHARES, INC.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 21st day of March, A. D. 1945.

An application, and an amendment thereto, having been filed on behalf of Quarterly Income Shares, Inc., a registered closed-end investment company, by American Business Shares, Inc., surviving corporation in a merger heretofore consummated between itself, Quarterly Income Shares, Inc. and The Maryland Fund, Inc., for an order declaring that the registration of Quarterly Income Shares, Inc. under the Investment Company Act of 1940 cease to be in effect;

It is ordered, That a hearing on the aforesaid application and amendment be held on April 2, 1945 at 10:15 o'clock, eastern war time, in the forenoon of that day at the Securities and Exchange Commission Building, Room 318, 18th and Locust Streets, Philadelphia, Pennsylvania.

It is further ordered, That William W. Swift, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all the powers granted to the Commission under section 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice is hereby given to the applicant and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-4613; Filed, Mar. 22, 1945;
11:25 a. m.]

[File No. 1-806]

CHICAGO AND NORTH WESTERN RAILWAY
ORDER SETTING HEARING ON APPLICATION TO
STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 20th day of March, A. D. 1945.

In the matter of Chicago and North Western Railway Company, \$100 par common stock, \$100 par 7% non-cumulative preferred stock.

The New York Stock Exchange, pursuant to Section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the \$100 Par Common Stock and the \$100 Par 7% Non-Cumulative Preferred Stock of Chicago and North Western Railway Company:

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered. That the matter be set down for hearing at 10:00 a. m. on Wednesday, March 28, 1945, at the office of the Securities and Exchange Commission, 120 Broadway, New York, New York, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered. That William J. Cogan, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-4614; Filed, Mar. 22, 1945;
11:25 a. m.]

[File No. 70-1039]

MARGARET W. PUTNAM, ET AL.

NOTICE OF FILING AND NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 20th day of March, A. D., 1945.

In the matter of Margaret W. Putnam, Ruth M. LeVan, Helene N. Sullivan, Margaret P. Gilbert, Mary E. Graham, Daniel H. LeVan and F. L. Putnam & Company, Inc., File No. 70-1039.

Notice is hereby given that an application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935, regarding (a) the acquisition by Margaret W. Putnam, Ruth M. LeVan, Helene N. Sullivan, Margaret P. Gilbert, Mary E. Graham, Daniel H. LeVan and F. L. Putnam & Company, Inc. (Purchasers), of the indebtedness of American Utilities Associates (Associates), a Massachusetts trust not registered as a holding company and exempt under provisions of Rule U-2, from Alpha Association (Alpha), a similar trust and similarly exempt, and (b) the acquisition by Daniel H. LeVan (LeVan) of one common share of beneficial interest of Alpha.

All interested persons are referred to the aforesaid application, on file in the office of this Commission, for a statement of the transactions therein pro-

posed, which are summarized as follows:

(a) The Purchasers have agreed to buy from Alpha undivided interests as tenants in common in various percentages the demand notes of Associates in the principal amount of \$5,910,000, including accrued interest thereon aggregating \$4,179,512 as of January 25, 1945, and accounts receivable in the amount of \$110,064, for a cash consideration of \$10,000 and other valuable considerations set forth in an agreement, dated January 25, 1945, wherein it was agreed, among other things, that no public offering or distribution of the foregoing indebtedness of American would be made at any time without first obtaining the approval of this Commission; and

(b) LeVan has agreed to buy from Leslie D. Hawkrige one common share, of the two outstanding, of beneficial interest of Alpha for the consideration of \$100.

The applicants have designated sections 9 (a) (2) and 10 as applicable to the proposed transactions.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held with respect to said matters and that said application shall not be granted except pursuant to further order of the Commission;

It is ordered. That a hearing on said matters under the applicable provisions of the Act and the rules of the Commission thereunder be held on the 3d day of April, 1945, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, in such room as the hearing room clerk in Room 318 will at that time advise. Any person proposing to be heard or otherwise to participate in these proceedings shall file with the Secretary of the Commission on or before the 22d day of March a written request relative thereto as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered. That Willis E. Monty or any other officer or officers of this Commission designated by it for that purpose shall preside at the hearings on such matters. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered. That, without limiting the scope of the issues presented by said application otherwise to be considered in these proceedings, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed acquisitions by the Purchasers and LeVan will serve the public interest by tending towards the economical and efficient development of an integrated public utility system.

2. Whether the proposed transactions are in conformity with the other standards of section 10 of the act.

3. Whether it is necessary or appropriate in the public interest or for the pro-

tection of investors or consumers to impose terms or conditions in respect of the proposed transactions and, if so, what terms and conditions should be imposed.

4. Generally, whether, in any respect, the proposed transactions are detrimental to the public interest or to the interest of investors or consumers or will tend to circumvent any provisions of the Act or the rules, regulations or orders promulgated thereunder.

It is further ordered. That notice of said hearing is hereby given to the Purchasers, LeVan and all other persons; said notice to be given the Purchasers and LeVan by registered mail, and to all other persons by general release of this Commission, distributed to the press and mailed to the mailing list for releases issued under the Act and by publication in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-4615; Filed, Mar. 22, 1945;
11:25 a. m.]

[File No. 70-1050]

CAROLINA POWER & LIGHT CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 21st day of March, A. D. 1945.

Notice is hereby given that an application and declaration has been filed with this Commission under the Public Utility Holding Company Act of 1935 and particularly under sections 6 (b) and 12 (c) thereof by Carolina Power & Light Company ("Carolina"), an electric utility subsidiary of National Power & Light Company, a registered holding company subsidiary of Electric Bond and Share Company, also a registered holding company.

All interested persons are referred to said document which is on file in the offices of the Commission for a statement of the transactions therein proposed, which are summarized as follows:

Carolina proposes to offer the holders of its 173,506 shares of outstanding \$7 and \$6 preferred stock the right to exchange such stock share for share for a new issue of preferred stock with a dividend rate of \$5 per share. All shares of the presently outstanding preferred stock not so exchanged will be called at the redemption price of \$110 through the use of treasury cash, in the required amount. Carolina requests an exemption from the competitive bidding provisions of Rule U-50 in selecting dealer-managers to manage the exchanges and in fixing the amounts to be paid as compensation to such dealer-managers and to dealers effecting the exchanges.

