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VOLUME 11 NUMBER 133

Washington, Wednesday, July 10, 1946

Regulations

TITLE 7—AGRICULTURE

Chapter VIII—Production and Marketing Administration (Sugar Branch)

PART 802—SUGAR DETERMINATIONS

PROPORTIONATE SHARES FOR SUGARCANE FARMS IN PUERTO RICO FOR 1946-47 CROP

Pursuant to the provisions of section 302 of the Sugar Act of 1937, as amended, the following determination is hereby issued:

§ 802.46g *Proportionate shares for sugarcane farms in Puerto Rico for the 1946-47 crop.* The proportionate share for each farm in Puerto Rico for the 1946-47 crop shall be the amount of sugar, raw value, commercially recoverable from sugarcane grown on such farm and marketed (or processed by the producer) for the extraction of sugar during the 1946-47 crop season.

This determination supersedes the "Determination of Proportionate Shares for Sugarcane Farms in Puerto Rico, Pursuant to the Sugar Act of 1937, as Amended," issued Decembre 31, 1942 (§ 806.46d, 8 F.R. 62). (Sec. 302, 50 Stat. 910; 7 U.S.C. 1132).

Issued this 9th day of July 1946.

[SEAL] N. E. DODD,
Acting Secretary of Agriculture.

[F. R. Doc. 46-11884; Filed, July 9, 1946; 11:16 a. m.]

Chapter XI—Production and Marketing Administration (War Food Distribution Orders)

[WFO 144, Amdt. 11]

PART 1468—GRAIN

ALLOCATION OF FLOUR

War Food Order No. 144, as amended (11 F.R. 6750, 7332), is hereby further amended as follows:

1. By deleting the first sentence of paragraph (a) (17) and substituting in lieu thereof the following:

(17) "Director" means the Director, Grain Branch, Production and Marketing Administration, serving the Wheat Loan Program area in which the affected person is located.

2. By deleting the address "304 Artisans Building, Portland 5, Oregon" in paragraph (a) (17) and substituting in lieu thereof the address "Eastern Building, Portland 5, Oregon."

3. By deleting paragraph (d) and substituting in lieu thereof the following:

(d) *Use of wheat by millers.* Except for export purposes or for delivery to the Commodity Credit Corporation, no miller shall, during any calendar month, produce flour in excess of 85 percent of the following amount: the average monthly quantity of flour distributed by such miller for domestic use or consumption during 1945, plus the average monthly quantity of flour delivered by such miller to the United States Army during 1945, generally known and referred to as "Green Dot Flour."

4. By adding immediately after paragraph (w) the following new paragraph:

(x) *Allocation of flour.* (1) No miller shall produce flour unless he shall deliver, to or among such persons as the Administrator may specify, not to exceed 5% of each month's permitted production of flour for domestic use or consumption. The Administrator is hereby authorized to direct any miller to deliver flour to specified persons, for domestic use or consumption only, in quantities not exceeding 5% of such miller's permitted production of domestic flour during the month in which such delivery is directed.

(2) Shipment of all flour so allocated shall be made within 10 days after the receipt of directions from the Administrator. Any flour, the delivery of which has been directed to a person who fails or refuses to furnish shipping instructions to such miller within the applicable 10 day period, shall, without further notice to the miller, be subject to disposition at his option.

(3) No miller shall, during any calendar month, deliver flour to any unit, department, branch, plant, or company engaged in business as a food manufacturer and under common ownership, control or direction with such miller, in excess of the percentage of such miller's

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FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Documents carried in the Cumulative Supplement by uncodified tabulation only are not included within the purview of this list.

[1] Appears under Interior Department, General Land Office, in Notices section.

total domestic flour production delivered to such unit, department, branch, plant, or company during the corresponding calendar month of 1945.

This amendment shall become effective at 12:01 a. m., e. s. t., July 10, 1946. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 144, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceedings, with respect to any such violations, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087)

Issued this 9th day of July 1946.

[SEAL] N. E. DODD, *Acting Secretary.*

[F. R. Doc. 46-11883; Filed, July 9, 1946; 11:16 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

PART 110—PRIMARY INSPECTION AND DETENTION

DESIGNATION OF OSWEGO, N. Y., AS CLASS A PORT OF ENTRY

JUNE 21, 1946.

Section 110.1, Title 8, Chapter I, Code of Federal Regulations is amended by inserting "Oswego, N. Y. (June 15–Sept. 15)" between "Niagara Falls, N. Y." and "Rochester, N. Y." in the list of Class A ports of entry in District No. 7.

This order shall be considered as having become effective on June 15, 1946.

(Sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675; 8 U.S.C. 102, 222, 458; sec. 1, Reorg. Plan No. V (3 CFR, Cum. Supp., Ch. IV); 8 CFR, 1943 Supp., 90.1)

UGO CARUSI,
Commissioner of Immigration and Naturalization.

Approved: July 3, 1946.

TOM C. CLARK,
Attorney General.

[F. R. Doc. 46-11849; Filed, July 8, 1946; 2:58 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Amdt. 06-0]

PART 06—ROTORCRAFT AIRWORTHINESS

Correction

In Federal Register document 46-10707, appearing at page 6963 of the issued for Saturday, June 22, 1946, the following changes should be made:

The fourth section should be designated "§ 06.011".

In § 06.0407 the last line should read: "*R*=rotor radius (feet)".

In the fourth line of § 06.300 the word "facts" should read "tests".

In § 06.42 the word "discharge" in the third line should read "disengage" and in the tenth line the words "rotor (a)" should read "rotor (s)".

The first sentence of § 06.436 should read: "A strainer incorporating a sediment trap and drain shall be provided in the fuel system between the fuel tanks and the engine and shall be installed in an accessible position."

In the heading of § 06.500, the word "*Accountability*" should read "*Acceptability.*"

Chapter II—Administrator of Civil Aeronautics

[Amdt. 143]

PART 601—DESIGNATION OF AIRWAY TRAFFIC CONTROL AREAS, AIRPORT APPROACH ZONES, AIRPORT TRAFFIC ZONES AND RADIO FIXES

DESIGNATION OF AIRWAY TRAFFIC CONTROL AREAS

JUNE 21, 1946.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and Special Regulation No. 197 of the Civil Aeronautics Board, I hereby amend Part 601 of the Regulations of the Administrator of Civil Aeronautics as follows:

1. By adding the following to § 601.104 *Airway traffic control area extensions:*

§ 601.10408 *Airway traffic control area extension (Augusta, Georgia).* From the Augusta, Georgia, radio range station, extending within five miles on either side of the center line of the on course signal of the southwest course of the Augusta radio range, to a point 20 miles southwest of the radio range station.

§ 601.10409 *Airway traffic control area extension (Charlotte, North Carolina).* From the Charlotte, North Carolina, radio range station, extending within five miles on either side of the center line of the on course signal on the south course of the Charlotte radio range, to a point 20 miles south of the radio range station.

§ 601.10410 *Airway traffic control area extension (Daytona Beach, Florida).* From the Daytona Beach, Florida, radio range station, extending within five miles on either side of the center line of the on course signal of the west course of the Daytona Beach radio range, to a point twenty miles west of the radio range station.

§ 601.10411 *Airway traffic control area extension (Florence, South Carolina).* From the Florence, South Carolina, radio range station, extending within five miles on either side of the center line of the on course signal of the east course of the Florence radio range, to a point twenty miles east of the radio range station.

§ 601.10412 *Airway traffic control area extension (Fort Myers, Florida).* From the Fort Myers, Florida, radio range station, extending within five miles on either side of the center line of the on course signal of the southwest course of the Fort Myers radio range, to a point twenty miles southwest of the radio range station.

§ 601.10413 *Airway traffic control area extension (Greenville, South Carolina).* From the Greenville, South Carolina, radio range station, extending within five miles on either side of the center line of the on course signal of the north course of the Greenville radio range, to a point twenty miles north of the radio range station, and extending within five miles on either side of the center line of the on course signal of the south course of the Greenville radio range, to a point twenty miles south of the radio range station.

§ 601.10414 *Airway traffic control area extension (Greenwood, Mississippi).* From the Greenwood, Mississippi, radio range station, extending within five miles on either side of the center line of the on course signal of the east course of the Greenwood radio range, to a point twenty miles east of the radio range station.

§ 601.10415 *Airway traffic control area extension (Jacks Creek, Tennessee).* From the Jacks Creek, Tennessee, radio range station, extending within five miles on either side of the center line of the on course signal of the north course of the Jacks Creek radio range, to a point twenty miles north of the radio range station.

§ 601.10416 *Airway traffic control area extension (Macon, Georgia).* From the Macon, Georgia, radio range station, extending within five miles on either side of the center line of the on course signal of the northeast course of the Macon radio range, to a point twenty miles northeast of the radio range station.

§ 601.10417 *Airway traffic control area extension (Meridian, Mississippi).* From the Meridian, Mississippi, radio range station, extending within five miles on either side of the center line of the on course signal of the north course of the Meridian radio range, to a point twenty miles north of the radio range station.

§ 601.10418 *Airway traffic control area extension (Nashville, Tennessee).* From the Nashville, Tennessee, radio range station, extending within five miles on either side of the center line of the on course signal of the northeast course of the Nashville radio range, to a point thirty miles northeast of the radio range station.

§ 601.10419 *Airway traffic control area extension (Smithville, Tennessee).* From the Smithville, Tennessee, radio range station, extending within five miles on either side of the center line of the on course signal of the north course of the Smithville radio range, to a point twenty miles north of the radio range station.

§ 601.10420 *Airway traffic control area extension (Tampa, Florida).* From the Tampa, Florida, radio range station, extending within five miles on either side of the center line of the on course signal of the southwest course of the Tampa radio range, to a point twenty miles southwest of the radio range station.

§ 601.10421 *Airway traffic control area extension (West Palm Beach, Florida).* From the West Palm Beach, Florida, radio range station, extending within five miles on either side of the center line of the on course signal of the west course of the West Palm Beach radio range, to a point twenty miles west of the radio range station.

§ 601.10422 *Airway traffic control area extension (Akron, Colorado).* From the Akron, Colorado, radio range station, extending within five miles on either side of the center line of the on course signal of the north course of the Akron radio range, to a point twenty miles north of the radio range station.

§ 601.10423 *Airway traffic control area extension (Burlington, Iowa).* From the Burlington, Iowa, radio range station, extending within five miles on either side of the center line of the on course signal of the south course of the Burlington radio range, to a point twenty miles south of the radio range station.

§ 601.10424 *Airway traffic control area extension (Garden City, Kansas).* From the Garden City, Kansas, radio range station, extending within five miles on either side of the center line of the on course signal of the north course of the Garden

City radio range, to a point twenty miles north of the radio range station.

§ 601.10425 *Airway traffic control area extension (Grand Island, Nebraska)*. From the Grand Island, Nebraska, radio range station, extending within five miles on either side of the center line of the on course signal of the north course of the Grand Island radio range, to a point twenty miles north of the radio range station.

§ 601.10426 *Airway traffic control area extension (Kansas City, Missouri)*. From the Kansas City, Missouri, Municipal Airport, extending within five miles on either side of the center line of the on course signal of the north course of the Instrument Landing System localizer (bearing 171 degrees magnetic toward the airport), to a point twenty miles north of the Kansas City Municipal Airport.

§ 601.10427 *Airway traffic control area extension (Kirksville, Missouri)*. From the Kirksville, Missouri, radio range station, extending within five miles on either side of the center line of the on course signal of the southeast course of the Kirksville radio range, to a point twenty miles southeast of the radio range station.

§ 601.10428 *Airway traffic control area extension (La Junta, Colorado)*. From the La Junta, Colorado, radio range station, extending within five miles on either side of the center line of the on course signal of the northeast course of the La Junta radio range, to a point twenty miles northeast of the radio range station.

§ 601.10429 *Airway traffic control area extension (Lebo, Kansas)*. From the Lebo, Kansas, radio range station, extending within five miles on either side of the center line of the on course signal of the southeast course of the Lebo radio range, to a point twenty miles southeast of the radio range station.

§ 601.10430 *Airway traffic control area extension (North Platte, Nebraska)*. From the North Platte, Nebraska, radio range station, extending within five miles on either side of the center line of the on course signal of the south course of the North Platte radio range, to a point twenty miles south of the radio range station.

§ 601.10431 *Airway traffic control area extension (Scottsbluff, Nebraska)*. From the Scottsbluff, Nebraska, radio range station, extending within five miles on either side of the center line of the on course signal of the southeast course of the Scottsbluff radio range, to a point twenty miles southeast of the radio range station.

§ 601.10432 *Airway traffic control area extension (St. Joseph, Missouri)*. From the St. Joseph, Missouri, radio range station, extending within five miles on either side of the center line of the on course signal of the south course of the St. Joseph radio range, to a point twenty miles south of the radio range station.

§ 601.10433 *Airway traffic control area extensions (Springfield, Missouri)*. From the Springfield, Missouri, radio range station, extending within five miles on either side of the center line of the on course signal of the northwest course of the Springfield radio range, to a point twenty miles northwest of the radio range station.

§ 601.10434 *Airway traffic control area extension (Sioux Falls, South Dakota)*. From the Sioux Falls, South Dakota, radio range station, extending within five miles on either side of the center line of the on course signal of the southwest course of the Sioux Falls radio range, to a point twenty miles southwest of the radio range station.

§ 601.10435 *Airway traffic control area extensions (Vichy, Missouri)*. From the Vichy, Missouri, radio range station, extending within five miles on either side of the center line of the on course signal of the southeast course of the Vichy radio range, to a point twenty miles southeast of the radio range station.

§ 601.10436 *Airway traffic control area extension (Pensacola, Florida)*. From the Pensacola, Florida, radio range station, extending within five miles on either side of the center line of the on course signal of the south course of the Pensacola radio range, to a point ten miles south of the radio range station.

§ 601.10437 *Airway traffic control area extension (Great Falls, Montana)*. From the Great Falls, Montana, radio range station, extending within five miles on either side of the center line of the on course signal of the northeast course of the Great Falls radio range, to a point thirty miles northeast of the radio range station.

§ 601.10438 *Airway traffic control area extension (Portland, Oregon)*. From the Portland, Oregon, radio range station, extending within five miles on either side of the center line of the on course signal of the west course of the Portland radio range, to a point thirty miles west of the radio range station.

§ 601.10439 *Airway traffic control area extension (Medford, Oregon)*. From the Medford, Oregon, radio range station, extending within five miles on either side of the center line of the on course signal of the west course of the Medford radio range, to a point twenty miles west of the radio range station.

§ 601.10440 *Airway traffic control area extension (Boise, Idaho)*. From the Boise, Idaho, radio range station, extending within five miles on either side of the center line of the on course signal of the southwest course of the Boise radio range, to a point twenty miles southwest of the radio range station.

This amendment shall become effective 0001 e. s. t., July 15, 1946.