The application states that consummation of the entire plan is contingent on not less than 75% of the presently outstanding preferred stock being offered for exchange, with the right in Carolina, however, to declare the plan effective if

less than such amount is so offered. The application also states that if more than 90% of the presently outstanding preferred stock is offered for exchange Carolina reserves the right to call and will call for redemption, from the shares so offered, that number of shares which, together with the shares not offered for exchange, equals 10% of the presently outstanding shares. Such call will apply on a pro rata basis, to all shares in excess of the first 100 shares offered by any record or beneficial owner.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said application and that said declaration and application shall not become effective or be granted except pursuant to further order of the Commission;

It is ordered, That a hearing on said application and declaration under the applicable provisions of the act and the rules of the Commission thereunder be held on April 3, 1945 at 10:00 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which the hearing will be held.

It is further ordered, That William W. Swift, or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this order to the North Carolina Utilities Commission and the South Carolina Public Service Commission and to the applicant and declarant herein; and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER. Any person desiring to be heard in connection with these proceedings, or proposing to intervene therein, shall file with the Secretary of the Commission on or before March 31, 1945 his request or application therefor as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues presented by said application and declaration, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the proposed issue of preferred stock by Carolina is solely for the purpose of financing the business in which it is engaged;

(2) Whether the terms and conditions of the issue of said securities are detrimental to the public interest or the interest of investors or consumers.

(3) Whether the terms of the proposed exchange offer are fair and reasonable and appropriate in the public interest and the interest of investors.

(4) Whether the exemption requested by Carolina from the competitive bidding provisions of Rule U-50 is appro-

appropriate in the public interest and in the interest of investors and consumers.

(5) Whether the fees, commissions, or other remunerations to be paid are reasonable.

(6) Generally, whether the proposed transactions comply with the applicable provisions of the act and the rules, regulations and orders promulgated thereunder.

(7) Whether, in the event the application and declaration shall be granted and permitted to become effective, it is necessary to impose any terms or conditions to assure compliance with the standards of the act.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-4616; Filed, Mar. 22, 1945;
11:26 a. m.]

[File No. 70-1049]

PACIFIC GAS AND ELECTRIC CO.

MEMORANDUM OPINION AND ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 20th day of March 1945.

Pacific Gas and Electric Company (Pacific) has filed an application pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 for an exemption from the application of sections 6 (a) and 7 thereof to the proposed issuance and sale, at a price to be determined by the competitive bidding provisions of Rule U-50, of \$30,000,000 principal amount of its First and Refunding Mortgage Bonds, Series M, 3%, due December 1, 1979. Pacific proposes to apply to net proceeds from the sale of the new bonds towards the redemption on June 1, 1945, at 105% of the principal amount plus accrued interest, of all of its Series G, 4%, Bonds, due December 1, 1964, outstanding in the aggregate principal amount of \$84,193,000 (exclusive of \$30,000 principal amount held in the treasury which will also be redeemed). The aggregate amount of the principal and redemption premium of the Series G Bonds outstanding in the hands of the public is \$88,402,650, exclusive of any accrued interest. To the extent that the net proceeds from the sale of the new bonds are insufficient to provide for the redemption of the Series G Bonds, treasury funds will be used.

Pacific owns and operates electric transmission and distribution systems extending into 46 counties in the northern and central part of California and operates a gas transmission system and a number of gas distribution systems located in 31 counties in northern and central California. As of December 31, 1944, Pacific reported gross assets of \$894,316,818 and gross operating revenues of \$151,781,236, for the year ending that date.¹

¹ On a consolidated basis, gross assets were \$894,382,562 and gross operating revenues were \$151,778,236, respectively.

The application of Pacific comes to us under the following circumstances. On November 29, 1935, Pacific filed an application² for an order under the Holding Company Act exempting the Company from regulation under the Act as a holding company, and for an order declaring the Company not to be a subsidiary of The North American Company, which registered as a holding company on February 25, 1937. Subsequently, hearings were held on the application and on September 10, 1941, the Commission entered its Findings and Opinion and Order granting the application for exemption as a holding company and denying the application for an order declaring Pacific not to be a subsidiary of The North American Company.³

On September 18, 1941, Pacific filed with the United States Circuit Court of Appeals for the Ninth Circuit a petition to review and modify or set aside that part of the Commission's order which denied the application of Pacific for an order declaring it not to be a subsidiary of The North American Company, and requested a stay of the Commission's order pending review. On September 19, 1941, the Circuit Court entered an order staying that part of the Commission's order to be reviewed pending a hearing and determination of the petition or until further order of the Court. The Commission thereupon filed a motion to vacate the stay, which had been entered ex parte, on the grounds that the order being reviewed was not susceptible of being stayed or suspended and that the stay was not appropriate under the circumstances. Upon review, the Circuit Court, one of the three judges dissenting, affirmed the Commission's order; upon reargument before the court en banc, the order was affirmed by an equally divided court.⁴ The Commission's motion to vacate the stay was not passed on by the court in either of its decisions, the stated ground in the first decision being that it had become moot. On February 23, 1944, the court denied a petition for rehearing filed by Pacific and entered an order staying the order of the Commission until after the Supreme Court of the United States should dispose of a petition for writ of certiorari to be filed by the Company, provided the

² The applicable sections of the act, sections 2 (a) (8) and 3, provide that the filing of an application in good faith shall exempt the applicant from any obligation, duty or liability under the act until the Commission has acted upon the application.

³ 10 S. E. C. 39 (1941). At the time of entry of this order The North American Company owned, controlled or held with power to vote 32.89 per cent of the common stock of Pacific, constituting 17.71 per cent of the outstanding voting securities of Pacific. Since that time The North American Company has disposed of part of its holdings of common stock of Pacific through the payment of dividends to its common stockholders in the form of Pacific stock. As a result of these dividends, the holdings of The North American Company now constitute 12.4 per cent of the outstanding voting securities of Pacific.