C. I. STANTON,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 46-11872; Filed, July 9, 1946; 9:45 a. m.]

[Amdt. 144]

PART 601—DESIGNATION OF AIRWAY TRAFFIC CONTROL AREAS, AIRPORT APPROACH ZONES, AIRPORT TRAFFIC ZONES AND RADIO FIXES

DESIGNATION OF AIRPORT APPROACH ZONES

JUNE 21, 1946.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and Special Regulation No. 197 of the Civil Aeronautics Board, I hereby amend Part 601 of the Regulations of the Administrator of Civil Aeronautics as follows:

1. By deleting from § 601.2000 the following:

Advance, Mo	C. A. A. Int. Field.
Akron, Colo	C. A. A. Int. Field.
Alma, Ga	C. A. A. Int. Field.
Atlanta, Ga	Atlanta Municipal Airport.
Birmingham, Ala	Birmingham A. A. F.
Burlington, Iowa	Burlington Airport.
Casper, Wyo	Wardwell Field.
Chanute, Kans	Chanute Airport.
Charlotte, N. C	Morris Field.
Chattanooga, Tenn.	Chattanooga Airport (Lovell Field).
Cheyenne, Wyo	Cheyenne Airport.
Colorado Springs, Colo.	Peterson Field.
Columbia, Mo	Columbia Airport.
Cross City, Fla	Cross City A. A. F.
Denver, Colo	Stapleton Air Field.
Des Moines, Iowa	Des Moines Airport.
Dothan, Ala	Dothan Airport.
Florence, S. C	Florence A. A. F.
Fort Bridger, Wyo	C. A. A. Int. Field.
Fort Myers, Fla	Page Field.
Garden City, Kans	Garden City Airport.
Grand Island, Nebr.	Grand Island Airport.
Greensboro, N. C	Greensboro-High Point Airport (Lindley Field).
Greenville, S. C	Greenville Airport.
Greenwood, Miss	Greenwood Airport.
Hayes Center, Nebr.	C. A. A. Int. Field.
Huron, S. Dak	W. W. Howes Airport.
Jacks Creek, Tenn	C. A. A. Int. Field.
Jackson, Miss	Jackson Airport.
Joplin, Mo	Joplin Airport.
Kansas City, Mo	Kansas City Municipal Airport.
Kirksville, Mo	Kirksville Airport.
Knoxville, Tenn	Knoxville McGhee-Tyson Airport.
La Junta, Colo	La Junta A. A. F.
Laramie, Wyo	General Brees Airport.
Lebo, Kans	C. A. A. Int. Field.
Macon, Ga	Herbert Smart Airport.
Meridian, Miss	Key Field.
Montgomery, Ala	Gunter Field.
Nashville, Tenn	Berry Field.
North Platte, Nebr	Lee Bird Field.
Omaha, Nebr	Omaha Municipal Airport.
Pierre, S. Dak	Pierre A. A. F.
Pueblo, Colo	Pueblo Airport.
Pulaski, Va	C. A. A. Int. Field
Rapid City, S. Dak	Rapid City A. A. F.
Rock Springs, Wyo	Rock Springs Airport (new).
St. Joseph, Mo	Rosecrans Field.
Scottsbluff, Nebr	Scottsbluff Airport.
Sheridan, Wyo	Sheridan County Airport.
Sinclair, Wyo	C. A. A. Int. Field.
Sioux City, Iowa	Sioux City Municipal Airport.
Sioux Falls, S. Dak	Sioux Falls Municipal Airport.
Smithville, Tenn	C. A. A. Int. Field.
Spartanburg, S. C	Memorial Airport.
Springfield, Mo	Springfield Airport.
Tallahassee, Fla	Dale Mabry Field.

Tampa, Fla	Peter O. Knight Airport.
Tri-City, Tenn	Tri-City Airport.
Trinidad, Colo	Trinidad Airport.
Vichy, Mo	Vichy A. A. F.
Watertown, S. Dak.	Watertown A. A. F.
Wichita, Kans	Wichita Municipal Airport.
Winston-Salem, N. C.	Smith Reynolds Airport.

2. By deleting from § 601.2002 the following:

Savannah, Ga	Hunter Field.
Memphis, Tenn	Memphis Airport.

3. By deleting § 601.200109 (*Elizabeth City, North Carolina, Airport Approach Zone*).

4. By inserting in § 601.2002 the following:

Aberdeen, S. Dak	Aberdeen Airport.
Advance, Mo	C. A. A. Int. Field.
Akron, Colo	C. A. A. Int. Field.
Alma, Ga	C. A. A. Int. Field.
Burlington, Iowa	Burlington Airport.
Casper, Wyo	Wardwell Field.
Chanute, Kans	Chanute Airport.
Charlotte, N. C	Charlotte Municipal Airport (Morris Field).
Chattanooga, Tenn.	Chattanooga Municipal Airport (Lovell Field).
Colorado, Springs, Colo.	Peterson Field.
Columbia, Mo	Columbia Airport.
Cross City, Fla	Cross City Airport.
Des Moines, Iowa	Des Moines Airport.
Dothan, Ala	Dothan Municipal Airport.
Florence, S. C	Florence Airport.
Fort Bridger, Wyo.	C. A. A. Int. Field.
Fort Myers, Fla	Fort Myers Municipal Airport (Page Field).
Garden City, Kans.	Garden City Airport.
Grand Island, Nebr.	Grand Island Airport.
Greensboro, N. C	Greensboro-High Point Airport (Lindley Field).
Greenville, S. C	Greenville Airport.
Greenwood, Miss	Greenwood Airport.
Hayes Center, Nebr.	C. A. A. Int. Field.
Huron, S. Dak	W. W. Howes Airport.
Jacks Creek, Tenn.	C. A. A. Int. Field.
Jackson, Miss	Jackson Airport.
Joplin, Mo	Joplin Airport.
Kansas City, Mo	Kansas City Municipal Airport.
Kirksville, Mo	Kirksville Airport.
Knoxville, Tenn	Knoxville McGhee Tyson Airport.
La Junta, Colo	La Junta A. A. F.
Laramie, Wyo	General Brees Airport.
Lebo, Kans	C. A. A. Int. Field.
Macon, Ga	Macon Municipal Airport (Herbert Smart Field).
Meridian, Miss	Meridian Municipal Airport (Key Field).
Montgomery, Ala	Gunter Field.
Muscle Shoals, Ala.	Muscle Shoals Municipal Airport.
Nashville, Tenn	Nashville Municipal Airport (Berry Field).
North Platte, Nebr.	Lee Bird Field.
Omaha, Nebr	Omaha Municipal Airport.
Pierre, S. Dak	Pierre Airport.
Pueblo, Colo	Pueblo Airport.
Pulaski, Va	Pulaski Municipal Airport (Loving Field).
Rapid City, S. Dak	Rapid City A. A. F.
Rock Springs, Wyo.	Rock Springs Airport (new).
Scottsbluff, Nebr	Scottsbluff Airport.
Sheridan, Wyo	Sheridan County Airport.
Sinclair, Wyo	C. A. A. Int. Field.
Sioux City, Iowa	Sioux City Municipal Airport.
Sioux Falls, S. Dak.	Sioux Falls Municipal Airport.
Smithville, Tenn	C. A. A. Int. Field.
Spartanburg, S. C	Spartanburg Municipal Airport (Memorial Field).
Springfield, Mo	Springfield - Greene County Airport.
St. Joseph, Mo	Rosecrans Field.
Tallahassee, Fla	Tallahassee Municipal Airport (Dale Mabry Field).
Tampa, Fla	Drew Field.
Tri-City, Tenn	Tri-City Airport.
Trinidad, Colo	Trinidad Airport.
Vichy, Mo	Vichy Airport.
Watertown, S. Dak.	Watertown Airport.
Wichita, Kans	Wichita Municipal Airport.
Winston - Salem, N. C.	Winston-Salem Municipal Airport (Smith Reynolds Field).

5. By adding a new § 601.200300 to read as follows:

§ 601.200300 (*Atlanta, Georgia, Airport Approach Zone*). Within a 10 mile radius of Atlanta Municipal Airport including that portion within the limits of Amber Civil Airway No. 6 extending southeastward to the Jonesboro Fan Marker, and excluding those portions of the zone lying outside of airway traffic control area.

6. By adding a new § 601.200301 to read as follows:

§ 601.200301 (*Birmingham, Alabama, Airport Approach Zone*). Within a 10 mile radius of Birmingham Municipal Airport including that portion within the limits of Blue Civil Airway No. 3 extending northward to the Bradford Fan Marker, and excluding those portions of the zone lying outside of airway traffic control area.

7. By adding a new § 601.200305 to read as follows:

§ 601.200305 (*Memphis, Tennessee, Airport Approach Zone*). Within a 10 mile radius of Memphis Airport including that portion within the limits of Amber Civil Airway No. 5 extending southward to the Nesbitt Fan Marker, and excluding those portions of the zone lying outside of airway traffic control area.

8. By adding a new § 601.200306 to read as follows:

§ 601.200306 (*Savannah, Georgia, Airport Approach Zone*). Within a 10 mile radius of Savannah Municipal Airport (Hunter Field) including that portion within five miles on either side of the center line of the on course signal of the southwest course of the Savannah, Georgia radio range extending southwestward to the Richmond Hill Fan Marker, and excluding those portions lying outside of airway traffic control area.

9. By adding a new § 601.200309 to read as follows:

§ 601.200309 (*Cheyenne, Wyoming, Airport Approach Zone*). Within a 10 mile radius of Cheyenne Airport including that portion within the limits of Green Civil Airway No. 3 extending eastward to the Egbert Fan Marker, and excluding those portions of the zone lying outside airway traffic control area.

10. By adding a new § 601.200315 to read as follows:

§ 601.200315 (*Denver, Colorado, Airport Approach Zone*). Within a 10 mile radius of Stapleton Field including that portion within the limits of Red Civil Airway No. 6 extending eastward to the Watkins Fan Marker, and excluding those portions lying outside airway traffic control area.

11. By adding a new § 601.200100 to read as follows:

§ 601.200100 (*Salina, Kansas, Airport Approach Zone*). Within a 30 mile radius of Smoky Hill A. A. F., Salina, Kansas.

This amendment shall become effective 0001 e. s. t. July 15, 1946.

C. I. STANTON,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 46-11873; Filed, July 9, 1946; 9:45 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter III—Proclaimed List of Certain Blocked Nationals

ADMINISTRATIVE ORDER WITHDRAWING LIST

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, and the Secretary of Commerce, by Proclamation 2497 of the President of July 17, 1941[1] (3 CFR, Cum. Supp., p. 241), the existing Proclaimed List of Certain Blocked Nationals is hereby withdrawn effective immediately.

By direction of the President.

DEAN ACHESON,
Acting Secretary of State.
O. MAX GARDNER,
Acting Secretary of the Treasury.
TOM C. CLARK,
Attorney General.
H. A. WALLACE,
Secretary of Commerce.

JULY 8, 1946.

[F. R. Doc. 46-11835; Filed, July 8, 1946; 4:44 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter VIII—Coal Mines Administration

PART 801—OPERATION OF COAL MINES UNDER GOVERNMENT CONTROL

"Regulations for the Operation of Coal Mines Under Government Control," is-

[1] This proclamation mentions the Administrator of Export Control. Under Executive Order 9630, of Sept. 27, 1945 (3 CFR, 1945 Supp., p. 119), the Secretary of Commerce now has responsibility for the administration of export control, having assumed this responsibility on October 20, 1945. This proclamation also mentions the Coordinator of Commercial and Cultural Relations between the American republics. Under Executive Order 9710 of April 10, 1946 (11 FR 3941) the Office of Inter-American Affairs, successor to the Coordinator of Commercial and Cultural Relations, was terminated effective at the close of business May 19, 1946.

sued by the Secretary of the Interior on May 19, 1943, as amended July 29, August 13, and December 23, 1943 (8 F.R. 6655, 10712, 11344, 17339), with the exceptions specified in § 801.50, are hereby amended and revised, as follows:

AUTHORITY: §§ 601.1 to 601.50, inclusive, issued under E.O. 9728, 11 F.R. 5593.

GENERAL

§ 801.1 *Authority for part.* This part is issued under the authority of Executive Order No. 9728, dated May 21, 1946 (11 F.R. 5593), authorizing and directing the Secretary of the Interior

* * * to take possession of any and all such mines, and, to the extent that he may deem necessary, of any real or personal property, franchises, rights, facilities, funds and other assets used in connection with the operation of such mines; to operate or to arrange for the operation of such mines in such manner as he may deem necessary in the interest of the war effort; and to do all things necessary for, or incidental to, the production, sale, and distribution of the coal produced, prepared, or handled by the said mines.

§ 801.2 *Scope of part.* This part shall govern the operation of all coal mines placed under Government possession and control pursuant to Executive Order No. 9728, including any and all real and personal property, franchises, rights, facilities, funds and other assets used in connection with the operation of such mines and the distribution and sale of their products, for operation by the United States.

§ 801.3 *Effect of part.* This part shall supersede all prior orders or instructions governing the operation of such coal mines to the extent that such orders or instructions are inconsistent with this part. (See § 801.50 as to superseding regulations heretofore in effect.)

§ 801.4 *Purpose of operation.* The primary object of Government intervention in the operation of the said properties is the maintenance of full production in the interest of the war effort, the continued operation of the national economy during the transition from war to peace, and the preservation of the national economic structure in the present emergency. All duties and authorities set forth in this part are to be construed in the light of this purpose, and if any regulation interferes with the accomplishment of this purpose, prompt application must be made to the Coal Mines Administration to secure the waiver or modification of such regulation.

§ 801.5 *Plan and policy of operation.* Control of the operations of the coal mines will be exercised by the Government to the extent necessary to maintain maximum production. Wherever the cooperation of the company and its personnel can be secured, the existing organization of the mining company will be utilized, and the company will continue operation in the regular course of business as a going enterprise, conforming with such directions as the Government may issue. Where the prompt and effective cooperation of a company cannot be secured, appropriate action will be taken under §§ 801.30 and 801.31, or otherwise.

All properties in the possession of the Government shall be operated in a manner consistent with the fact that title to the properties remains in the owners thereof and that the Government, having temporarily taken possession or custody, will assert only such rights as are necessary to accomplish the national purpose of continued and maximum production.

§ 801.6 *Definitions.* As used herein: The term "coal mines" means the coal mines of which possession was taken by the orders of the Secretary of the Interior of May 21, 1946, and orders supplementary and amendatory thereto, and any and all real and personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines and the distribution and sale of their products.

The term "company" or "mining company" means the corporation, partnership, association, or individual in possession and control of coal mines immediately prior to the taking of possession of such coal mines by the Secretary of the Interior.

ORGANIZATION FOR OPERATION

§ 801.10 *Supervision and direction.* The power, authority, and discretion of the Secretary of the Interior with respect to the operation of the coal mines may, under the authority of Order No. 2199 of the Secretary of the Interior, dated May 21, 1946 (11 F.R. 5604), be exercised by the Coal Mines Administrator and by the Deputy Coal Mines Administrator (both hereinafter referred to as the Administrator), to the same extent and with the same effect as such power, authority, and discretion may be exercised by the Secretary of the Interior. The power, authority, and discretion of the Administrator may be exercised through such personnel of the Coal Mines Administration of the Department of the Interior and in such manner as the Administrator may determine.

§ 801.11 *Designation of Area Officer in Charge.* Within each of the regions designated in Appendix A attached hereto, officers designated by the Deputy Administrator shall serve as Area Officers-in-Charge.

§ 801.12 *Duties of Area Officer-in-Charge.* Each Area Officer-in-Charge is authorized, subject to the orders of the Administrator, to exercise full powers of supervision and direction over the operation of all coal mines in the possession of the Government within his territorial jurisdiction during the period of Government control of the said mines. He shall have authority to issue specific directions as to the production of coal by the mines subject to his supervision, and as to all operating and financial arrangements for such mines. He shall also have authority to advise, and to issue directions, with respect to the construction of applicable orders and regulations. All directions and orders shall be in writing and a copy shall forthwith be mailed to the Deputy Administrator.

§ 801.13 *Designation of Advisory Councils.* The Chairman and the Labor Representative of each Bituminous Coal District Board in the territory covered by each of the several Area offices of the Coal Mines Administration shall constitute an Area Advisory Council. The members of the Area Advisory Councils shall serve without compensation and will be expected to be on duty in the offices of the Area Officer-in-Charge at such times and for such periods as may prove necessary. Where there are two or more chairmen of District Boards or two or more labor representatives on any Area Advisory Council either or both groups may designate one man to serve in the absence of the others of such group.

§ 801.14 *Duties of Advisory Councils.* Each Area Advisory Council shall serve as advisor to the Area Officer-in-Charge within the area of its jurisdiction and of the Administrator, transmitting to the said Area Officer-in-Charge all complaints and suggestions with reference to the operation of mines under Government control within the area of its jurisdiction, together with its recommendations respecting such complaints and suggestions and the reports of any investigation conducted with regard to the same. The members of each Area Advisory Council shall be freely consulted by the Area Officers-in-Charge. Any member of the Area Advisory Council shall be free to make specific or general suggestion or complaint to the Administrator who will give it his prompt and careful consideration.

§ 801.15 *Designation of Operating Managers.* The operation of the coal mines of a mining company will ordinarily be entrusted to an officer of the company formerly in charge of operations who is authorized to act for the said company and who will, under appointment by the Administrator, during the period of Government control, act as Operating Manager for the United States, while continuing to serve as an officer and employee of the mining company. At the request of the said company, such person may be removed from the position of Operating Manager for the United States, and an officer or employee of the company nominated by the company may be appointed by the Administrator.

Where the prompt and effective cooperation of the mining company in the operation of the coal mines under Government control cannot be secured, a person other than an officer or employee of the company may be designated as the Operating Manager for the United States by the Administrator.

Where a company is in receivership or trusteeship, the receiver or trustee will ordinarily be designated Operating Manager for the United States.

§ 801.16 *Status of Operating Managers.* Any officer or employee of a mining company who, with the permission of, or without objection from the said company, accepts a designation as Operating Manager for the United States of the coal mines of said company shall, together with all other officers and employees, serve in full recognition of his responsibilities to the Government and subject to all orders and regulations of the Administrator, but he and all other officers and employees shall serve as agents and employees of the company with respect to all actions which they would have been empowered to take on behalf of the company in the absence of Government control of its property.

The Operating Manager shall continue to be subject to all restrictions and limitations imposed by the company upon his exercise of his authority. In respect of any action to which or in which the company requires its special consent or concurrence, the Operating Manager shall obtain such consent or concurrence before he takes such action. If consent is denied, the Operating Manager shall so report to the Area Officer-in-Charge, stating the circumstances of the denial. The Area Officer-in-Charge shall transmit the report to the Administrator, and the Operating Manager may proceed to take the action in question only upon direction of the Administrator.

Designation of any person as Operating Manager for the United States shall not be deemed to constitute him an officer or employee of the United States within the meaning of Federal statutes governing personnel.

The appointment of any Operating Manager shall terminate at the discretion of the Administrator upon notice to the Operating Manager.

§ 801.17 *Duties of Operating Managers.* Operating Managers shall perform for their companies ordinary duties of management in accordance with established policies and practices, so far as consistent with this part and the instructions and orders of the Administrator and Area Officer-in-Charge, and shall in addition perform all special duties placed on them as Operating Managers of the United States by this part, by their appointment instructions, so far as consistent with this part, and by such orders as the Administrator or the Area Officer-in-Charge may issue.

An Operating Manager is authorized to take all necessary action in the manner in which and through the officials by which it has been customarily accomplished and may, as should be necessary and convenient, take action either under his customary title and designation or as "Operating Manager for the United States (name of company)," as hereinabove and hereinafter specified. No Operating Manager for the United States of any mining company is authorized or shall be regarded as having authority, express or implied, to bind or impose any liability on the United States or any of its officials or agents in the absence of a specific direction or order by the Administrator to that effect. Nor shall any operations of any mine property in the possession and control of the Government, or the proceeds, earnings or liabilities of such mine property in any event be, or be regarded as being, for the account or at the risk or expense of the Government except as a specific written direction or order to that effect shall have been given by the Administrator.

OPERATION OF MINES

§ 801.20 *Statement of property taken.* The operating manager of each mine shall promptly submit to the area officer-in-charge of the area in which the mine is located a statement specifically enumerating and defining the properties under his management, in accordance with a form to be furnished by the Administrator. Such statement shall be promptly submitted by the area officer-in-charge to the Administrator with recommendations as to any corrections that may appear proper and shall be subject to such correction as the Administrator, or any other official specifically designated for the purpose by the Administrator, shall from time to time find to be necessary. A copy of such revised statement shall be returned to each area officer-in-charge to serve as a guide to him and any successor operating manager in the performance of their functions.

§ 801.21 *Accounts and records.* The operating manager shall set up and keep the books and records of the company in a manner such that the period of Government operation will be separate, or may be readily separated, from the operation of the company previously operating the mines as a private enterprise. The same set of books may be used so long as items of payments, receipts, and all other transactions engaged in on and after May 20, 1946, may be easily separated from items concerning transactions engaged in before that date.

The operating manager shall render such accounting as the Administrator may, from time to time, prescribe.

§ 801.22 *Financial and commercial transactions.* Ordinary financial and commercial transactions shall be carried on so far as possible in accordance with the customary procedures and policies of the mining company. The Operating Managers shall enter into such financial transactions, either by way of receipt or expenditure, as are necessary to continue the enterprise, utilizing any funds or properties due or belonging to the mining company, and shall draw upon the funds and accounts of the company, utilizing customary sources of credits or funds, and make all necessary disbursements.

The Operating Managers shall, if the need arises, inform all third persons with whom they enter into such transactions that such transactions are being carried on, under the authority of the Government and the company, in accordance with customary procedures and policies, that the company remains subject to the usual methods of enforcement of its obligations, and that the Government expects that the acts and agreements of the company will be accorded the same consideration and effect as in the absence of Government control.

§ 801.23 *Employment*—(a) *Working conditions.* In accordance with Executive Order No. 9728 and section 4 of the War Labor Disputes Act terms and conditions of employment which were in effect at the time possession of the mines was taken shall be maintained except as such terms and conditions of employment may be changed by order or direction of the Administrator, subject to the provisions of section 5 of the War Labor Disputes Act, where appropriate.

(b) *Collective bargaining.* In accordance with the terms of Executive Order No. 9728, the customary machinery for the adjustment of workers' grievances shall be maintained in all mines and the right of the workers shall be recognized to continue their membership in any labor organization, to bargain collectively through representatives of their own choosing, and to engage in collective activities for the purpose of collective bargaining or other mutual aid or protection: *Provided,* That such concerted activities do not interfere with the operation of the mine.

(c) *Employment benefits.* All benefits enjoyed by employees of the mine under private control, including State and Federal social insurance payments and benefits, workmen's compensation coverage, and group insurance, and all arrangements governing the payment of wages, including war bond purchase plans and the check-off of union dues, shall be continued.

(d) *Personnel.* Operating Managers shall use the customary personnel so far as practicable and take all steps to encourage miners to work under present wages and working conditions with the understanding that any eventual wage adjustments will be made retroactive, but they shall in no event use force; if any actual need has developed for maintenance of order by use of the military forces, they shall communicate with the appropriate Area Officer-in-Charge for transmission of said request to the proper officials.

All personnel of the mines, both officers and employees, shall be considered as called upon by Executive Order No. 9728 to serve the Government of the United States but nothing in this part shall be construed as recognizing such personnel as officers and employees of the Federal Government within the meaning of the statutes relating to Federal employment.

§ 801.24 *Application of Federal and State law.* The mining companies, their personnel and their property are deemed to remain subject during the period of Government control to all Federal and State laws and to actions, orders, and proceedings of all Federal and State courts and administrative agencies. The companies are expected to meet all Federal, State, and local taxes, contributions, and assessments in the customary manner.

The mining companies are deemed to remain subject to suit as heretofore. However, no Operating Manager or Area Officer-in-Charge is authorized to bring suit, accept service, or enter into any legal proceeding, on behalf of the United States without specific direction from the Administrator. Information as to the pendency, necessity, or probability of any legal proceeding which casts in question any right of the United States should be promptly transmitted by the Operating Manager to the Area Officer-in-Charge and by the latter officer to the Administrator, with appropriate recommendations concerning the assignment of legal counsel if such assignment is indicated.

The possessory interest of the United States in the properties of the companies is deemed to be protected by the criminal laws protecting United States property.

§ 801.25 *Interim procedure for confirmation of financial responsibility by mining company*—(a) *Execution and delivery of Instrument of Agreement and Certification.* Any mining company, by a duly authorized officer or agent, may execute and deliver to the Administrator an Instrument of Agreement and Certification (in the form to be prescribed by the Administrator) confirming (as hereinafter provided) the sole financial responsibility of the mining company for its operations. Such mining company may, however, as hereinafter set forth, reserve to itself the right to assert claims for liability against the Government with respect to damage allegedly resulting from any specific direction or order of the Administrator. The Operating Manager for the coal mines of any mining company for which such Instrument of Agreement and Certification is in effect shall not be subject to the requirements as to financial transactions and current accountings set forth in § 801.26. The Instrument of Agreement and Certification may be terminated by the mining company at any time upon ten days' written notice, as hereinafter provided.

By said Instrument of Agreement and Certification (subject to reservation of rights to assert claims for damage allegedly resulting from any specific directions or orders as provided in paragraph (c) of this section) the mining company shall:

(1) Agree and confirm as its understanding that the operations of the coal mines of the mining company, and all acts and omissions of the Operating Manager, from the date of the beginning of Government possession and control to the effective date of termination of the Instrument, have been and will continue to be for the financial account of the mining company and not for the account of the United States; and

(2) Adopt and ratify all acts and omissions of the Operating Manager in the operation of the coal mines of the mining company during such period, and agree that the Government and its officials shall not be subject to any claims by the mining company or others by reason of the possession and control of the coal mines of the mining company during such period; and

(3) Certify that during such period the mining company will not make any disposition of its funds or incur any indebtedness which will impair the working capital of the company so as thereby to jeopardize maintenance of the maximum possible production of coal at its coal mines.

(b) *Effect of such instrument.* Subject to the reservation of rights as provided in paragraph (c) of this section, the execution and delivery of such an Instrument of Agreement and Certification to the Administrator shall be deemed to constitute a waiver by the Government of all rights which it may have to an accounting with respect to all operations from the beginning of the period of Government possession and control to the effective date of termination of such instrument, and a discharge of the Operating Manager from any liability to the Government with respect to all actions taken by him as such during that period.

(c) *Reservation of right to assert against the Government claims for damage alleged to result from specific directions or orders.* A mining company which has executed and delivered such an Instrument of Agreement and Certification may, nevertheless, reserve to itself the right to assert a claim for damage alleged to have been suffered, or threatened to be suffered, by it as the direct result of a specific direction or order of the Administrator, as hereinafter provided:

(1) As to any specific direction or order which has been issued prior to the date of the execution of its Instrument of Agreement and Certification, such reservation of right may be made by the mining company's transmitting to the Administrator, together with its executed Instrument of Agreement and Certification, a writing, signed by a duly authorized officer or agent, which shall:

(i) Specify the particular direction or order of the Administrator which the mining company asserts directly resulted in damage to the mining company,

(ii) Specify the particular action taken pursuant to such direction or order, which action would not have been taken except for such direction or order and which action, it is claimed, resulted in damage to the mining company, and

(iii) Specify the nature of the damage asserted to have been so caused and the amount thereof.

Upon such transmission to the Administrator of such written specifications, the mining company shall be deemed to have reserved all rights to assert a claim for damage alleged to have been suffered or threatened during the period of Government possession and control as the direct result of compliance with the specified direction or order, and the Government shall be deemed to have reserved all rights to assert by way of offset against any such claim of liability the benefits resulting to the mining company from Government possession and control, and to assert any other defense against such claim.

Failure by the mining company to transmit to the Administrator such a writing, together with its executed Instrument of Agreement and Certification (unless upon request the Administrator shall extend the time for the transmission of the writing for good cause shown) shall be deemed to constitute acquiescence by the mining company that the consequences of all specific directions and orders issued by the Administrator prior to the date of the execution of its Instrument of Agreement and Certification shall be covered by clauses i and ii of the Instrument of Agreement and Certification.

(2) As to any specific direction or order which may be issued subsequent to the date of the execution of its Instrument of Agreement and Certification, such reservation of right may be made by the mining company's filing a timely protest with the Administrator, as follows:

If, upon the issuance by the Administrator of a specific direction or order to an Operating Manager for the coal mines of a mining company, the mining company desires to reserve the right to assert a claim for damage alleged to be threatened or to be suffered by it as the direct result of compliance with such specific direction or order, then the mining company shall protest such direction or order to the Administrator (as hereinafter provided), and in such written protest shall:

(i) Specify the particular direction or order of the Administrator which the mining company asserts will directly result in damage to the mining company if complied with,

(ii) Specify the action which, it is asserted, is required by such direction or order to be taken, which action would not be taken except for such direction or order, and which action, it is claimed, will result in damage to the mining company,

(iii) Specify the nature of the damage which the mining company asserts will be suffered by it as the result of compliance with such direction or order, and an estimate of the amount of such asserted threatened damage, and

(iv) Protest the specified direction or order. Such protest shall be dispatched as aforesaid to the Administrator, Department of the Interior, Washington, D. C., by registered mail or telegram within five days of the receipt by the Operating Manager of the direction or order protested.

Upon the dispatch of such a protest as above provided, the effectiveness of the direction or order, as it applies to the Operating Manager for the coal mines of the protesting mining company, shall be suspended pending further directions of the Administrator. If thereafter the Administrator, in writing, confirms the effectiveness of the protested direction or order as it applies to such Operating Manager, such Operating Manager shall forthwith carry into effect the protested direction or order, with any modifications made by the Administrator in his confirmation thereof.

Thereupon the mining company shall be deemed to have reserved all rights to assert a claim for damage alleged to have been suffered by it during the remainder of the period of Government possession and control as the direct result of compliance with such protested direction or order, and the Government shall be deemed to have reserved all rights to assert by way of offset against any such claim of liability the benefits resulting to the mining company from Government possession and control, and to assert any other defense against such claim.

In all other respects the provisions of the Instrument of Agreement and Certification shall continue in full force and effect and the Operating Manager for the coal mines of the protesting mining company shall continue not to be subject to the requirements as to financial transactions and current accountings set forth in § 801.26. The Operating Manager, however, shall furnish to the Administrator, on his request, such pertinent information and data relating to the effect of compliance with the protested specific direction or order as the Administrator may request.

Failure by the mining company to file such a protest within the five days mentioned (unless upon request the Administrator shall extend the time for the filing of the protest for good cause shown) shall be deemed to constitute acquiescence by the mining company that the consequences of the said specific direction or order shall be covered by clauses i. and ii. of the Instrument of Agreement and Certification.

In the event that the Administrator shall expressly require that a specific direction or order issued by him shall be complied with prior to the lapse of the five-day interval for transmitting a protest as above provided, then the Operating Manager shall comply forthwith with said specific direction or order and the mining company may effect a reservation of right by transmitting, within ten days following the issuance of such express requirement, a writing in accordance with the specifications contained in subparagraph (1) of this paragraph.

(d) *Termination of effectiveness of Instrument of Agreement and Certification.* Any mining company having executed an Instrument of Agreement and Certification, as above provided, may terminate the effectiveness thereof as to all future acts performed by, or omissions of, the Operating Manager in the operation of the properties of the mining company, by transmitting written notice of such termination, by telegram or registered mail, to the Administrator, Department of the Interior, Washington, D. C., such termination to become effective ten days after the receipt of such notice by the Administrator.

In the event of such termination, the Administrator may assume that the mining company claims or reserves the right to claim that all operations from that date forward during the remainder of the period of Government possession and control of the mining property are for the account of the Government and accordingly that the Operating Manager for the United States and the mining company are accountable to the Government for their custodianship and disposition of proceeds from operations accrued during the balance of such period of Government possession and control.

Upon and after the effective date of termination of the Instrument of Agreement and Certification, as herein provided, the Operating Manager for the coal mines of the mining company terminating such Instrument shall be subject to the requirements as to financial transactions and current accountings set forth in § 801.26.

(e) *Non-acquiescence in claim of liability, and non-waiver of right to claim liability except as specifically waived.* None of the provisions of this section or of § 801.26, and no action that shall be taken pursuant to any of them, shall be deemed to constitute acquiescence by the Administrator in any claim that operations during the period of Government possession and control are for the financial account of the Government, or acquiescence in any other claim that the Government or any of its officials are subject to any liability to the mining company or any other person or persons with respect to any such action, or otherwise. None of the provisions of this section or of § 801.26, nor any action taken pursuant to any of them, shall be deemed to constitute a waiver by the mining company of any right which it may have to assert a claim against the United States except as specifically waived by the execution and delivery of an Instrument of Agreement and Certification (subject to reservation of right to assert claims for damage alleged to result from specific directions or orders, as hereinabove provided).

(f) *Inapplicability of certain provisions of § 801.40 to mining companies executing an Instrument of Agreement and Certification remaining effective at termination of Government possession and control.* Where an Instrument of Agreement and Certification has been executed and delivered by a mining company and remains in effect on the date Government possession and control of its properties is terminated by the Administrator pursuant to Section 40 of these regulations, the company will be deemed to have satisfactorily complied with the requirements of that section for the execution and delivery of Instrument No. 1 or Instrument No. 2 therein described, as the case may be, and, unless otherwise directed by the Administrator, the appointment of the Operating Manager for the mines of the company will be deemed to be terminated without further action by the Administrator.

(g) *Furnishing of information and compliance.* Nothing in this section or in § 801.26 shall be deemed or construed to impair in any way the right of the Administrator from time to time to direct and require the furnishing of information pertinent to the operations of any mining company during the period of Government possession and control, having regard to the purposes of such possession and control as set forth in § 801.4 of this part, or the right of the Administrator to enforce compliance with orders or directions issued by him. Nor is anything in this section or in § 801.26 to be deemed to limit in any way the right of the Administrator at any time to exercise his lawful authority to any degree or to any extent as circumstances arise which, in his opinion, necessitate the exercise of such authority in order to effectuate the purposes of Government possession and control as set forth in § 801.4.