⁴ 139 F. (2d) 298. The earlier opinion, in which the Circuit Court of Appeals by a majority of the three judges then sitting affirmed the order of the Commission, is reported in 127 F. (2d) 378.

petition were filed within a specified time. Such a petition was filed by Pacific and writ of certiorari was granted on May 22, 1944. On October 9, 1944, the Circuit Court of Appeals issued a further order. This order, entered as of February 23, 1944 and described by the Court as clarifying and reaffirming its previous order of stay, *Provided*, That the order of the Commission be stayed until final decree of the Supreme Court.

On March 12, 1945, the decision of the Circuit Court of Appeals sustaining the Commission's order of September 10, 1941, was affirmed by the Supreme Court by an equally divided Court, one justice not participating. On the same date, the Railroad Commission of the State of California entered its order⁸ authorizing the issuance of the proposed \$80,000,000 principal amount of Series M, 3%, Bonds, on the condition that the Company publicly invite sealed, written proposals for the purchase or underwriting of the bonds. The Railroad Commission reserved jurisdiction to enter a supplemental order upon being advised of the price at which Pacific proposed to sell the new bonds.

The Series G Bonds proposed to be redeemed are callable upon 60 days' notice on any June 1 or December 1. In order for Pacific to call its Series G Bonds for redemption on June 1, it is necessary that Pacific issue and sell its new bonds before the end of March. Upon the decision of the Supreme Court on March 12, 1945, the officers of Pacific became apprehensive of meeting the required time schedule with respect to the sale of the new bonds if approval under the Holding Company Act became necessary as a result of the Supreme Court's decision, and inquired as to the position to be taken by the Commission with respect to the proposed financing in view of that decision. On March 14, 1945, we authorized the Director of the Public Utilities Division to advise Pacific that the Commission did not desire to take any action which would result in upsetting the time schedule of the proposed refunding. More specifically, we indicated that in view of the time schedule involved and on the assumption that the bonds were to be sold competitively substantially as prescribed in our Rule U-50, the Commission would not raise any objection or take any action if the proposed refunding was not submitted to us under the Holding Company Act. We also advised the Company that the Commission would not seek to vacate or modify the stay entered by the Circuit Court of Appeals on October 9, 1944, and would not seek to accelerate the entry of any final decree by the Supreme Court which we understood would not be entered in ordinary course prior to 25 days after March 12, 1945, the date of the Court's decision.

After consideration of this communication, the Company advised the Commission that it could not proceed with the financing without an appropriate order of the Commission under the Holding Company Act, inasmuch as its counsel and counsel designated for the prospective purchasers of the bonds were of the opinion that there was some doubt as to whether the stay entered by the Circuit

Court on October 9, 1944, was effective beyond the date of the Supreme Court's decision. In reply, the Commission advised the Company that it would entertain an application under the Holding Company Act if the Company would take the necessary steps to clearly establish the Commission's jurisdiction over the proposed financing in the light of the status of the litigation, including the stay orders of the Circuit Court. Thereupon Pacific, through its counsel, obtained on March 16, 1945, an order of the Circuit Court of Appeals for the Ninth Circuit which provided that the stay of our order of September 10, 1941, issued by the Court on February 23, 1944, as supplemented by its order of October 9, 1944, be terminated.

In the meantime, on March 15, 1945, Pacific filed an application pursuant to section 6 (b) of the act. On the same day we entered an order giving notice of the filing of the application and setting a hearing thereon on March 20, 1945. The hearing was held as scheduled; no opposition was expressed to the granting of the application as requested.

Section 6 (b) of the act provides that, subject to such terms and conditions as the Commission deems appropriate in the public interest or for the protection of investors and consumers, the Commission shall exempt from the provisions of subsection (a) of section 6, the issue or sale of any security by any subsidiary of a registered holding company if the issue and sale of such security are solely for the purpose of financing the business of such subsidiary company and have been expressly authorized by the State Commission of the State in which such subsidiary company is organized and doing business. Pacific is a corporation organized under the laws of the State of California and, as we have indicated above, carries on its business in that State. Moreover, it appears from the record that the proposed issue and sale are solely for the purpose of financing the business of Pacific. Further it appears that the Railroad Commission of the State of California has expressly authorized the proposed financing, subject to the issuance of a final order upon being advised of the results of competitive bidding. The application of Pacific, therefore, meets the requirements for an order exempting the proposed financing from the requirements of section 6 (a) and there remains to be considered only what terms and conditions need be imposed in the public interest or for the protection of investors or consumers.

One such condition imposed automatically by our Rule U-50 is the requirement of publicly inviting sealed, written proposals for the purchase or underwriting of the securities to be sold. As we have seen, the application provides for compliance with this Rule.

With respect to the question of whether additional terms and conditions should be imposed, we have noted the exigencies of the time schedule of the proposed financing and the necessity for the sale of the new bonds by the close of this month if the Company's schedule is to be maintained and the June 1 call date on the Series G Bonds met. Under the limitations as to time it is not

possible for us to enable the Company to proceed with its financing as scheduled and at the same time give the transactions the consideration required for a determination, in accordance with our practice, of the terms and conditions which might be required under the standards of the Holding Company Act. In view of the special circumstances related to the timing of this financing, as complicated by the recent developments in the litigation, we have concluded that we cannot give the financing such extended consideration but that the public interest and the interest of investors and consumers call upon us to grant the exemption as requested under section 6 (b) of the act without imposition of any terms or conditions other than those prescribed by Rules U-24 and U-50.

Rule U-50 provides that a period of at least ten days shall be allowed for the submission of competitive bids. Pacific has requested that it be permitted to shorten this period to enable it to open bids on March 26, 1945, in order that the new bonds may be sold prior to the end of March. This request will be granted and the period shortened to not less than five days since it appears that the Railroad Commission of the State of California has had the question of competitive bidding in this case pending before it for some time and in its order of March 12, 1945 directed that the bonds be sold pursuant to competitive bidding.

Wherefore it is ordered, That the application, as amended, of Pacific Gas and Electric Company pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 for exemption from the provisions of sections 6 (a) and 7 of the act with respect to the issue and sale, pursuant to the competitive bidding provisions of Rule U-50 promulgated under said act, of \$80,000,000 principal amount of First and Refunding Mortgage Bonds, Series M, 3%, due December 1, 1979, be and the same is hereby granted, subject to the conditions prescribed by Rule U-24 and, *Provided further*, That jurisdiction be and the same is hereby reserved with respect to the price to be paid for said bonds and the underwriters' spread and its allocation, as to which matters a further order will be entered when the results of the competitive bidding are known; and

It is further ordered, That the ten-day minimum period, prescribed by Rule U-50, for the receipt of competitive bids with respect to said bonds, be and the same is hereby reduced to a minimum period of five days.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-4617; Filed, Mar. 22, 1945;
11:26 a. m.]

[File Nos. 54-39, 54-69, 59-65]

LACLEDE GAS LIGHT CO., ET AL.

SUPPLEMENTAL ORDER RELEASING JURISDICTION AND PERMITTING AMENDMENT TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its

⁸ Decision No. 37710, dated March 12, 1945.

office in the City of Philadelphia, Pennsylvania, on the 20th day of March A. D. 1945.

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.

Ogden Corporation ("Ogden"), a registered holding company, and its subsidiaries, The Laclede Gas Light Company ("Laclede Gas"), Laclede Power & Light Company ("Laclede Electric"), and Phoenix Light, Heat and Power Company ("Phoenix"), having filed declarations and applications for approval of a plan, as amended, under section 11 (e) of the Public Utility Holding Company Act of 1935 (File No. 54-39), providing, among other things, for the issuance and sale by Laclede Gas, in accordance with the competitive bidding requirements of Rule U-50, of \$19,000,000 principal amount of Twenty Year First Mortgage Bonds dated February 1, 1945, and maturing February 1, 1965, the issuance and sale by Laclede Gas of \$3,000,000 principal amount of Ten Year Serial Debentures, and the sale by Ogden, in accordance with the competitive bidding requirements of Rule U-50, of 2,165,296 shares of the new \$4 par value common stock of Laclede Gas issuable to Ogden under the said plan;

The Commission having by orders dated May 27, 1944 and December 2, 1944 approved the said plan, which plan was approved and enforced by the United States District Court for the Eastern District of Missouri, Eastern Division, by order dated December 4, 1944; the Commission having in said orders reserved jurisdiction 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 and with respect to the proposed sale by Ogden of the new common stock of Laclede Gas issuable to it under the plan; and the Commission having, by order dated March 2, 1945, released jurisdiction with respect to the said sale by Ogden of the new common stock of Laclede Gas issuable to it under the plan, except with respect to the price and spread pertaining to the said sale;

The applicants having on March 20, 1945 filed an amendment to the applications and declarations previously filed in these proceedings stating that Laclede Gas has entered into a contract for the sale of the said Serial Debentures, bearing a coupon rate of 3 1/8%, at par to the Mercantile-Commerce Bank and Trust Company, Mutual Life Insurance Company of New York, and The Boatmen's National Bank of St. Louis, which purchasers represent that they are purchasing the said debentures for investment and not for resale to the public, and that Laclede Gas and Ogden had respectively offered the said bonds and stock for sale pursuant to the competitive bidding requirements of Rule U-50 and received the following bids:

BONDS			
Bidder	Price to company	Coupon rate	Cost to company
Halsey, Stuart & Co., Inc.	100.52	3 3/4	3.46
Lehman Brothers			
Goldman, Sachs & Co.	100.04	3 3/4	3.50
The First Boston Corporation			
Mellon Securities Corporation			
Blyth & Co., Inc.	100.51	3 3/4	3.71
Smith, Barney & Co.			

STOCK		
Bidder	Bid per share	Gross proceeds to Ogden
Lehman Brothers		
Goldman, Sachs & Co.	\$4.44	\$9,613,914
The First Boston Corporation		
Allen & Co.	4.38	9,483,996
Mellon Securities Corporation		
Blyth & Co., Inc.	3.751	8,122,025
Smith, Barney & Co.		

The amendment further stating that Laclede Gas has accepted the bid of Halsey, Stuart & Co., Inc., for the bonds as set out above and that the bonds will be offered for sale to the public at a price of 102.25%, resulting in an underwriters' spread of 1.73%; and that Ogden has accepted the bid of Lehman Brothers, Goldman, Sachs & Co., and The First Boston Corporation for the 2,165,296 shares of Laclede Gas \$4 par value common stock as set out above and that the said stock will be offered for sale to the public at a price of \$5.00 per share, resulting in an underwriters' spread of 56¢ per share; and

The amendment further stating that the said First Mortgage Bonds and the said Debentures will be redeemable at the scale of redemption prices set forth in such amendment; and

The Commission having examined the amendment and having examined the record herein and finding no basis for imposing terms and conditions with respect to such matters;

It is ordered, That the jurisdiction heretofore reserved with respect to the sale of the said First Mortgage Bonds, Debentures, and common stock of Laclede Gas be, and the same hereby is, released, and that the said amendment filed March 20, 1945, to the applications and declarations previously filed in this proceeding be, and hereby is, permitted to become effective forthwith, subject, however, to the terms and conditions of Rule U-24.

Ogden having requested the Commission that its order herein contain certain recitals and specifications for the purpose of meeting the requirements of section 1808 (f) of the Internal Revenue Code, as amended, as to the proposed sale by Ogden of the shares of new common stock of Laclede Gas issuable to it under the plan; it appearing to the Commission that it is appropriate to grant such request;

It is further ordered, That the said sale by Ogden Corporation of the 2,165,296 shares of the new common stock, \$4 par value, to be issued to Ogden Corporation by The Laclede Gas Light Company as a result of the consummation of

the said plan filed under section 11 (e) of the Public Utility Holding Company Act of 1935, is necessary and appropriate to effectuate the provisions of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-4618; Filed, Mar. 22, 1945; 11:26 a. m.]

[File No. 70-242]

CITIES SERVICE CO.

ORDER PERMITTING AMENDED DECLARATION TO BECOME EFFECTIVE AND GRANTING AMENDED APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 21st day of March, A. D. 1945.