§ 801.26 *Requirements as to financial transactions and current accountings.* The Operating Manager for the coal mines of any mining company for which an Instrument of Agreement and Certification as provided in § 801.25 is not in effect shall not make major disbursements of an extraordinary nature or dividend payments and shall not incur indebtedness other than in the course of normal business unless:

(a) At least ten days prior to the making of such disbursement or payment or the incurring of such indebtedness, the Operating Manager shall have filed with the Administrator a notice of intention to make such disbursement or payment or to incur such indebtedness, specifying in detail the amount and nature of and the necessity for the proposed disbursement, payment, or indebtedness, and the effect thereof upon the preservation by the mining company of a working capital sufficient to enable it to maintain maximum possible production; and

(b) The Administrator shall have advised the Operating Manager that he has no objection thereto.

The Administrator may at any time request or direct such Operating Manager to take whatever steps may be appropriate with respect to: full and periodic accountings of the operation of the coal mines; inventories of all real and personal property, franchises, rights, facilities, funds and other assets used in connection with the operation of the coal mines of the mining company and the distribution and sale of its products; the withdrawal of private management from further participation in the operation of the coal mines; and other pertinent matters. Upon the Administrator's request or direction, such Operating Manager shall furnish to him such data and information as he may request or direct pertaining to the period of operation under Government possession and control and a fair evaluation of the results thereof; the data requested may include such information for current periods as is specified in § 801.40 for the entire period of Government possession and control. The Administrator may require that financial statements be certified by an independent Certified Public Accountant. Accountants and other agents of the Government shall be given reasonable access to all books, papers and inventories of the mining company.

ENFORCEMENT OF REGULATIONS AND ORDERS

§ 801.30 *Enforcement powers of Area Officers-in-Charge.* In any case where the prompt and effective cooperation of a mining company cannot be secured, the Area Officer-in-Charge may issue appropriate instructions for the operation of the coal mines of such company and shall immediately report the circumstances and his instructions to the Administrator. Pending receipt of directions from the Administrator, it shall be the duty of the Area Officer-in-Charge to deny access to the premises to persons not contributing to the operation of the enterprise, to prevent any interference with the coal mines or the operations under Government control, and to see that the production of coal is continued.

§ 801.31 *Removal of Operating Managers.* Upon failure of an Operating Manager to comply with this part or the orders of the Administrator or the Area Officer-in-Charge or upon failure of a mining company to respect the action taken by its Operating Manager who is an official of the company, the Area Officer-in-Charge shall report to the Administrator the desirability of the removal of the Operating Manager, with such recommendations for a substitute as he may wish to make.

§ 801.32 *Use of military force.* Any request for the use of the armed forces of the United States to protect life or property in connection with the operation of any mine under the control of the United States shall be submitted by the Operating Manager in charge of the mine, or his representative, to the Area Officer-in-Charge, who shall promptly transmit it with his recommendation to the liaison officer designated by the Secretary of War for the district in question and, in those cases where it is the first time such request has been made in the area, to the Administrator, for decision as to whether a request for such protection shall be submitted to the Secretary of War pursuant to the provisions of Executive Order No. 9728. Area Officers-in-Charge are authorized, except in those cases where it is the first time such request has been made in the area, to request the use of armed forces from the United States Army through the liaison officer assigned to the area. No Operatiing Manager shall have authority to make a request for military protection directly to any officer of the War Department or of the United States Army.

TERMINATION OF GOVERNMENT CONTROL

§ 801.40 *Method of termination.* Government possession and control of any property affected by this part will be terminated by the Administrator upon a determination by him that the requirements for the termination of such possession and control specified in the War Labor Disputes Act of June 25, 1943, have been fulfilled.

Such termination shall be effected by a formal order of the Administrator or by specific notice to the operating manager specifying the effective time of such termination and requiring the posting of a notice thereof on the property. Notice of such formal order shall be given to the operating manager.

After the termination of Government possession and control, and for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9728 may be concluded in an orderly manner, the Administrator may require the submission by any mining company of information relating to operations during the period of Government possession and control as hereinafter provided.

The operating manager for the United States of each mining company with respect to which the United States Government has taken possession and control shall advise the Administrator when, in his opinion, such requirements for the termination of such possession and control have been fulfilled, specifying the date of declared restoration of productive efficiency, and furnishing to the Administrator the factual evidence supporting his opinion.

Forthwith upon the termination of such possession and control by the Administrator, the mining company may elect to execute and deliver to the Administrator one of the two instruments described in paragraphs (a) and (b) below:

Either:

(a) The mining company, by a duly authorized officer or agent, not later than ten days subsequent to such termination, unless such period is extended by the Administrator for good cause shown, shall execute and deliver to the Administrator an instrument of ratification (in the form to be prescribed by the Administrator) by which the mining company adopts and ratifies all acts performed by, and omissions of, the Operating Manager for the United States in the operation of the coal mines of the company during the period of Government control, and covenants and agrees that the Government of the United States and its officials shall not be subject to any claims by the mining company or others by reason of the possession and control of the coal mines of the mining company.

The execution and delivery to the Administrator of such an instrument (hereinafter called Instrument No. 1) shall be deemed to constitute a waiver by the Government of all rights which it may have to an accounting with respect to all operations during the period of Government possession and control, and a discharge of the Operating Manager for the United States from any liability to the Government with respect to all actions taken by him as such, and, unless otherwise directed by the Administrator, the termination of the appointment of the Operating Manager for the United States without further action by the Administrator.

Or:

(b) The mining company, by a duly authorized officer or agent, not later than ten days subsequent to such termination, unless such period is extended by the Administrator for good cause shown, shall execute and deliver to the Administrator an instrument which specifically reserves to the mining company the right to assert a claim for damage alleged to have been suffered by it during the period of Government possession and control as the direct result of a specific direction or order of the Administrator, or his duly authorized agent, but which in all other respects is the same as Instrument No. 1.

Such instrument shall:

(1) Specify the particular direction or order of the Administrator which the mining company asserts directly resulted in damage to the mining company,

(2) Specify the particular action taken pursuant to such direction or order, which action would not have been taken except for such direction or order, and which action, it is claimed, resulted in damage to the mining company, and

(3) Specify the nature of the damage asserted to have been so caused and the amount thereof.

The execution and delivery to the Administrator of such an instrument (hereinafter called Instrument No. 2), provided such instrument is in conformity with the above prescribed requirements, shall be deemed to constitute a waiver by the Government of all rights which it may have to an accounting with respect to all operations during the period of Government possession and control, expressly reserving the right, however, to assert by way of offset to any such claimed liability, benefits resulting to the mining company from Government possession and control and any other defense against such asserted liability. The execution and delivery to the Administrator of such an Instrument No. 2 shall further be deemed to constitute a discharge of the Operating Manager for the United States from any liability to the Government with respect to all actions taken by him as such and, unless otherwise directed by the Administrator, a termination of the appointment of such Operating Manager without further action by the Administrator.

The mining company shall specify to the Administrator such further detailed information with respect to subparagraphs (1), (2) and (3) above, as shall be requested or directed by the Administrator.

If, however, within ten days after the termination of possession and control by the Government, unless such period is extended by the Administrator for good cause shown, the mining company shall not execute and deliver to the Administrator either Instrument No. 1 or Instrument No. 2, as above provided, then the Administrator may assume that the mining company claims, or reserves the right to claim, that all operations during the period of Government possession and control of the property have been for the account of the Government, and accordingly that the Operating Manager for the United States and the mining company are accountable to the Government for their custodianship and disposition of proceeds from operations accruing during the period of Government possession and control. Pending the completion of such an accounting, the appointment of the Operating Manager for the United

States shall continue in force for the purposes of such an accounting and appropriate determinations with respect thereto.

Accordingly, in such an event the Operating Manager for the United States and the mining company shall forthwith cause to be prepared, and shall promptly furnish to the Administrator, the following:

(1) A detailed Comparative Balance Sheet as of the date of the termination of Government possession and control and as of the date of the beginning of such period.

(2) A detailed Statement of Income and Profit and Loss for the period of Government possession and control.

(3) A physical inventory to be taken at the close of such period, for all items normally subject to inventory.

(4) A Cost and Tonnage Statement for the period in the form to be prescribed by the Administrator.

(5) A detailed analysis of all changes in Current Assets, Investments, Reserves, Fixed Assets and Deferred Charges accounts occurring during the period.

(6) A detailed statement of all charges to Bad Debts or against Reserves therefor.

(7) An explanation of the basis of charges for Depreciation, Depletion and Amortization for the period.

(8) A detailed analysis of all changes in amounts due to or from affiliated companies.

Statements required under items 1 and 2 are to be certified by an independent Certified Public Accountant unless otherwise directed by the Administrator on the application for good cause shown by the mining company. Statements required under items 3 through 8 are to be certified by an authorized officer of the company.

In addition to the foregoing, the Operating Manager for the United States and the mining company shall furnish to the Administrator such additional data and information as the Administrator shall request or direct pertaining to the period of operation under Government possession and control and a fair evaluation of the results thereof.

For the purposes of checking any inventories, accountings or other information submitted under this Section 40, accountants and other agents of the Government shall be given reasonable access to all books, papers and inventories of the mining company pertinent thereto.

The books and records of the mining company covering operations during the period of Government possession and control shall be maintained intact pending the completion by accountants or other agents of the Government of such inspection thereof as may be deemed necessary by the Administrator. The books and records of the mining company pertaining to operations subsequent to the termination of Government possession and control, and pending such inspection, shall be maintained in such fashion that the effect of such operations upon the condition of the company as of the end of the period of Government possession and control will be readily ascertainable.

None of the provisions of this § 801.40, and no action that shall be taken pursuant to any of them, shall be deemed to constitute acquiescence by the Administrator in any claim that operations during the period of Government possession and control were for the financial account of the Government, or acquiescence in any other claim that the Government is subject to any liability to the mining company or any other person or persons with respect to any such action, or otherwise. None of the provisions of this section, nor any action taken pursuant to any of them shall be deemed to constitute a waiver by the mining company of any right which it may have to assert a claim against the United States, except as waived by the execution and delivery of Instrument No. 1 or of Instrument No. 2.

§ 801.50 *Regulations superseded; exceptions.* The provisions of this part supersede as of the effective date hereof the provisions of "Regulations for the Operation of Coal Mines under Government Control," issued by the Secretary of the Interior on May 19, 1943, as amended July 29, August 13, and December 23, 1943 (8 F.R. 6655, 10712, 11344, 17339), and made applicable to the mines possession of which was taken pursuant to Executive Order 9728 of May 21, 1946, except that criminal liabilities of any person, and civil rights, duties, and liabilities of any person and of the United States of America, thereunder, shall not be affected.

Effective date: 12:01 a. m., July 8, 1946.

BEN MOREELL,
Coal Mines Administrator.

APPENDIX A

LIST OF AREA OFFICERS-IN-CHARGE AND THEIR LOCATIONS AND AREAS

Area No.	Area officer	Address	Producing districts
I	G. E. Slocum, Comdr. (S), USNR	311 Old Post Office Bldg., Smithfield St. and 4th Ave., Pittsburgh 22, Pa.	1, 2, 3, 4, 6.
II	J. G. King, Comdr. (S), USNR	Ashland Oil & Refining Bldg., 1409-13 Winchester Ave., Ashland, Ky.	7, 8, 9, 13.
III	W. G. Triest, Comdr., CEC, USNR	Suite 1123, Merchandise Mart Bldg., 222 West Bank Drive N., Chicago, Ill.	5, 10, 11, 12.
IV	J. S. Stevenson, Comdr., CEC, USNR	Pratt & Whitney Plant, Bannister Rd. & Troost Ave., Kansas City, Mo.	14, 15.
V	L. E. Smith, Comdr., SC (S), USNR	General Land Office c/o Supervisor of Surveys, 534 United States National Bank Bldg., Denver, Colo.	16, 17, 18, 19, 20, 22, 23.

[F. R. Doc. 46-11882; Filed, July 9, 1946; 10:21 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—Civilian Production Administration

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

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

[Priorities Reg. 28, Schedule 1, as Amended June 5, 1946, Amdt. 1]

CRITICAL PRODUCTS

Section 944.49 *Priorities Regulation 28, Schedule 1* is amended by substituting the word "Yes" for the word "No" under Column III, Production Materials, opposite the item Lead.

Issued this 9th day of July 1946.

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

[F. R. Doc. 46-11917; Filed, July 9, 1946; 11:57 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[M-21, Direction 13]

EMERGENCY DISTRIBUTION OF MERCHANT PIG IRON AND IRON CASTINGS FOR PRODUCTION OF CERTAIN CRITICAL PRODUCTS

The following direction is issued pursuant to M-21:

(a) *What this direction does.* The cumulative loss in production of merchant pig iron and iron castings in the last several months caused by work stoppages has created a severe shortage of merchant pig iron and iron castings for all purposes. There will not be a sufficient supply of iron to keep all of industry going at a reasonable rate for a number of months. It is, therefore, necessary that special assistance be given for the manufacture of certain highly critical products. These products are ones which are extremely short for the Veterans' Housing Program and certain items of farm machinery which are urgently required to harvest this year's crops and for famine relief. Failure to obtain immediate full production of these items will seriously delay the housing program and will result in a loss of food production. This direction provides for certified orders for merchant pig iron and iron castings needed during the third quarter of 1946 to make these critical items. This direction applies only to merchant pig iron and to gray and malleable iron castings. It does not apply to steel, which is distributed under Direction 12 to M-21.

Certified Orders for Iron Castings

(b) *Products for which iron castings can be obtained under this direction.* Manufacturers of the products which are listed on Schedule A at the end of this direction may place certified orders in the way described in this direction for the iron castings that they need for the product. In addition, manufacturers of other products may, in certain very extraordinary cases described in paragraph (o), be specifically authorized to place certified orders.

(c) *Certified orders placed with a foundry without authorization.* A manufacturer of a critical product listed on Schedule A may certify a purchase order for castings used in his critical product which he has already placed with a foundry on the date of this direction and on which at any time after January 1, 1946, the foundry promised or scheduled delivery before October 1, 1946. No specific authorization by the Civilian Production Administration is required for such certification. However, a manufacturer may not without specific authorization by CPA certify orders for iron castings for use in a plant not in production because of work stoppages. Except for the orders listed in this paragraph (c) no certified purchase order for iron castings may be placed without specific authorization by CPA. Paragraph (d) below states when applications for authorizations may be made.

(d) *Application for authorization to place certified orders for iron castings*—(1) *Who may apply.* Any manufacturer of a critical product listed on Schedule A who is unable to certify enough purchase orders under the provisions of paragraph (c) above for the amount of iron castings which he will require to actually put into production in such critical products during August or September, may apply to the Civilian Production Administration for authority to certify new purchase orders.

(2) *How to apply.* Application for such authority should be made in triplicate on Form CPA 4466 (revised).

(3) The Civilian Production Administration may issue authority to place certified purchase orders where it determines that the iron castings will actually be needed for production of the critical product and that the iron casting may be made available for such purposes. Additional iron castings for inventories will be rarely authorized and then less than permitted by Priorities Regulation 32. The CPA may limit the authorization to a named supplier.

(e) *Limit on amount which may be certified.* Except as specifically authorized a manufacturer must not certify a total number of purchase orders which will call for delivery in August and September of a greater amount of iron castings than he proposes to actually put into production in the manufacture of such critical products in that period. In addition, a manufacturer of farm machinery listed on Schedule A must not certify more iron castings than he will require to complete critical items which he will deliver before October 31, 1946. A manufacturer need not reduce the amount permitted because of iron castings in his inventory, within the limits of Priorities Regulation 32, but he may not, without specific authorization, use any of the amount certified in order to build up inventories to the permitted amount. Also he may not certify for delivery in any one month more than 70% of the amount of the iron castings he will put into production during both August and September.

Certified Orders by Foundries for Merchant Pig Iron

(f) *Foundries must obtain authorization.* Foundries may not place certified orders for merchant pig iron without specific authorization. Applications for authorization for merchant pig iron required during August and September to make castings required for products listed on Schedule A or, if the foundry itself makes the items on Schedule A, for merchant pig iron required for such item should be made on Form CPA 4475. This application should be filed not later than July 15, 1946. Authorizations will be returned not later than July 25, 1946, and will specify the amount of merchant pig iron for which certified orders may be placed and the producer on which the order may be placed. A foundry must not certify more orders for merchant pig iron than authorized and only on the producers specified.

(g) *Limitation on use of merchant pig iron obtained on certified orders.* Each foundry must put into production during the two months of August and September not less than the amount of merchant pig iron authorized on Form CPA 4475 to fill certified purchase orders and to make products on Schedule A.