Cities Service Company, having filed an amended application and declaration pursuant to the Public Utility Holding Company Act of 1935, particularly sections 10 and 12, with respect to increasing the aggregate amount of its investments in securities of and advances to the following companies: Arkansas Fuel Oil Company, Cities Service Oil Company (Delaware), Cities Service Oil Company (Pennsylvania), Cities Service Oil Company, Ltd., Empire Gas and Fuel Company, Empire Pipeline Company, Richfield Oil Corporation, Cities Service Gas Company, Natural Gas Pipeline Company of America, Penn-York Natural Gas Corporation, Sixty Wall Tower, Inc., Sixty Wall Street, Chesebrough Building Company, Texoma Natural Gas Company, Cities Service Defense Corporation, Cities Service Refining Corporation, Cities Service Transportation and Chemical Company, Sinclair Panama Oil Corporation and Tampico Texas Petroleum Corporation; such increase to be in an amount not to exceed \$12,000,000 in the aggregate and to be made at times and in amounts within the discretion of Cities Service Company and to be in addition to and independent of any investments made pursuant to the provisions of Rule U-3D-15 and pursuant to the order of the Commission issued herein on December 5, 1944; such amended application and declaration providing that on or before the 10th day of the month following the making of any increase in its investments in securities of and advances to any of said subsidiaries, it will make a report to the Commission in writing; and said amended application and declaration further providing that any order issued thereon may be revoked by the Commission at any time to the extent then unexercised, after notice and opportunity for hearing;

Said amended application and declaration having been filed on December 5, 1944 and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated under said act, and the Commission not having received a request for a hearing with respect to said application and declaration within the period specified by said notice

or otherwise, and not having ordered a hearing thereon;

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit the said declaration pursuant to section 12 to become effective, and finding with respect to said application under section 10 of the act that no adverse findings are necessary under section 10 (b) and section 10 (c);

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act that the aforesaid declaration be and the same hereby is permitted to become effective and the aforesaid application is granted, forthwith, subject to the terms and conditions prescribed in Rule U-24, and subject further to the condition that the authorization hereby granted may be revoked by the Commission at any time to the extent then unexercised, after notice and opportunity for hearing.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 45-4619; Filed, Mar. 22, 1945;
11:27 a. m.]

[File Nos. 54-95, 59-62]

GEORGIA POWER AND LIGHT CO., ET AL.

SUPPLEMENTAL ORDER RELEASING JURISDICTION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 21st day of March 1945.

In the matters of Georgia Power and Light Company, Florida Power Corporation, General Gas & Electric Corporation, File No. 54-95; Georgia Power and Light Company, General Gas & Electric Corporation, File No. 59-62.

General Gas & Electric Corporation, a registered holding company, and its subsidiaries, Florida Power Corporation and Georgia Power and Light Company, having filed applications and declarations under section 11 (e) and other applicable provisions of the Public Utility Holding Company Act of 1935 regarding, among other things, a plan of recapitalization of Georgia Power and Light Company, and, in connection therewith, the proposed issue and sale by Florida Power Corporation, pursuant to sections 6 (a) and 7 of said act, and in accordance with the competitive bidding requirements of Rule U-50, of 40,000 shares of preferred stock having an aggregate par value of \$4,000,000; and

The Commission having issued its order dated January 23, 1945, which, among other things, permitted the declaration, as amended, regarding the proposed issue and sale of said 40,000 shares of preferred stock of Florida Power Corporation to become effective, subject to the condition, among others, that said

issue and sale shall not be consummated until the results of competitive bidding pursuant to Rule U-50 have been made a matter of record in the proceeding and a further order shall have been entered by the Commission in the light of the record so completed, jurisdiction having been reserved for this purpose; and

A further amendment having been filed stating that in accordance with the provisions of said order dated January 23, 1945, Florida Power Corporation has offered such 40,000 shares of preferred stock for sale pursuant to the competitive bidding requirements of Rule U-50, and has received the following bids:

Bidder	Price to the company per share	Dividend rate	Cost to the company
Kidder, Peabody & Co.	\$100.177	\$4.00	3.99203%
W. C. Langley & Co., and Glore, Forgan & Co.	100.80	4.10	4.06746%
Equitable Securities Corporation and Shields & Company	100.65	4.10	4.07352%
The First Boston Corporation	102.039	4.20	4.11607%
Blyth & Co., Inc., and Harriman Ripley & Co., Incorporated	101.53	4.30	4.2352%

Said amendment further stating that Florida Power Corporation has accepted the bid of Kidder, Peabody & Co. for the preferred stock as set out above, and that the securities will be offered for sale to the public at a price of 101.25%, resulting in an underwriter's spread of 1.073%; and

Said amendment further stating that such preferred stock will be redeemable at 106.25% of the par value of such stock, if redeemed on or before February 15, 1950, and 104.25% of such par value if redeemed after February 15, 1950; and

The Commission having examined said amendment and having considered the record herein, and finding no reason for imposing terms or conditions with respect to the price to be paid for said preferred stock, the redemption prices therefor, the dividend rate thereon, and the proposed underwriter's spread:

It is ordered, That the jurisdiction heretofore reserved over the price to be paid for said 40,000 shares of preferred stock, the redemption prices thereof, the dividend rate thereon, and the underwriter's spread, be, and the same hereby is, released, and the said declaration, as further amended, be and the same hereby is permitted to become effective, subject, however, to the terms and conditions prescribed in Rule U-24; and

It is further ordered, That the jurisdiction heretofore reserved over the other matters referred to in said Order of the Commission dated January 23, 1945, be continued.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 45-4620; Filed, Mar. 22, 1945;
11:27 a. m.]

[File Nos. 70-314, 70-315, 59-21, 4-33, 54-91,
70-868]

UNITED GAS CORP., ET AL.

NOTICE OF FILING AND ORDER FOR HEARING ON APPLICATIONS TO PAY FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 21st day of March, A. D. 1945.

In the matter of United Gas Corporation, United Gas Pipe Line Company, Houston Gulf Gas Company, File No. 70-314; Electric Bond and Share Company, File No. 70-315; Electric Bond and Share Company, Electric Power & Light Corporation, United Gas Corporation, Houston Gas Securities Company, United Gas Pipe Line Company, Houston Gulf Gas Company, File No. 59-21; Investigation of Organization and Financing of United Gas Corporation, etc., File No. 4-33; United Gas Corporation, Electric Power & Light Corporation, and Electric Bond and Share Company, File No. 54-91; Electric Bond and Share Company, File No. 70-868.