General Provisions

(h) *How to place a certified order*—(1) *For castings.* A purchase order for castings may be certified by sending a letter to the foundry identifying the purchase order and reciting in substantially the following form the following certification signed as provided in Priorities Regulation 7:

> I certify, subject to the penalties of section 35A of the United States Criminal Code, that I will use these castings only to make ---------- (specify one or more of the end products listed in Schedule A, or if specifically authorized for another product under paragraph (o), insert name of product and phrase "authorized under paragraph (o)" and that the tonnage covered by this order together with all tonnages placed with other producers or foundries for use in these products on similarly certified orders and uncertified orders is not in excess of the quantity of such iron castings which I am authorized to order under the provisions of Direction 13 to Order M-21.

When a manufacturer has been authorized to certify any purchase order under paragraph (d) above or (o) below, he must add to the certification the following additional statement: "I have been specifically authorized to certify this order by Form CPA 4466, Serial No. ———."

(2) *Canadian purchasers of castings.* In the case of a Canadian purchaser of castings, a purchase order my be certified by furnishing a certification in substantially the following form signed manually or as provided in Priorities Regulation No. 7:

> The undersigned purchaser certifies, subject to the penalties of section 15 of the Canadian Wartime Industries Control Regulations, to the seller, to the Canadian Priorities Officer, and to the Civilian Production Administration that he will use this iron casting only to make ------, and that the tonnage covered by this order together with all other tonnages placed with other producers on similarly certified orders and uncertified orders is not in excess of the quantity of such iron castings which he is authorized to order under the provisions of General Instruction Letter No. ------ and Direction 12 to Order M-21, and that the end-product will be sold only in accordance with the terms of that letter.

(3) *For merchant pig iron.* A purchase order for merchant pig iron may be certified by sending a letter to the producer, identifying the purchase order and reciting in substantially the following form the following certification signed as provided in Priorities Regulation No. 7:

> I certify, subject to the penalties of section 35A of the United States Criminal Code, that I am authorized to place this order for merchant pig iron under Direction ---------- to Order M-21, Serial No. ------.

(i) *Periods for which certified orders may be placed.* Orders may be certified for delivery only in August or September. A manufacturer or foundry must specify the months in which he requires delivery at the time he certifies his purchase order (or at the time he places a new certified purchase order).

(j) *Refusal of certified orders*—(1) *Castings.* A foundry need not accept a certification for castings on a previously accepted purchase order, or a new purchase order, which it receives after the first day of the month, preceding the month in which delivery is requested.

(2) *Merchant pig iron.* A producer need not accept a certification for merchant pig iron if it is received after the 25th day of the month preceding the month in which delivery is requested. In case of orders for August delivery the producer must accept if the order is received before July 29, 1946.

(k) *Certified orders must be treated as rated orders.* Certified orders must be scheduled for production in preference to all other orders except for orders covered by specific written directives issued by the Civilian Production Administration. Any purchase order certified under this direction must be treated as a rated order under Priorities Regulation 1 and accepted, scheduled, and delivered accordingly. The rules of Priorities Regulation 1 will apply, except to the extent that this direction is inconsistent with them. Iron castings obtained on certified orders must be used in accordance with § 944.11 of that regulation.

(l) *Effect of certain other directions.* Direction 13 to Priorities Regulation 1, which suspended preference ratings on iron castings remains in effect for the time being.

(m) *Equitable distribution to consumers.* Producers and foundries must distribute remaining amounts of merchant pig iron and iron castings after filling certified orders in a fair and equitable manner.

(n) *Reports.* Producers and foundries must furnish such reports as may be required by the Civilian Production Administration from time to time, subject to approval by the Budget Bureau pursuant to the Federal Reports Act of 1942.

(o) *Additional assistance in extraordinary circumstances*—(1) *Merchant pig iron or castings for governmental agency requirements.* The Civilian Production Administration may authorize the placing of certified orders to fill severely limited requirements of high urgency for the Army, Navy, Coast Guard, Maritime Commission, War Shipping Administration, Veterans' Administration, Federal Public Housing Authority, or for export. No applications should be made for this authority by manufacturers unless specifically requested by the appropriate government agency.

(2) *Relief for other manufacturers cannot ordinarily be granted.* The shortage of merchant pig iron and iron castings during the third quarter will be so severe that most manufacturers may not be able to obtain enough to maintain minimum economic rates of operation. For this reason, the Civilian Production Administration will not be able to offer assistance to manufacturers to support minimum economic rates of production. Assistance may be given in extraordinary circumstances where a manufacturer will suffer extraordinary hardship which is not generally common to users of merchant pig iron or iron castings because of the shortage of merchant pig iron and iron castings or for requirements of public health and safety or other similarly urgent requirements. Application should be made by letter to the Steel Branch of CPA. CPA may give assistance by finding a supplier, or by authorization to place certified orders, or by issuance of directions if required.

(p) *Forms.* Forms CPA 4466 (revised) and CPA 4475 are obtainable at the nearest CPA Field Office.

Issued this 9th day of July 1946.

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

SCHEDULE A

1. Malleable and gray iron castings required to fill certified orders from manufacturers of the following classes of farm machinery and equipment, as described in War Food Order 135 of the Department of Agriculture:
   - Combines (harvester-threshers)
   - Grain binders
   - Corn binders, excluding sled and wheel type
   - Corn pickers
   - Field ensilage harvester—row type
   - Potato diggers and pickers, excluding walking plow type
   - Bean cutters or pullers
   - Sugar beet and cane harvesting equipment
   - Peanut diggers
   - Peanut pickers
   - Farm haying machinery, excluding field bale loader
   - Ensilage cutters (silo fillers)
   - Corn shellers
   - Potato sorters and graders
   - Fruit and vegetable graders, washers, sackers and conveyors
   - Farm tractors, wheel type
   - Repair parts only for types of farm machinery listed above
2. Gray and malleable iron castings required to make the following items of residential type products, or to fill certified orders from manufacturers of the following items of residential type products:
   - Cast iron soil pipe and fittings
   - Cast iron pressure pipe and fittings
   - Cast iron radiation (tubular and convector)
   - Warm air furnaces and floor furnaces
   - Bath tubs, sinks, and lavatories
   - Low pressure cast iron boilers for residential heating use
   - Screwed pipe fittings in the following classes:
     - (a) Gray cast recessed drainage, 2 in. and under
     - (b) Gray cast steam fittings, 3 in. and under (125 lbs. S. W. P.)
     - (c) Malleable fittings, including unions, 2 in. and under (150 lbs. S. W. P.)
3. Railroad brake shoes.

[F. R. Doc. 46-11916; Filed, July 9, 1946; 11:57 a. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER AND PRODUCTS THEREOF

[Rubber Order R-1, as Amended Mar. 1, 1946, Amdt. 3]

Rubber Order R-1, as amended March 1, 1946, is hereby further amended by making changes in Appendix I, Table B, Permitted Products, as follows:

1. By increasing the per cent of natural rubber permitted in products listed unders Codes 9A, 9C, 9D, 10D, 10E, 11G, 12D, 12E, 13A, 18A, 18B, and 18D.

2. By permitting the use of 26 per cent of natural rubber latex in Code 11G—Rings and compound for sealing glass containers for packing products which are vacuumized or heat sterilized.

3. By adding to the present list of Permitted Products, certain new products not appearing in Appendix I, Table B, as issued March 1, 1946, as shown below in Codes 10D, 10E, 11F, 12D, 12E, 12F, 12G, 12I, 12J, 12L, 13C, 18D, 18E, 18J, 22A, 22D and 22E.

4. By changing the Special Restrictions or Provisions applicable to certain products shown below in Codes 9C, 10E, 11G, 12E, 18A, 18B and 18D, so that Codes 9A, 9C, 9D, 10D, 10E, 11F, 11G, 12B, 12D, 12E, 12F, 12G, 12H, 12I, 12J, 12L, 13A, 13C, 18A, 18D, 18E, 18J, 22A, 22D and 22E are amended to include the specification changes as follows:

Code No.	Product	Percent natural rubber	Percent butyl	Special restrictions or provisions
9A	Conveyor and elevator belting and pulley lagging therefor.	35	0	
9C	Flat transmission belting	----------	0	Natural rubber 0.45 lbs. maximum per 1,200 sq. in. per ply permitted.
9D	V-belts	X	0	
10D	All hose showing "X" designation in natural rubber column in Table B as issued March 1, 1946.	X	0	
10E	Spray hose paint fluid line	20	0	Thiokol tube hose only.
	All other hose, including hoses listed at less than 10.	10	0	
11F	Dry pipe valves	X	0	
11G	Rings and compounds for sealing glass containers for packing products which are vacuumized or heat sterilized.	----------	0	Natural rubber 15% by weight permitted, and 26% natural rubber latex by volume permitted.
12B	Contoured automotive floor mats	10	0	
12D	Molded thin wall containers	30	0	
	Rod up to 0.040" dia.	X	0	
	Rod 0.040" dia. and over	25	0	
	Tubing (wall thickness over 1/32")	25	0	
	X-ray and photographic tanks (hand made only).	30	0	
12E	Brake expander tubing	60	0	For marine and industrial motors.
	Industrial abrasive implements	X	0	Natural rubber not exceeding 25% of average monthly consumption of RHC during first six months of 1943 permitted monthly.
	Sand blast curtains	X	0	
12F	Cutting block rubbers	X	0	For die cutting shoe, glove and leather parts only.
	Deep freeze throat collars	X	0	
	Brush setting compounds	X	0	
	Blankets	X	0	For currency paper making equipment only.
	Billiard and pool table cushions	----------	0	Natural rubber not exceeding 25% of average monthly consumption of RHC during year ending Mar. 31, 1941 permitted monthly.
12F	Budding strips	X	0	
	Punch press bumpers	X	0	
	Launder linings	X	0	
12G	Oil saver blocks for wire lines	X	0	
	Stuffing box rings	X	0	
12H	Tank balls designed for flush valves	X	0	
12I	Component parts of printing rolls	35	0	For shore hardness of 20 or under.
	Engraving gums	X	0	
	Newspaper form rollers	X	0	
	Offset lithographic blankets	X	0	
12J	Business machine rollers	X	0	For machines duplicating from a master and cash registers rolls only.
12L	Print blankets	X	0	For textile printing only.
13A	Compounds for thin wall (1/32" and less) except for telephone drop wire and building wire.	70	0	
	Compounds for heat resisting insulation for operation at conductor temperature higher than 60° C.	70	X	
	Insulation compounds for ignition cables	30	X	
13C	Skim tape for protective sheath of service entrance cable.	----------	0	0.2 lb. natural rubber per sq. yd. permitted.
18A	Surgical tape and cohesive bandage	25	X	
18B	Bulbs, including parts (medical, surgical, dental, veterinary, mortuary, laboratory and hydrometer types only).	40	0	
18D	Cloth inserted flat goods	60	0	
	Fountain syringe bags	35	0	
	Ice bags	35	0	
	Invalid cushions	35	0	
	Operating cushions	35	0	
	Water bottles and combination syringes	35	0	
18E	Industrial gloves (handmade net lined only)	X	0	
18J	Tubing (blood, plasma, intravenous multiple lumen, and stethoscope only).	X	0	Latex permitted as required.
	Laboratory tubing	X	0	
22A	Bladders and valves	38	0	
	Basketballs	38	0	
	Cageballs	38	0	
	Footballs	38	0	
	Handballs	65	0	
	Punching bags	38	0	
	Playground balls (inflatable) 4" to 10" dia. inclusive.	38	0	Needle valve type only.
	Pushballs	38	0	
	Soccer balls	38	0	
	Squash balls	65	0	
	Volley balls	38	0	
	Water polo balls	38	0	
22D	Full face piece safety masks	X	0	
22E	Chlorinated and cyclized rubber for packaging perishable foods.	----------	0	Natural rubber not exceeding 25% of the average monthly consumption of RHC during year ending March 31, 1941 permitted monthly.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379, as amended by E.O. 9475, 9 F.R. 10817; WPB Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64)

Issued this 9th day of July 1946.

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

[F. R. Doc. 46-11918; Filed, July 9, 1946; 11:57 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Rev. Gen. RO 18, Supp. 1]

DISTRIBUTION OF BASES TO CERTAIN FORMER MEMBERS OF THE ARMED FORCES

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

SCHEDULE I—INDUSTRIAL USERS

Group of products	*Maximum annual base permitted (Number of pounds of sugar)*
1. Bread and rolls only	12,800
2. General baking products (not including bread and rolls)	28,200
3. Ice cream, ices, sherbets, frozen custards (excluding mixes used for any of these products)	40,000
4. Bottled beverages (non-alcoholic)	80,000
5. Candy	31,300
6. Caramel popcorn	16,600
7. Mayonnaise to be packed in containers of one quart or less	600
8. Salad dressing to be packed in containers of one quart or less	1,200
9. Other (specify) (consumer sizes for direct consumer use only)	(1)

[1] To be determined by the Washington Office.

SCHEDULE II—INSTITUTIONAL USERS

Type of institutional user establishments	*Maximum monthly refreshment base permitted (Number of pounds of sugar)*
1. Establishments engaged in general fountain services (cannot be combined with 3, 5, or 7)	400
2. Establishments serving snow balls or snow cones	100
3. Establishments serving fruit juices, vegetable juices or tomato juice	160
4. Establishments serving ice cream, sherbets, or frozen custard	720
5. Establishments serving coffee, tea, lemonade or orangeade	400
6. Establishments serving alcoholic beverages	80
7. Establishments serving carbonated beverages	400
8. Incidental refreshment base for restaurant [1]	120
9. Incidental refreshment base for drug store [1]	120
10. Establishments serving candied apples	320
11. Establishments serving candy floss	200
12. Other	(2)

[1] Cannot be combined with any other type of refreshment service.

[2] To be determined by the Washington Office.

SCHEDULE III—FORMS FOR APPLICATION UNDER REVISED GENERAL RATION ORDER 18

OPA Form R-1226 (Rev. 6-46) Form Approved Budget Bureau No. 08-R1336.3

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION

VETERANS' APPLICATION FOR REGISTRATION AND ASSIGNMENT OF BASE

(Pursuant to Revised General Ration Order 18—Distribution of Bases to Certain Former Members of the Armed Forces.)

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 you will operate

INSTRUCTIONS

Who May Apply

This form is for use by a veteran of World War II. A "veteran" is a person who:
(1) On or after September 16, 1940 was either:
(i) In the Army, Navy, Marine Corps or Coast Guard of the United States; or
(ii) In the active military service of an allied government in World War II, and at the time of entry into such service was a citizen of the United States; and
(2) Was discharged or released under conditions other than dishonorable (or placed on terminal leave if he served in the United States armed forces); and
(3) Was either in active service for 90 days or more, or if in active service for less than 90 days his active service was terminated by reason of an injury or disability incurred in service in line of duty.
If you do not meet the provisions of this definition, do not apply.

Who Is An Industrial or Institutional User

A person who uses sugar to make a product which he will sell is either an industrial or an institutional user. If the product is made for consumption on his premises he is, generally speaking, an *institutional user*. If it is made for consumption off his premises he is, generally, an *industrial user*. Thus, a person who makes and sells ice cream which he serves in dishes or cones is an *institutional user*, and if he packages ice cream in bulk containers for consumption off his premises he is an *industrial user* with respect to the sugar used in producing that ice cream.

Base

Institutional users have been allotted sugar for refreshments on the basis of a designated percentage of their past use of sugar during a selected month. The figure obtained after applying the percentage was designated as their "base". Generally a base for an *industrial* user is the amount of sugar he used in 1941. Since veterans were not in business during the selected periods of time mentioned above, a base must be determined for them. Thus, the term "base" is simply the basic figure from which a veteran's allotments of sugar will be computed. It does not mean that his allotments will be equivalent to the bases established for his operation.

The bases established for you will be the lowest of: (1) the maximum permissible bases stated in RGRO 18; (2) the bases assigned to a comparable establishment in the immediate or similar area; (3) the bases that you request. In no event will the base(s) assigned to you exceed those of a comparable establishment in the area in which your business will be located.

Bases will not be granted to you until you have your premises and equipment in operating condition.

Allotments

Industrial user allotments are issued for a quarterly period of three months. The percentages in effect for all industrial users during the quarter in which your allotments are issued will be applied to your base(s).

Institutional user refreshment allotments are issued for a two-month period.

Limitations

Your base will be revoked at any time within a year after a base is granted to you under RGRO 18 if any of the following things are done:
(1) Sugar or sugar ration evidence is transferred (tolled) to another person for industrial or institutional use;
(2) If any person who is registered as an industrial or institutional user obtains a financial interest in your business, or your premises or equipment are used by any other person for commercial purposes; or
(3) The establishment is sold or otherwise transferred to any person other than a veteran entitled to a base under this Order.

To insure your full understanding of the eligibility requirements for a sugar base you will receive a copy of RGRO 18 with this application form. If you do not receive it, obtain a copy from your District Office.

Do not write in this space
To be filled in by District Office

Type of discharge or release presented

Date of discharge or release

(Check)
☐ Terminal leave from U. S. Armed Forces
☐ U. S. Army ☐ U. S. Marine Corps
☐ U. S. Navy ☐ U. S. Coast Guard
☐ Military services of an allied government
☐ Eligible ☐ Ineligible

Signature

PART I—STATUS AS A VETERAN

1. If you apply in person show your discharge, release or terminal leave papers to the District Office. If you apply by mail attach photostatic copies of such papers to this application.

If you served in the military service of an allied government and your discharge papers are in a foreign language attach certification from the Veterans Administration that your discharge was other than dishonorable.

2. If you served in the military services of an allied government, were you a citizen of the United States at the time of entrance into such services? ☐ Yes ☐ No.

3. Were you in active service 90 days or more? ☐ Yes ☐ No

(a) If you were in active service less than 90 days, were you discharged or released because of an injury or disability incurred in service in line of duty? ☐ Yes ☐ No

Unless your answer to the questions in Item 3 or 3 (a) is "Yes" you are ineligible and need not proceed further with this application

4. If you were discharged, released or placed on terminal leave *before* March 22, 1945, did you have any other business (than the establishment for which you are applying) on or after March 22, 1945? ☐ Yes ☐ No

(a) If you were discharged, released or placed on terminal leave *after* March 22, 1945 did you have any other business (than the establishment for which you are applying *after* the date of your discharge, release or the date you were placed on terminal leave? ☐ Yes ☐ No

5. Do you now have a business? ☐ Yes ☐ No

Example: If you are actively engaged in the management of any business in which you have an ownership interest, you have another business. If you are an employee of another person, you do not have another business.

6. If the answer to 4, 4(a) or 5 is "Yes" state the type of business.

Type of business ....
(See Section 1.4(g) of RGRO 18)

7. If you are applying for an industrial user base and checked "Yes" in 5, list the products that you make or sell.

Products made	*Products sold*

PART II—PROPOSED ESTABLISHMENT

The following questions relate to your interest, participation and ownership in the establishment for which you are applying.

NOTE: The term "principal ownership" (Items 8 and 9(b)) means that the veteran himself or the veteran along with members of his immediate family or other qualified veteran, owns more than 50% interest in the proposed establishment.

The term "principal occupation" (Item 10) as used in connection with a base granted for an establishment under RGRO 18 means that the veteran must spend more time in operating that establishment for which the base is granted, during the time that it is in operation, than he does at any other occupation and the revenue to be derived from operating this establishment represents the major portion of his annual earned income.

8. Are you or will you be the principal owner and active head of the establishment covered by this application? ☐ Yes ☐ No

9. 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) Do the interests held by you, together with members of your immediate family or veterans entitled to a base under RGRO 18, constitute principal ownership of the business? ☐ Yes ☐ No

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

11. Have you been, or will you be financed directly or indirectly in the operation of your establishment, by an industrial or institutional user? ☐ Yes ☐ No

Example: Purchase of equipment or premises from an industrial or institutional user on the installment plan is indirect financing. Borrowing money or credit from an industrial or institutional user is direct financing.

12. Will any part of your premises, facilities or equipment be used by any other person for commercial purposes? ☐ Yes ☐ No

13. Do you have another application for a base under RGRO 18 pending? ☐ Yes ☐ No

If you are applying for an industrial user base or an adjustment of such base fill in Part III. If you are applying for an institutional user base or adjustment of such base fill in Part IV. If you are applying for bases for a combined industrial-institutional user operation fill in Part III and Part IV.

PART III—INDUSTRIAL USERS

14. Describe briefly the premises, equipment and facilities that you now have..............................

(a) Are these facilities sufficient to start operation? ☐ Yes ☐ No
(b) If "No" list the other necessary equipment that you need ....

If you have filled in (b) above and are otherwise eligible, the District Office will notify you that a base will be established for you, when you have obtained the necessary equipment, premises, etc., to begin operation. Notify your District Office when such items have been obtained.

Adjustment of Base

15. Do you already have a base for sugar? ☐ Yes ☐ No
(a) If "Yes" give the amount of the annual base, the product(s) made, and additional amount of base requested.
Amounts of base .... lbs.
Product(s) ....
Additional amount of base requested .... lbs.
(b) State the sugar containing products and amounts used in the establishment during 1941.
Example: Beverage syrup, ice cream mix, etc.

Sugar containing product	*Amounts used (pounds)*

(c) If the establishment started operation after 1941, state the sugar containing products and the amounts used during the first twelve months of operation.

Sugar containing product	*Amounts used (pounds)*

NOTE: Attach letters from the manufacturers of the above sugar-containing products showing the percentage which the weight of the sugar used is of the weight of the sugar-containing products which they shipped you during the period from January 1, 1941, to December 31, 1941, or period used in (c). Identify each letter by marking each, "Item 15 (b) or (c) of Form R-1226", whichever is appropriate.

New Base(s)

Instructions: Bases may be granted for an industrial user establishment making one or more groups of products listed below in Item 16, Column A. If you will product only one group of products read the instructions designated (a); more than one, read (b); combined industrial-institutional use, read (c). *Obtain from your district office maximum bases allowed for each product or group of products.*

(a) One Group of Products

Select the group of products you will product (Col. A). Enter in Col. B the amount of sugar base you wish and in Col. C write 100%.

(b) More than One Group of Products

Select the groups of products you will product (Col. A). Determine the percentage of the maximum base that you wish for each product and enter this percentage figure in Col. C. In Col. B enter the amount of sugar base that you wish for each group of products. If your operation is confined to *industrial* use of sugar, the total of the percentage figures in Col. C must not be more than 100%. Example: X applies for bases to operate a bakery. The major portion of his business will be devoted to making sweet goods. He will also make bread and rolls. He decides that he wants a base of 25,380 lbs. of sugar per year for his sweet goods operation. This is 90% of the maximum amount allowed for this product under RGRO 18. Since 90% of his total operation is to be given over to the production of sweet goods, he can not apply for more than 10% of the maximum amount allowed for bread and rolls, or a base of 1,280 lbs. of sugar. He therefore makes the following entries in Item 16. In Line 2, Col. B, he writes 25,380 and in Col. C, 90%; in Line 1, Col. B, he writes 1,280 lbs. and in Col. C, 10%. The total of the percentage figures in Col. C equals 100%.

(c) Combined Industrial-Institutional User Operation

Give the information required by Items 16 and 23. The total of the percentage figures in Col. C for both Items 16 and 23 must not be more than 100%. Example: Z wishes to operate an establishment manufacturing candy and serving fruit ades. He decides that he wants a base of 23,475 lbs. of sugar annually for making candy. This is equal to 75% of the maximum base allowed. He therefore enters in Item 16, Line 5, Col. B, 23,475 lbs. and in Col. C, 75%. Since 75% of his business will be given over to the manufacture of candy, his monthly base for serving fruit ades can not exceed 25% of the maximum base for this item, or 100 lbs., (25% of 400 lbs. equals 100 lbs.) He therefore enters in Item 23, Line 5, Col. B, 100 lbs. and in Col. C, 25%. The total of the percentage figures in Items 16 and 23 equals 100%.

16. (Fill in)

(A) Products to be made	(B) Amount of sugar base requested per year (pounds)	(C) Percent of maximum base for each group of products for which sugar is requested
1. Bread and rolls only		
2. General bakery products (not including bread and rolls)		
3. Ice cream; ices; sherbets, frozen custard (excluding mixes used for any of these products)		
4. Bottled beverages (non-alcoholic)		
5. Candy		
6. Caramel popcorn		
7. Mayonnaise packaged in containers of one quart or less		
8. Salad dressing packaged in containers of one quart or less		
9. Other (specify) (consumer sizes of direct consumer use only)		
	XXXXXXXXXXX	Total..........%

DO NOT WRITE IN THIS SPACE—TO BE FILLED IN BY DISTRICT OFFICE

Industrial users—Enter in the space provided the veteran's base(s) granted. Give the information indicated for the comparable establishment selected

Product	*Amount of sugar base*	*Product*	*Amount of sugar base*

Comparable Establishment

Name.....		Name.....	
Address.....		Address.....	
Type of product(s) made	*Amount of annual base*	*Type of product(s) made*	*Amount of annual base*

NOTE: Applications for bases for "Ice cream, sherbets (Item 16, Line 3) etc." and "Other" (Item 16, Line 9) must be forwarded to the Washington Office. Before forwarding such applications be sure that the information on the comparable establishment(s) is filled in. Applications for "Other" must also include the information that the product(s) are to be packaged in consumer sizes for direct consumer use only.

PART IV—INSTITUTIONAL USERS

17. Describe briefly the premises, equipment and facilities that you now have.

(a) Are these facilities sufficient to start operation? ☐ Yes ☐ No
(b) If "No" list the other necessary equipment that you need. ☐

If you have filled in (b) above, and are otherwise eligible, the District Office will notify you that a base will be established for you, when you have obtained the necessary equipment, premises, etc. to begin operation. Notify your District Office when such items have been obtained.

18. What is or will be the seating capacity of your establishment? ______ persons.

19. Will the establishment be operated on a year-round or on a seasonal basis (check one)? ☐ Year-round ☐ Seasonal.

(a) If on a seasonal basis, state period that establishment will be in operation. ☐

20. How many servings of refreshments do you expect to make during your first 30 days of operation? ______ number.

21. If you have filled in Line 8 of Item 23, list the types of refreshments that you expect to serve.

Adjustment of Base

22. Do you already have a refreshment base for sugar? ☐ Yes. ☐ No.
If "Yes" give the amount of the monthly base, the type of refreshment(s), and the additional amount of base requested.
Amount of base ______ lbs.
Type of refreshment(s) ______
Additional amount of base requested ______ lbs.

New Base(s)

Instructions: Refreshment bases may be granted for an institutional user establishment serving one or more types of refreshment services listed below in Item 23, Col. A. If you will serve only one type of refreshment read the instructions designated (a); more than one, read (b); combined industrial-institutional use, read (c). *Obtain from your district office the maximum bases allowed for each type of refreshment.*

(a) One Type of Refreshment Service

Select the type of refreshment you will serve (Col. A). Enter in Col. B the amount of sugar base you wish and in Col. C write 100%.

(b) More Than One Type of Refreshment Service

Select the types of refreshments you will serve (Col. A). Determine the percent of the maximum base that you wish for each type of refreshment service and enter this percentage figure in Col. C. In Col. B enter the amount of sugar base requested per month for each type of refreshment. If your operation is confined to institutional use of sugar, the total of the percentage figure in Col. C must not be more than 100%. Example: Y wishes to prepare and serve snow balls. He will also serve candy floss. The major portion of his business will consist of the preparation and service of snow balls. He decides that he wants a base of 75 lbs. per month for snow balls. This is 75% of the maximum amount allowed under RGRO 18 for this type of refreshment. Since 75% of his total operation is to be given over to snow balls, he cannot apply for more than 25% of the maximum amount allowed for candy floss, or a base of 50 lbs. per month. He therefore makes the following entries in Item 23: In Line 2, Col. B, he writes 75 and in Col. C, 75%; in Line 11, Col. B he writes 50 lbs. and in Col. C, 25%. The total of the percentage figures in Col. C equals 100%.

(c) *Combined Industrial-Institutional User Operation*—Refer to the instructions in Part III for this type of operation.

23. (Fill in)

(A) Types of refreshment(s) to be served	(B) Amount of sugar base requested for month (pounds)	(C) Percent of maximum base for each type of refreshment service for which sugar is requested
1. General fountain service (cannot be combined with 3, 5 or 7)		
2. Snow balls and cones		
3. Fruit juices, vegetable juices		
4. Ice cream, sherbets, or frozen custard		
5. Coffee, tea, orangeade, lemonade		
6. Alcoholic beverages		
7. Carbonated beverages		
8. Incidental refreshment base for restaurant*		
9. Incidental refreshment base for drug store*		
10. Candied apples		
11. Candy floss		
12. Other: (specify)		
	XXXXXXXXXXX	Total ______%

*Cannot be combined with any other type of service.

DO NOT WRITE IN THIS SPACE—TO BE FILLED IN BY DISTRICT OFFICE

Institutional User—Enter in the spaces provided the veteran's refreshment bases granted. Give the information indicated for the comparable establishment selected.

Type of refreshment	*Amount of sugar base*
Comparable Establishment(s)	
Name	Name
Address	Address
Type of refreshment(s) served	Type of refreshment(s) served
Amount of Monthly Base	Amount of Monthly Base

NOTE: Applications for bases for "Other" (Item 23, Line 12) must be forwarded to the Washington Office. Before forwarding such applications be sure that the information on the comparable establishment has been filled in.

Application is: ☐ Granted ☐ Denied
Date ______ District office ______ State ______
Signature ______

I CERTIFY that the above statements are true and correct to the best of my knowledge and belief.
Sign here ______ (Name of applicant) ______ (Date)
A wilfully false certification is a criminal offense

OPA Form R-1226A (6-46) Form Approved Budget Bureau No. 08-R1637.1

UNITED STATES OF AMERICA

OFFICE OF PRICE ADMINISTRATION

APPLICATION FOR A SUGAR BASE(S) BY A VETERAN WHO SOLD HIS SUGAR-USING BUSINESS BECAUSE OF ENTRANCE INTO THE ARMED FORCES

(Pursuant to Article III of Revised General Ration Order 18—Distribution of Bases to Certain Former Members of the Armed Forces.)

Name of Applicant
______
Address—Number and Street
______
City, Postal Zone Number, State
______
Name and address of establishment or establishments for which you are applying:

INSTRUCTIONS

Who May Apply

This form is for use by a veteran of World War II. A "veteran" is a person who:
(1) On or after September 16, 1940 was either:
(i) In the Army, Navy, Marine Corps or Coast Guard of the United States; or
(ii) In the active military service of an allied government in World War II, and at the time of entry into such service was a citizen of the United States; and
(2) Was discharged or released under conditions other than dishonorable (or placed on terminal leave if he served in the United States armed forces); and
(3) Was either in active service for 90 days or more, or if in active service for less than 90 days his active service was terminated by reason of an injury or disability incurred in service in line of duty.
If you do not meet the provisions of this definition, do not apply.

Who Is an Industrial or Institutional User

A person who uses sugar to make a product which he will sell is either an industrial or an institutional user. If the product is made for consumption on his premises he is, generally speaking, an *institutional user*. If it is made for consumption off his premises he is, generally, an *industrial user*. Thus, a person who makes and sells ice cream which he serves in dishes or cones is an *institutional user*, and if he packages ice cream in bulk containers for consumption off his premises he is an *industrial user* with respect to the sugar used in producing that ice cream.

Base

Institutional users have been allotted sugar on the basis of a designated percentage of their past use of sugar during a selected month. The figure obtained after applying the percentage was designated as their "base." Generally a base for an *industrial* user is the amount of sugar he used in 1941. Thus, the term "base" is simply the basic figure from which an allotment of sugar will be computed. It does not mean that an allotment will be equivalent to the base established.

Bases will not be granted to you until you have your premises and equipment in operating condition.

Allotments

Industrial user allotments are issued for a quarterly period of three months. The percentages in effect for all industrial users during the quarter in which your allotments are issued will be applied to your base(s).

Institutional user refreshment allotments are issued for a two-month period.

Limitations

Your base will be revoked at any time within a year after a base is granted to you under RGRO 18 if any of the following things are done:

(1) Sugar or sugar ration evidence is transferred (tolled) to another person for industrial or institutional use;

(2) If any person who is registered as an industrial or institutional user obtains a financial interest in your business, or your premises or equipment are used by any other person for commercial purposes; or

(3) The establishment is sold or otherwise transferred to any person other than a veteran entitled to a base under this Order.

To insure your full understanding of the eligibility requirements for a sugar base you will receive a copy of RGRO 18 with this application form. If you do not receive it, obtain a copy from your District Office.

Do not write in this space
To be filled in by district office

Type of discharge or release presented ....

Date of discharge or release ....