The Commission having issued an order dated September 7, 1944 approving (1) the plan of reorganization of United Gas Corporation pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, in which plan Electric Bond and Share Company and Electric Power & Light Corporation joined with respect to all transactions affecting them as provided therein, and (2) a series of transactions incident to the refinancing of United Gas Corporation and in connection therewith the issue and sale of \$100,000,000 principal amount of First Mortgage and Collateral Trust Bonds and the use of the proceeds of such sale to carry out the terms and provisions of said plan, except as to the terms and conditions of the bonds proposed to be issued and sold and the fees and expenses to be incurred therewith as to which matters jurisdiction was specifically reserved; and

The Commission's order of September 7, 1944 approving said plan and said transactions incident thereto, having reserved jurisdiction to approve, disapprove, modify or allocate by further order all fees and expenses incurred or to be incurred in connection with said plan and said transactions incident thereto; and

The Commission having issued an order on October 21, 1944 releasing jurisdiction over the terms and conditions of the bonds proposed to be issued and sold and continued its reservation over the fees and expenses incurred and to be incurred in connection with the proposed issue and sale of the bonds; and

United Gas Corporation and United Gas Pipe Line Company having filed a joint application and Electric Power & Light Corporation and Electric Bond and Share Company having filed applications, for approval of payment by them of certain fees and expenses incurred in connection with said plan and the transactions incident thereto in the following amounts:

(a) United Gas Corporation:

Services	Fees	Expenses	Paid	Balance due
Baker, Botts, Andrews & Wharton	\$75,000.00	\$13,934.28	\$13,934.28	\$75,000.00
Vinson, Elkins, Weems & Francis	25,000.00	3,443.87	3,443.87	25,000.00
Milbank, Tweed & Hope	60,000.00	154.83	154.83	60,000.00
Robert H. Smith	2,000.00	274.39	1,274.39	1,000.00
Jorge Luna y Parra	2,000.00	1,275.00	1,275.00	2,000.00
H. V. Watkins & Ralph B. Avery	2,000.00	593.79	593.79	2,000.00
White & Case	6,000.00	25.38	4,025.38	2,000.00
Richards, Layton & Finger	2,500.00	6.76	6.76	2,500.00
Yonge, Begge & Lane	2,000.00			2,000.00
Wilkinson, Lewis, Wilkinson & Naff	3,340.00		3,340.00	
George T. Naff	25,000.00			25,000.00
Reid & Priest	85,000.00	14,589.16	14,589.16	85,000.00
Davis, Polk, Wardwell, Sunderland & Kiendl	5,000.00		5,000.00	
Cahill, Gordon, Zachry & Reindel	30,000.00			30,000.00
Stone & Webster Engineering Corporation	14,242.01	1,038.77	15,280.78	
Cecil F. Elmes Organization	19,695.00	5,056.96	24,751.96	
Bonbright and Company	37,500.00		12,600.00	25,000.00
Dillon, Read & Co.	212,500.00		12,500.00	200,000.00
Central Service Corporation	1,000.00	63.66	1,063.66	
Haskins & Sells	44,139.62	4,326.97	48,466.59	
Ralph E. Davis	60,700.83	1,136.63	41,837.46	20,000.00
Ebasco Services, Inc.		45,743.38	45,743.38	
Wolfe, Corcoran & Linder	250.00		250.00	
Standard Valuation & Research Consultants	31,189.13	1,791.42		32,980.55
Total Services	746,056.59	93,454.95	250,030.99	589,480.55

ADDITIONAL EXPENSES OF UNITED GAS CORPORATION, INCLUDING FEES AND EXPENSES ABOVE

Services and expenses as above (total)	\$839,511.54
Traveling and office expense	32,168.86
Printing and reproduction costs	184,180.72
Trustee fees	24,500.00
Registration fee	10,000.00
Recording and filing fees	11,938.56
Transfer agent and registrar fees and expenses	24,281.38
Miscellaneous	8,044.67
Total fees and expenses	1,134,625.73

(b) United Gas Pipe Line Company:

Services:	
Shearman & Sterling	\$3,000.00
Sigur Martin	1,080.00
Traveling and office expense	29,605.74
Printing and reproduction costs	39,917.74
Trustee fees	8,800.00
Record and filing fees	20,966.35
Mortgage tax	1,083.97
Miscellaneous	21,394.33
Total fees and expenses	125,848.13

(c) Electric Power & Light Corporation:

Services	Fees	Expenses	Paid	Balance due
Wright, Gordon, Zachary, Parlin & Cahill (now Cahill, Gordon, Zachary & Reindel)	\$75,000	\$2,738.47	\$47,209.27	\$30,439.20

(d) Electric Bond & Share Company:

Services	Fees	Expenses	Paid	Balance due
Simpson, Thacher & Bartlett	\$70,000	\$2,151.69	\$2,151.69	\$70,000

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held on said applications:

It is hereby ordered, That the record in the proceedings on the said plan and said transactions incident thereto be reopened and that the hearings be reconvened on March 27, 1945 at 10:30 a. m., e. w. t., for the purpose of considering said applications of United Gas Corporation, United Gas Pipe Line Company, Electric Power & Light Corporation, and Electric Bond and Share Company, for approval of fees and expenses as set forth above, such hearing to be held at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, in the room to be designated by the hearing room clerk in Room 318.

It is further ordered, That Robert F. Reeder, an officer of the Commission, be and he hereby is, designated to preside at such hearing and is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That any person desiring to be heard or otherwise to participate in said proceeding shall, on or before March 25, 1945, file a written application with the Secretary of the Commission in accordance with the provisions of Rule XVII of the Commission's rules of practice, and, further that any person desiring to assert any additional claim for compensation or reimbursement of expenses in connection with the proceedings herein shall, on or before said date, file a notification of intention to assert such claim.

It is further ordered, That notice of this hearing be given to United Gas Corporation, United Gas Pipe Line Company, Electric Power & Light Corporation, and Electric Bond and Share Company, by mailing a copy of this notice to them by registered mail, and that notice to all other persons be given by publication of this notice in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-4621; Filed, Mar. 22, 1945; 11:27 a. m.]

WAR MANPOWER COMMISSION.

ONONDAGA COUNTY, N. Y.