(Check)
☐ Terminal leave from U. S. Armed Forces
☐ U. S. Army ☐ U. S. Marine Corps
☐ U. S. Navy ☐ U. S. Coast Guard
☐ Military service of an allied government
☐ Eligible ☐ Ineligible

Signature ....

PART I—STATUS AS A VETERAN

1. If you apply in person show your discharge, release or terminal leave papers to the District Office. If you apply by mail attach photostatic copies of such papers to this application.

If you served in the military service of an allied government and your discharge papers are in a foreign language attach certification from the Veterans Administration that your discharge was other than dishonorable.

2. If you served in the military services of an allied government, were you a citizen of the United States at the time of entrance into such services? ☐ Yes ☐ No

3. Were you in active service 90 days or more? ☐ Yes ☐ No

(a) If you were in active service less than 90 days, were you discharged or released because of an injury or disability incurred in service in line of duty? ☐ Yes ☐ No

Unless your answer to the questions in Item 3 or 3 (a) is "Yes" you are ineligible and need not proceed further with this application.

4. If you were discharged, released or placed on terminal leave *before* March 22, 1945, did you have any other business (than the establishment for which you are applying) on or after March 22, 1945? ☐ Yes ☐ No

(a) If you were discharged, released or placed on terminal leave *after* March 22, 1945, did you have any other business (than the establishment for which you are applying) after the date of your discharge, release or the date you were placed on terminal leave? ☐ Yes ☐ No

5. Do you now have a business? ☐ Yes ☐ No

Example: If you are actively engaged in the management of any business in which you have an ownership interest, you have another business. If you are an employee of another person, you do not have another business.

PART II—PROPOSED ESTABLISHMENT

The following questions relate to your interest, participation and ownership in the establishment for which you are applying.

NOTE: The term "principal ownership" (Items 6 and 7 (b)) means that the veteran himself or the veteran along with members of his immediate family or other qualified veteran, owns more than 50% interest in the proposed establishment.

The term "principal occupation" (Item 8) as used in connection with a base granted for an establishment under RGRO 18 means that the veteran must spend more time in operating that establishment for which the base is granted, during the time that it is in operation, than he does at any other occupation and that the revenue to be derived from operating this establishment represents the major portion of his annual earned income.

6. Are you or will you be the principal owner and active head of the establishment covered by this application? ☐ Yes ☐ No

7. 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) Do the interests held by you, together with members of your immediate family or veterans entitled to a base under RGRO 18, constitute principal ownership of the business? ☐ Yes ☐ No

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

9. Describe briefly the premises, equipment and facilities that you now have ....

(a) Are these facilities sufficient to start operation? ☐ Yes ☐ No

(b) If "No" list the other necessary equipment that you need ....

If you have filled in (b) above, and are otherwise eligible, the District Office will notify you that a base will be established for you, when you have obtained the necessary equipment, premises, etc. to begin operation. Notify your District Office when such items have been obtained.

10. Have you been, or will you be financed directly or indirectly in the operation of your establishment, by an industrial or institutional user. ☐ Yes ☐ No

Example: Purchase of equipment or premises from an industrial or institutional user on the installment plan is indirect financing. Borrowing money or credit from an industrial or institutional user is direct financing.

11. Will any part of your premises, facilities or equipment be used by any other person for commercial purposes? ☐ Yes ☐ No

12. Have you had a base established for you under RGRO 18? ☐ Yes ☐ No

(a) If "Yes," for what product(s) was such base granted ....

13. Do you have another application for a base under RGRO 18 pending? ☐ Yes ☐ No

(a) If "Yes" give the District Office with which the application was filed ....

PART III—FORMER ESTABLISHMENT(S)

The following questions relate to the establishment that you sold prior to your induction into the armed forces.

Give below (as indicated in Items 14 and 15) the information on each business in which you were actively engaged in the management, that you sold after September 16, 1940. If you sold more than two businesses give the same information for each establishment on a separate sheet and attach.

14.

Name of Establishment ....
Address of Establishment ....
Date of Sale ....
Name of purchaser ....
Address of Purchaser ....

Type of Establishment (check)
☐ Industrial User
☐ Institutional User
☐ Combined Industrial-Institutional User Establishment

Type of organization of this establishment? ☐ sole ownership ☐ partnership ☐ corporation
If *partnership* what share of the establishment did you own? ....%
If *corporation* what per cent of voting stock did you own? ....%
What function did you perform in the operation of this establishment? ....

Did you cease to operate this establishment and transfer all of your interest including stock in the corporation (if the establishment was owned by a corporation) after September 16, 1940? ☐ Yes ☐ No

NOTE: The transfer of your establishment to members of your immediate family or household should be excluded.

If your establishment was registered under the OPA rationing regulations give the city and state where registration was made.

.... (City) .... (State)

15.

Name of Establishment ....
Address of Establishment ....
Date of Sale ....
Name of Purchaser ....
Address of Purchaser ....

Type of establishment (check)
☐ Industrial User
☐ Institutional User
☐ Combined Industrial-Institutional User Establishment.

Type of organization of this establishment: ☐ sole ownership ☐ partnership ☐ corporation
If *partnership* what share of the establishment did you own? ....%
If *corporation* what percent of voting stock did you own? ....%
What function did you perform in the operation of this establishment? ....

Did you cease to operate this establishment and transfer all of your interest including stock in the corporation (if the establishment was owned by a corporation) after September 16, 1940? ☐ Yes ☐ No

NOTE: The transfer of your establishment to members of your immediate family or household should be excluded.

If your establishment was registered under the OPA rationing regulations give the city and state where registration was made.

.... (City) .... (State)

NOTE: If you *had* a registered base do not fill in Items 16 and 17. If you were an *Industrial* user but *did not have* a registered base fill in Item 16. If you were an *Institutional* user but *did not have* a registered refreshment base fill in Item 17 and 17 (a). If you were engaged in both operations at the same place but *did not have* registered bases fill in Items 16, 17 and 17 (a).

16. Indicate below the products that you produced during the last 12 months of operation immediately preceding the date on which you sold your establishment and the amount of sugar used in the production of each product. Estimate this sugar usage to the best of your ability from invoices or statements from your suppliers, reports showing the amount of the products sold during the year immediately preceding the date of sale, ledger accounts or other evidences.

(a) If you were in business less than 12 months give the number of months that you operated your establishment. .... months.

Products	*Amount of sugar used*
Bakery products	..........pounds.
Bottled beverages	..........pounds.
Candy	..........pounds.
Caramel Popcorn	..........pounds.
Ice cream; ices; sherbets; frozen custards; and mixes used for these purposes	..........pounds.
Jams, jellies, preserves, marmalades, and fruit butters	..........pounds.
Mayonnaise and salad dressing	..........pounds.
Syrups	..........pounds.
Other (specify)	
....	..........pounds.
....	..........pounds.
....	..........pounds.
....	..........pounds.
....	..........pounds.

Explain from what records and by what means you arrived at the above figures ....

17. Indicate below the refreshments that you served at your establishment during the typical month of operation prior to its sale by entering the quantity of sugar used for each type of refreshment. Estimate this sugar usage to the best of your ability from invoices or statements from your suppliers, reports showing the number of refreshments served during your typical month of operation immediately preceding the date of sale, ledger accounts or other evidences.

Type of refreshments served	*Amount of sugar used*
Candy floss	pounds.
Candied apples	pounds.
Carbonated beverages	pounds.
Coffee, tea, and fruitades	pounds.
Fruit juices, vegetable juices	pounds.
Alcoholic beverages	pounds.
General fountain service	pounds.
Ice cream, sherbets, or frozen custard	pounds.
Snow balls and cones	pounds.
Other (specify)	
	pounds.

Explain from what records and by what means you arrived at the above figures ....

(a) What month do you select as a typical month of operation during the year immediately preceding the sale of your establishment? .... 194....
(Month)

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

Sign here .... (Name of applicant) .... (Date)

A WILLFULLY FALSE CERTIFICATION IS A CRIMINAL OFFENSE

Do Not Write in This Space—To Be Filled in by District Office

Date | District Office | County and State

☐ Disapproved ☐ Approved

For *Industrial* Users—Enter the *base* or *bases* granted for each product in the space provided.

Industrial User Bases

Product(s)	*Amount of sugar base*	*Product(s)*	*Amount of sugar base*
	pounds.		pounds.
	pounds.		pounds.
	pounds.		pounds.
	pounds.		pounds.
	pounds.		pounds.

For *Institutional* Users.—Enter the base month usage for each type of refreshment service in the space provided. The total will be the same as the figure which will be entered in Column A, Part Four of Form R-1314.

INSTITUTIONAL USER BASE MONTH USE

Type of refreshment service	
Candy floss	pounds.
Candied apples	pounds.
Carbonated Beverages	pounds.
Coffee, Tea, and Fruitades	pounds.
Fruit juices, vegetable juices	pounds.
Alcoholic Beverages	pounds.
General Fountain Service	pounds.
Ice cream, sherbets, or frozen custard	pounds.
Snow balls and cones	pounds.
Other (specify)	
	pounds.
	pounds.
Total	pounds.

Signature of Sugar Rationing Representative ....

Remarks by District Office:

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

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

This supplement shall become effective July 12, 1946.

Issued this 8th day of July 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-11853; Filed, July 8, 1946; 4:16 p. m.]

PART 1305—ADMINISTRATION

[Rev. Gen. RO 18]

DISTRIBUTION OF BASES TO CERTAIN FORMER MEMBERS OF THE ARMED FORCES

General Ration Order 18 is redesignated Revised General Ration Order 18 and amended to read as follows:

Preamble. Congress enacted the "Servicemens' Readjustment Act of 1944" (called the "GI Bill of Rights") for the declared purpose of facilitating "Readjustment in civilian life of returning World War II veterans." This statute provides in part for training World War II veterans and for government guarantee of loans for 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.

In order to give recognition to the intent of Congress, as indicated, the Office of Price Administration issued and put into effect on March 26, 1945 General Ration Order 18, providing for "Distribution of Bases to Certain Former Members of the Armed Forces." This order provides for the establishment of sugar bases for and the issuance of sugar rations to veterans for industrial use and for the service of refreshments. It contained certain restrictions and conditions deemed necessary to protect the rights and interests of established operators and to avoid excessive drain upon the limited sugar supply.

The special provisions of the order apply only to the types of industrial use of sugar which are generally permitted only by concerns which can demonstrate a pre-rationing industrial use of sugar and to providing refreshment services. No special provision is made for issuance of sugar for the canning of fruits and vegetables and for processing of certain other foods, since any person may obtain sugar at a limited rate per unit of output of these products. Unrestricted entry into such businesses by veterans and others alike is designed to permit the processing of the maximum quantities of important food commodities which require a relatively small use of sugar in relation to total food involved.

Similarly, no special provision is made for food service rations for veterans who wish to open restaurants. Such rations may be obtained by any person at a limited rate per meal service. This was designed to facilitate necessary public feeding expansion during the war and to fit the issuance of rations to the needs of a shifting population.

Thus, it was possible for a veteran or any other person to enter into certain types of businesses without the need for additional rationing regulations. However, until the issuance of General Ration Order 18, no provision existed for the establishment of sugar bases or issuance of sugar allotments for such industrial uses as soft drink bottling, candy making, baking and other uses for which allotments based on his toric use of sugar were issued. Nor was there provision for issuance of sugar for refreshment service operations such as lemonade stands and frozen custard stands except where there had been an historic use for such purpose. Therefore, General Ration Order 18 was applicable only to these types of business operations.

General Ration Order 18 has now been in operation for over a year. In the light of experience gained in administering the provisions of that order, it is desirable to make certain changes. These changes, which are incorporated in this Revised General Ration Order 18 are designed chiefly to widen the scope of the order as to the types of businesses and activities which veterans may enter and to relax some of the restrictions covering those activities insofar as it may be done and still protect, to the maximum extent possible the rights and interests of established sugar using businesses that have been drastically curtailed in their operations by the limited supply of sugar.

Changes in format and language have also been made in the interest of clarity.

ARTICLE I—NEW BUSINESS

ARTICLE II—CERTAIN VETERANS MAY APPLY FOR ADJUSTMENT

ARTICLE III—VETERANS WHO WERE INDUSTRIAL AND INSTITUTIONAL USERS MAY APPLY FOR FORMER BASES

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.

ARTICLE I—NEW BUSINESS

SECTION 1.1 *Who may apply.* A veteran who wishes to open an industrial user establishment, or to get a base for refreshment services or a combination of both, may apply for registration and a base or bases for one or both of these purposes.

SEC. 1.2 *Where he applies.* The veteran must apply to the District Office for the place where his establishment will be located.

SEC. 1.3 *How he applies.* (a) He must apply on OPA Form R-1226 and give all of the information required by that form.

(b) The veteran, if he applies in person, must, at the time he applies, show his discharge papers or certificate of satisfactory completion of active duty or terminal leave papers, or a photostatic copy thereof to the District Office. If he applies by mail, he must send with his completed Form R-1226 a photostatic copy of his discharge papers or certificate of satisfactory completion of active duty or terminal leave papers.

SEC. 1.4 *Required qualifications.* The Office of Price Administration will not grant a base under this order unless it is established that the veteran meets the requirements stated below:

(a) *Required ownership interest.* In order to qualify under this Article the veteran must establish that he is, or will be either;

(1) The principal owner and active head of the business covered by the application; or

(2) 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 and persons who would themselves be entitled to a base under this order aggregate the principal ownership of the business.

(b) *Has equipment and premises.* He must have the premises and equipment needed for the operation of the business for which he is applying before he may be granted a base. (He may however make application for a base before he acquires such equipment and premises. In that case he will be given a statement in writing as to the amount of base he may get upon acquiring the equipment and premises. See section 1.5 (a) (4))

(c) *Financing.* He must not be financed directly or indirectly in the operation of his business by any person already registered as an industrial user entitled to an allotment under the sugar rationing regulations, or as an institutional user under Revised General Ration Order 5. (An industrial or institutional user may not have any financial interest in the veteran's business, or profits derived therefrom, thus, the veteran may not owe an industrial or institutional user money under any arrangement where such person supplies on credit to him premises, facilities, equipment or materials needed to operate the veteran's business. However, a bona fide lease between a veteran and such persons for premises, or facilities, or equipment is permissible under the order.)

(d) *He may not use premises, equipment or facilities in use by others.* He will not use the premises, facilities or equipment in use by any other person for commercial purposes. For example: A veteran may not lease equipment or premises for only part time use by him.

(e) *Has no other business.* He must not have any business other than the operation of the sugar using establishment for which he is applying and did not have any other business on or after the latest of the following dates:

(1) The date he was discharged or released;

(2) The date he was placed on terminal leave; or

(3) March 22, 1945.

(f) *His principal occupation.* His principal occupation will be the operation of the sugar using establishment for which he applies.

(g) *Exceptions to (e) and (f).* A veteran may already have a restaurant, drug store, pickle making business, or dairy, and his principal occupation may not consist of operating the sugar using part of his operations. Nevertheless, he may obtain;

(1) An incidental refreshment base for his restaurant.

(2) An incidental refreshment base for his drug store.

(3) A sweet pickle base for his pickle making operation.

(4) A sugar base for use in making chocolate milk at his dairy.

(Additional exceptions to (e) and (f) may be authorized by the Washington Office.)

SEC. 1.5 *Action on the application.* (a) If the District Office finds that the veteran meets the requirements of section 1.4 and that he will engage in the business for which he applies, it shall proceed as follows:

(1) If the veterans applies for a base for industrial use to make one of the products or uses listed in Schedule I, it shall register the applicant on OPA Form R-1200 and grant him a base. The base granted, however, shall be either the base of a comparable establishment in the area in which his establishment is located or the maximum for that group of products set out in Schedule I of the supplement of this order, whichever is smaller. If the products or uses which the veteran wishes to make are not included in the Schedule, 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 veteran applies for a base to make refreshment services of a type listed in Schedule II it shall register him as an institutional user and grant him a refreshment base. The base granted, however, shall be either the base of a comparable establishment in the area in which his establishment is located or the maximum for his type of operation set out in Schedule II of the Supplement to this order, whichever is smaller. If the type of refreshment service which the veteran wishes to make is not included in the schedule, 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.