MINIMUM WARTIME WORKWEEK

Designation of the County of Onondaga in the Syracuse Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. II by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F. R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the County of Onondaga in the Syracuse Area as subject to the provisions of Executive Order No. 9301.

1. The effective date of this designation is March 19, 1945.

2. Not later than the effective date, each employer in the County of Onondaga, Syracuse Area, shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: March 15, 1945.

ANNA M. ROSENBERG,
Regional Director.

[F. R. Doc. 45-4536; Filed, Mar. 21, 1945; 12:11 p. m.]

[Amdt. 1]

FRONT ROYAL-WINCHESTER, VA.

MINIMUM WARTIME WORKWEEK

Designation of the Front Royal-Winchester, Virginia, Area as subject to Executive Order No. 9301.

The designation of the Front Royal-Winchester, Virginia, Area, dated March 17, 1944 (F.R. 3724) as subject to Executive Order No. 9301 is hereby amended, effective April 15, 1945, to read as follows:

1. For the purposes of this designation, the Front Royal-Winchester, Virginia, Area shall include:

Rappahannock County, Warren County, Fauquier County (Districts of Scott and Marshall only), Shenandoah County (Districts of Davis, Stonewall, Johnston and Madison only), Page County (Districts of Springfield and Luray only), Clarke County, Frederick County and Loudoun County.

Dated: March 15, 1945.

HENRY E. TREIDE,
Regional Director.

[F. R. Doc. 45-4537; Filed, Mar. 21, 1945;
12:11 p. m.]

[Amdt. 1]

AKRON, OHIO

MINIMUM WARTIME WORKWEEK

Designation of the Akron, Ohio, Area as subject to Executive Order No. 9301.

The designation of the Akron Area, dated February 28, 1943 (8 F.R. 7225) as subject to Executive Order No. 9301 is hereby amended to read as follows:

1. For the purposes of this designation, the Akron Area shall further be deemed to include:

Portage County (Hiram, Freedom and Edinburg Townships only).

2. The effective date of this amendment is April 1, 1943.

3. Not later than the effective date, each employer in Hiram, Freedom and Edinburg Townships of Portage County shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: February 28, 1943.

E. L. KEENAN,
Regional Director.

[F. R. Doc. 45-4538; Filed, Mar. 21, 1945;
12:11 p. m.]

[Amdt. 2]

AKRON, OHIO

MINIMUM WARTIME WORKWEEK

Designation of the Akron, Ohio, Area as subject to Executive Order No. 9301.

The designation of the Akron Area, dated February 28, 1943, (8 F.R. 7225) as subject to Executive Order No. 9301 is hereby amended to read as follows:

1. For the purposes of this designation, the Akron Area shall further be deemed to include:

Wayne County (Congress, Canaan, Chester, Plain, Clinton, Wayne, Wooster, Franklin, Green, East Union, Salt Creek, Baughman, Sugar Creek and Paint Townships only).

2. The effective date of this amendment is August 23, 1943.

3. Not later than the effective date, each employer in Congress, Canaan, Chester, Plain, Clinton, Wayne, Wooster, Franklin, Green, East Union, Salt Creek, Baughman, Sugar Creek and Paint Townships of Wayne County shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: August 23, 1943.

E. L. KEENAN,
Regional Director.

[F. R. Doc. 45-4539; Filed, Mar. 21, 1945;
12:12 p. m.]

JACKSON, MICH.

MINIMUM WARTIME WORKWEEK

Designation of the Jackson, Michigan, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Jackson, Michigan, Area as subject to the provisions of Executive Order No. 9301.

1. For the purposes of this designation, the Jackson Area shall include: Jackson County (all).

2. The effective date of this designation is September 1, 1944.

3. Not later than the effective date, each employer in the Jackson Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: August 1, 1944.

E. L. KEENAN,
Regional Director.

[F. R. Doc. 45-4540; Filed, Mar. 21, 1945;
12:12 p. m.]

PONTIAC, MICH.

MINIMUM WARTIME WORKWEEK

Designation of the Pontiac, Michigan, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Pontiac, Michigan Area as subject to the provisions of Executive Order No. 9301.

1. For the purposes of this designation, the Pontiac Area shall include:

Oakland County, except—South Lyon, Novi, Farmington, Royal Oak and Southfield Townships.

2. The effective date of this designation is December 1, 1944.

3. Not later than the effective date, each employer in the Pontiac Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the

workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: November 1, 1944.

E. L. KEENAN,
Regional Director.

[F. R. Doc. 45-4541; Filed, Mar. 21, 1945;
12:12 p. m.]

GRAND RAPIDS, MICH.

MINIMUM WARTIME WORKWEEK

Designation of the Grand Rapids, Michigan, Area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. V by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours," (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Grand Rapids, Michigan, Area as subject to the provisions of Executive Order No. 9301.

1. For the purposes of this designation, the Grand Rapids Area shall include:

Kent County, Ottawa County (Chester, Polktown, Wright, Tallmadge, Georgetown and Allendale Townships only), Allegan County (Dorr, Leighton and Wayland Townships only).

2. The effective date of this designation is August 15, 1944.

3. Not later than the effective date, each employer in the Grand Rapids Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be imprac-

ticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: July 15, 1944.

E. L. KEENAN,
Regional Director.

[F. R. Doc. 45-4542; Filed, Mar. 21, 1945;
12:12 p. m.]

WAR PRODUCTION BOARD.

[C-282]

SUMMERFIELD'S, INC. AND REALTY FINANCE
CORP.

CONSENT ORDER

Summerfield's, Inc., with main office and store at 474 Essex Street, Lawrence, Massachusetts, is engaged in retail distribution of furniture. In the summer of 1944 they leased from the Realty Finance Corporation, a Massachusetts corporation with main office at 13 Union Street, Lawrence, three stores located at Nos. 480 to 494 Essex Street adjoining the existing furniture store at 474 Essex Street. Summerfield's, Inc. had recently taken over this existing store from Summerfield Company, another Massachusetts corporation with principal offices at 727 Washington Street, Boston. In October 1944 Summerfield's, Inc. and Realty Finance Corporation began construction, consisting of remodeling, and essential repairs on the buildings at 480 to 494 Essex Street, the estimated cost of which project when completed would have been in excess of \$3500. This constituted a violation of War Production Board Conservation Order L-41, which prohibits any additions or alterations on a retail store if they are estimated to cost in excess of \$200 unless specific authorization is received from the War Production Board.

Summerfield's, Inc. and Realty Finance Corporation admit the violation but deny that it was wilful, and do not care to contest the issue of wilfulness. Wherefore upon the agreement and consent of Summerfield's, Inc., Realty Finance Corporation, the Regional Compliance Chief, the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) Neither Summerfield's, Inc. nor the Realty Finance Corporation, their successors or assigns, nor any other person shall do any construction on the premises located at Nos. 474-494 inclusive on Essex Street in Lawrence, Massachusetts, including putting up or altering the structure unless hereafter specifically authorized in writing by the War Production Board.

(b) The provisions of paragraph (a) above shall not apply to the minimum amount of maintenance and repair work necessary to keep the building in sound working condition, or to fix it when it has become unsafe or unfit for service because of wear and tear, provided that no additions or alterations of any kind are included in such work.

(c) Nothing contained in this order shall be deemed to relieve Summerfield's, Inc. or Realty Finance Corporation, their successors or assigns, from any restriction, prohibition or provisions contained in any other order or regulation of the War Production Board except insofar as same may be inconsistent with the provisions hereof.

Issued this 21st day of March 1945.

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

[F. R. Doc. 45-4589; Filed, Mar. 21, 1945;
4:29 p. m.]

[C-283]

MACOMB PUBLISHING CO.

CONSENT ORDER

Macomb Publishing Company is a Michigan corporation, with principal offices in Mount Clemens, Michigan, and publishes the newspaper "Monitor Leader". During the first quarter of 1943, Macomb Publishing Company used or caused to be used for the printing of the aforesaid newspaper 38,050 pounds in excess of its quota of print paper which it was permitted to consume during said quarter under the provisions of Limitation Order L-240 and in violation of that order. Macomb Publishing Company admits the violation as charged, does not desire to contest the charge, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Macomb Publishing Company, the Regional Compliance Chief, and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) During the first quarter of 1945, Macomb Publishing Company shall reduce its consumption of print paper for the printing of the aforesaid "Monitor Leader" by 38,050 pounds under the consumption quota it would otherwise be entitled to use during this period under the provisions of Limitation Order L-240, unless otherwise authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Macomb Publishing Company 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) The restrictions and prohibitions contained herein shall apply to Macomb Publishing Company, its successors and assigns, or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 21st day of March 1945.

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

[F. R. Doc. 45-4590; Filed, Mar. 21, 1945;
4:29 p. m.]

[C-284]

BOOTH NEWSPAPERS, INC.

CONSENT ORDER

Booth Newspapers, Inc. is a Michigan corporation, and publishes The Muskegon Chronicle, Muskegon, Michigan. During the third quarter of 1943, Booth Newspapers, Inc. used or caused to be used 12,649 pounds of print paper for the printing of the aforesaid newspaper, in excess of its quota of print paper which it was permitted to consume during said quarter under the provisions of Limitation Order L-240 and in violation of that order. Booth Newspapers, Inc. admits the violation as charged, does not desire to contest the charge, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Booth Newspapers, Inc., the Regional Compliance Chief, and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) During the second quarter of 1945, Booth Newspapers, Inc. shall reduce its consumption of print paper for the printing of the aforesaid Muskegon Chronicle, 12,649 pounds under the consumption quota it would otherwise be entitled to use during this period under the provisions of Limitation Order L-240, unless otherwise authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Booth Newspapers, Inc., 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) The restrictions and prohibitions contained herein shall apply to Booth Newspapers, Inc., its successors and assigns, or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 21st day of March 1945.

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

[F. R. Doc. 45-4591; Filed, Mar. 21, 1945;
4:29 p. m.]

[C-286]

KNIGHT NEWSPAPERS, INC.

CONSENT ORDER

Knight Newspapers, Incorporated, an Ohio corporation, is the publisher of the Detroit Free Press, with offices in the Detroit Free Press Building, Detroit, Michigan. During the second and third quarters of 1943, Knight Newspapers, Incorporated, used or caused to be used for the printing of the aforesaid newspaper 225.7 tons in excess of the quota of print paper it was permitted to consume in said quarters under the provisions of Limitation Order L-240 and in violation of that order. Knight Newspapers, Incorporated admits the violation as charged, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Knight Newspapers, Incorporated, the Regional Compliance Chief, and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) During the first quarter of 1945, Knight Newspapers, Incorporated, shall reduce its consumption of print paper for the printing of the aforesaid Detroit Free Press by 225.7 tons under the consumption quota it would otherwise be entitled to use during this period under the provisions of Limitation Order L-240, unless otherwise authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Knight Newspapers, Incorporated, 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) The restrictions and prohibitions contained herein shall apply to Knight Newspapers, Incorporated, its successors and assigns, or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 21st day of March 1945.

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

[F. R. Doc. 45-4592; Filed, Mar. 21, 1945;
4:29 p. m.]

[C-287]

BOOTH NEWSPAPERS, INC.

CONSENT ORDER

Booth Newspapers, Inc. is a Michigan corporation, and publishes the newspaper "Kalamazoo Gazette" in Kalamazoo, Michigan. During the first quarter of 1943 and the third quarter of 1944 Booth Newspapers, Inc. used or caused to be used for printing the aforesaid newspaper a total of 20.86 tons of print paper in excess of its quota of print paper which it was permitted to consume during said quarters under the provisions of Limitation Order L-240 and in violation of that order. Booth Newspapers, Inc. admits the violation as charged, does not desire to contest the charge, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Booth Newspapers, Inc., the Regional Compliance Chief, and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) During the first quarter of 1945, Booth Newspapers, Inc., shall reduce its consumption of print paper for the printing of the aforesaid newspaper, by 20.86 tons under the consumption quota it would otherwise be entitled to use during this period under the provisions of Limitation Order L-240, unless otherwise authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Booth Newspapers, Inc., 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) The restrictions and prohibitions contained herein shall apply to Booth Newspapers, Inc., its successors and assigns, or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 21st day of March 1945.

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

[F. R. Doc. 45-4593; Filed, Mar. 21, 1945;
4:29 p. m.]