(3) If the veteran applies for bases to make more than one group of products or uses listed in Schedule I, or to make more than one type of refreshment services listed in Schedule II or for a combination industrial and institutional use, it shall register the applicant as an industrial user or as an institutional user, or both, as the case may be, and grant him a base or bases for the operations for which he applies. However, the base or bases granted shall not be larger than the smaller of the following:

(i) The base or bases of a comparable establishment in the area in which the establishment is located; or

(ii) With respect to each group of products or type of refreshment service for which he requests a base, the percentage requested by him of the base for that group of products or type of refreshment service which he could obtain under subparagraph (1) or (2) of this section if he were to engage only in making that group of products or providing that type of refreshment service. For example: He may state in his application that he wishes to produce candy (Group 5) and caramel popcorn (Group 6) as an industrial user, and make a refreshment service of lemonade (Type 5) and carbonated beverages (Type 7). He may state that he wishes an industrial user base for candy equal to 40% of what he would be entitled to receive if he were to engage in that business exclusively; an industrial user base for caramel popcorn equal to 10% of what he would be entitled to receive if he were to be engaged in that business exclusively; a refreshment service base for lemonade equal to 15% of what he would be entitled to receive if he were to engage in that type of service exclusively; and a refreshment service base for carbonated beverages equal to 35% of what he would be entitled to receive if he were to engage in that type of service exclusively. Such person would be entitled to 40% of the base of an industrial user candy business as provided by subparagraph (1), 10% of the base of a caramel popcorn business as provided in subparagraph (1), 15% of the base for a refreshment service of lemonade as provided in subparagraph (2), and 35% of the base for a refreshment service of carbonated beverages as provided in subparagraph (2). However, if the bases of a comparable establishment in the area where his establishment is located which makes and serves substantially the same products are lower he may obtain bases no greater than those of the comparable establishment.

(4) If the veteran has not yet obtained the premises and equipment necessary for the operation of the business covered by the application, the District Office shall, instead of granting a base or bases for that business, give him a statement in writing that he will be granted a base or bases 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 bases.

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

NOTE: If the amount of the base requested by the veteran is less than the amount he would otherwise be entitled to obtain under this order he will be granted the amount requested.

SEC. 1.6 *Restriction on use.* (a) If at any time within a year after a base is granted under this article any of the following three things are done, the base shall be revoked:

(1) Sugar or evidences obtained with respect to that base is transferred (tolled) to another person for industrial or institutional use;

(2) The facts stated in paragraphs (a) or (c) of section 1.4 cease to be true; or

(3) The establishment is sold or otherwise transferred except as provided in section 4.1 of this order.

(b) No person who obtains a base or bases under this order may use his allotments of sugar for any product, or refreshment service, not included in the group of products or type of refreshment service for which he was granted the base or bases. Furthermore, no such person may use, to make any group of products or type of refreshment service, as shown in Schedules I or II, more sugar than the amount of sugar allotted to him for that group of products or type of refreshment service.

(c) However, a person whose base has been revoked under the provisions of paragraph (a) (1) or (2) may apply in writing to the District Office to have his base reinstated. The application must state that he will operate his establishment in accordance with the provisions of the regulations. If the District Office finds that the applicant has the necessary equipment and establishment it shall restore to the applicant the base which was revoked. In no case may reinstatement be granted before ninety days after the end of the last allotment period for which the veteran obtained an allotment. In such case the one year limitation period shall begin to run as of the time of the restoration of base. (Only one application for reinstatement shall be made under this section.)

ARTICLE II—CERTAIN VETERANS MAY APPLY FOR ADJUSTMENT

SEC. 2.1. *Certain veterans may apply for adjusted industrial and institutional user bases.* (a) A veteran who would be entitled to a base under this order, except for the fact that he already has a sugar base for industrial user or refreshment services which he did not obtain under this order, may apply for an adjustment in that base if that base is less than the base he would be entitled to get under this order. He shall apply on OPA Form R-1226 in the same way as any other applicant for a base under this order, and in addition he must state in the application the amount of the base he has for each product or use or type of refreshment service.

(b) The District Office shall, if it finds that the veteran meets the requirements of paragraph (a) and is otherwise eligible, grant him an adjusted base in accordance with instructions of the Washington Office of the Office of Price Administration.

SEC. 2.2 *Adjustment as the result of increased maximum bases.* (a) If, at any time the maximum base for any operation specified in this order has been increased a veteran who has received the maximum base previously specified may apply in writing, to the District Office, for an adjustment in that base. He must state in his application that he has no business other than that covered by the application and that he is, at the time of application, either:

(1) The principal owner of the business covered by the application; or

(2) A joint owner of the business and the financial interest held by himself and by members of his immediate family and persons who would themselves be entitled to a base under Article I of this order aggregate the principal ownership of the business.

(b) The District Office shall, if it finds that the veteran meets the requirements of paragraph (a), grant him the adjusted base in the amount he is entitled to receive under this order.

SEC. 2.3 *Restriction on use.* (a) The provisions of section 1.6 apply with respect to any adjustment granted under the provisions of section 2.1. (Thus, a veteran may not transfer any sugar or evidences for use by others obtained on that part of the base received as an adjustment under this section. He may continue to transfer sugar or evidences obtained on the base he had before getting the adjustment under section 2.1. Such transfers may be made, however, only in accordance with the provisions of section 8.8 of Third Revised Ration Order 3.)

NOTE: Reinstatement of an adjustment in base revoked under the provisions of section 1.6 (a) may be made in accordance with the provisions of section 1.6 (c).

ARTICLE III—VETERANS WHO WERE INDUSTRIAL AND INSTITUTIONAL USERS MAY APPLY FOR FORMER BASES

SEC. 3.1 *Who may apply.* (a) A veteran may apply for a base period use or for an increase of a base period use for an industrial user establishment or for a base or increase in his base for refreshment services for an institutional user establishment:

(1) If in respect to former establishment:

(i) He was before induction actively engaged in the management of an establishment using sugar for the same product or use or type of refreshment service as that for which application is made;

(ii) He was the sole owner of that establishment, or, if a corporation owned and operated the establishment, he owned more than 50% of the voting stock of the corporation (an exception is provided in paragraph (b) of this section);

(iii) He ceased to operate such establishment and transferred all his interest in it (stock in the corporation if the establishment was owned by a corporation) after September 16, 1940;

NOTE: A transfer of the applicant's interest in his former establishment to a member of his immediate family or household is not a transfer of all his interest in the establishment within the meaning of this section;

(2) He is not and will not be financed directly or indirectly in the operation of the establishment for which he is applying by any person already registered as an industrial user entitled to an allotment under the sugar rationing regulations, or as an institutional user under Revised General Ration Order 5; (An industrial or institutional user may not have any financial interest in the veteran's business, or profits derived therefrom, thus the veteran may not owe an industrial or institutional user money under any arrangement where such person supplies on credit to him premises, facilities, equipment or materials needed to operate the veteran's business. However, a bona fide lease between a veteran and such persons for premises, or facilities, or equipment is permissible under the order.)

(3) He will not use the premises, facilities, or equipment in use by any other person for commercial purposes;

(4) That he does not have any other business than the establishment or establishments for which he is applying and did not have any other business on or after the date he was discharged or released, the date he was placed on terminal leave, or on March 22, 1945, whichever date is latest;

(5) His principal occupation will be in the operation of the establishment or establishments for which he applied; and

(6) That he has the required ownership interest, that is:

(i) He is or will be the principal owner and active head of the business covered by the application, or

(ii) He is or will be a joint owner of the business and will be actively engaged in the business and the financial interest 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.

(b) *Applicant not the sole owner of an establishment.* A person whose interest in his former establishment was substantial, but who was neither sole owner of the establishment nor owner of more than 50% of all the voting stock of a corporation which owned the establishment may nevertheless apply if he satisfies all the requirements of paragraph (a) of this section with respect to his operation of the establishment for which he applies.

SEC. 3.2 *Veteran may apply for more than one establishment.* An applicant who is qualified to apply with respect to more than one establishment may apply. Application may be made for an establishment which is not yet registered, or which the applicant will have or will establish.

SEC. 3.3 *How to apply.* (a) The veteran must apply at the District Office for the place where the establishment is or will be located. He must apply on OPA Form R-1226A, and must give all the information called for by that form.

(b) The veteran, if he applies in person, must (at the time he applies) show his discharge papers or certificate of satisfactory completion of active duty, or terminal leave papers, or a photostatic copy thereof to the District Office. If the veteran applies by mail he must send with his completed Form R-1226A a photostatic copy of his discharge papers, or certificate of satisfactory completion of active duty, or terminal leave papers.

SEC. 3.4 *Action on the application.* (a) If the District Office finds that the statements made in the application are true, and that the veteran satisfies the requirements of section 3.1, it shall permit the applicant to register his establishment, if necessary, and grant him an appropriate base or base-period use or increase his present bases or base-period use, in accordance with the instructions of the Washington Office. However, the veteran will not be granted a base until he has the facilities and equipment to begin operations. Moreover, if the applicant's interest in the former establishment was substantial but does not fall within the provisions of paragraph (b) of section 3.1 the District Office shall, if the applicant meets all other requirements, send the application to the Washington Office for final action.

SEC. 3.5 *Merger of bases.* (a) A veteran may apply in writing to the District Office for permission to merge bases obtained under this article with a base, or bases, obtained by another veteran if that veteran had a substantial interest in the establishment the applicant designated in his application under this article and for which he obtained a base (or bases) under this article. In no case, however, may the total amount of the bases merged be greater than the total amount of the bases determined for the former establishment under this article. (This section represents an exception to section 4.1.)

SEC. 3.6 *Restriction on use.* (a) The provisions of section 1.6 apply with respect to any base or adjustment in base granted under the provisions of this article. (Thus, a veteran may not transfer (toll) any sugar or evidences for use by others obtained on that part of the base received as an adjustment under this article. He may continue to transfer sugar or evidences on the base he had before getting an adjustment under this article if he had not obtained that base under this order. Such transfers, however, may be made only in accordance with the provisions of section 8.8 of Third Revised Ration Order 3.)

ARTICLE IV—MOVING AND TRANSFERS

SEC. 4.1 *Transfer of a base granted under this order.* (a) If an establishment to which a base has been granted under this order is transferred within a year after registration, a transferee 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. If the base was granted under Article I that base may be transferred to a person who would be entitled to a base under Article I. But, 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 of this order. (The transferee is, however, bound by the restrictions of Third Revised Order 3 and Revised General Ration Order 5.) However, if the transferor had an establishment whose base was increased under this order and wishes to transfer that part of the base which he had before he obtained an increase under this order, he may make such transfer under the transfer provisions of Third Revised Ration Order 3, or Revised General Ration Order 5, whichever is applicable. (Transfers in case of death or a year after registration are governed by the provisions of Third Revised Ration Order 3, or Revised General Ration Order 5, whichever is applicable.)

SEC. 4.2 *Moving of establishment.* (a) A person who is granted a base or an adjustment in base under this order may move that establishment only if he gets permission to do so from the District Office which granted the base.

ARTICLE V—APPEALS

SEC. 5.1 *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 provided by Article XXIII of Third Revised Ration Order 3.

ARTICLE VI—MISCELLANEOUS

SEC. 6.1 *Population increase adjustment not permitted.* (a) Population increase adjustments under section 2.3 of Third Revised Ration Order 3 may not be granted to veterans receiving either a base or an adjusted base under this order. An industrial user veteran who has been receiving population increase adjustments under section 2.3 of Third Revised Ration Order 3 may not continue to receive such adjustments after he has received an adjusted base under this order.

ARTICLE VII—DEFINITIONS

SEC. 7.1 *Definitions.* (a) "Washington Office" means the national headquarters of the Office of Price Administration, Washington, D. C.

(b) The terms "allotments," "allotment period," "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 sugar which they have in Third Revised Ration Order 3.

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

(d) A "veteran" is a person who:

(1) On or after September 16, 1940 was either:

(i) In the Army, Navy, Marine Corps or Coast Guard of the United States; or

(ii) In the active military service of an allied government in World War II, and at the time of entry into such service was a citizen of the United States; and

(2) Was discharged or released under conditions other than dishonorable (or placed on terminal leave if he served in the United States armed forces); and

(3) Was either in active service for 90 days or more, or if in active service for less than 90 days his active service was terminated by reason of an injury or disability incurred in service in line of duty.

This revised order shall become effective July 12, 1946.

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

Issued this 8th day of July 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-11852; Filed, July 8, 1946; 4:16 p. m.]

Chapter XXIII—War Assets Administration

[Reg. 10]

PART 8310—GOVERNMENT-OWNED INDUSTRIAL REAL PROPERTY AND TRANSPORTATION PROPERTY

Surplus Property Administration Revised Regulation 10, January 16, 1946, entitled "Government-Owned Industrial Real Property and Transportation Property" as amended to April 24, 1946, (11 F.R. 949, 2713, 3302, 4868), is hereby revised and amended as herein set forth as War Assets Administration Regulation 10. New matter is indicated by underscoring.

AUTHORITY: §§ 8310.1 to 8310.23, inclusive, issued under Surplus Property Act of 1944 (58 Stat. 765; 50 U. S. C. App. Sup. 1611), Pub. Law 181, 79th Cong., 1st Sess (59 Stat. 533), E.O. 9689 (11 F.R. 1265), and Pub. Law 375, 79th Cong., 2d Sess.

§ 8310.1 *Definitions*—(a) *Terms defined in act.* Terms not defined in paragraph (b) of this section which are defined in the Surplus Property Act of 1944 shall in this part have the meaning given to them in the act.

(b) *Other terms.* (1) "Disposal agency" means the Government agency designated pursuant to the act to dispose of industrial real property and transportation property.

(2) "Industrial real property" means real property primarily or predominantly suitable for purposes of manufacturing, fabricating or processing of products, and real property which is suitable and equipped for mining operations. It includes land together with buildings, fixtures, facilities and equipment located on such land or adapted to use in connection with such purposes as well as unimproved land used or useful in connection with an existing industrial establishment. In any case, the Administrator may determine whether real property is or is not industrial real property as defined herein.

(3) "Plant" includes land together with all buildings, fixtures, facilities, and equipment of all types located on or used in the operation of given industrial real property.

(4) "Priority" means the right, subject to stated conditions and limitations, to purchase or lease industrial real property or transportation property to the exclusion of others.

(5) "Real property" means any interest owned by the United States or any Government agency in land and in any fixtures or improvements thereon of any kind, but does not include the public domain or such lands withdrawn or reserved from the public domain as the War Assets Administrator determines are suitable for return to the public domain for disposition under the general land laws.

(6) "Scrambled facility" means any Government-owned industrial real property or transportation property together with its appurtenant equipment, structures, and other personal property which is operated as an integral part of a privately owned plant or transportation property and is not capable of economic operation as a separate and independent unit.

(7) "Small business" shall include any commercial, industrial or manufacturing enterprise, or group of enterprises under common ownership or control, which does not at the date of purchase or lease of industrial real property or transportation property hereunder have more than five hundred employees, or any commercial, industrial or manufacturing enterprise which by reason of its relative size and position in its industry is certified by Department of Commerce, with the approval of the War Assets Administrator, to be a small business.

(8) "Single purpose plant" means any plant the basic structure of which cannot be readily adapted to uses other than those for which it was originally designed and used.

(9) "State or local government" means any State, territory or possession of the United States, the District of Columbia, and any political subdivision or instrumentality thereof.

(10) "Transportation property" means any (a) railroad trackage, except trackage which is an integral part of a plant subject to this part; (b) terminal facilities for railroads, trucks, and busses; (c) pipe line and pipe line facilities used for transporting petroleum, petroleum products, or gas, except where such line or facility is an integral part of a plant subject to this part; (d) power transmission lines and equipment which is an integral part thereof; (e) land, easements and rights of way essential to the operation of any of the foregoing. The term does not include (i) any ships or other property assigned to the U. S. Maritime Commission as disposal agency; (ii) aircraft; (iii) airport property as defined in Part 8316;[1] (iv) marine industrial real property as defined in Part 8320;[2] (v) locomotives, railroad cars, busses, trucks, automobiles or vehicles of any sort; (vi) roads or highways for use by automotive or animal drawn vehicles. In any case, the Administrator may determine whether property is or is not transportation property, as defined herein.

(11) "Nonprofit institution" means any nonprofit scientific, literary, educational, public-health, public-welfare, charitable or eleemosynary institution, organization, or association, or any nonprofit hospital or similar institution, organization, or association, which has been held exempt from taxation under section 101 (6) of the Internal Revenue Code, or any nonprofit volunteer fire company or cooperative hospital or similar institution which has been held exempt from taxation under section 101 (8) of the Internal Revenue Code.

(12) "Educational institution" means any school, school system, library, college, university, or other similar institution, organization, or association, which is organized for the primary purpose of carrying on instruction or research in the public interest, and which is a nonprofit institution.

(13) "Public-health institution" means any hospital, board, agency, institution, organization, or association, which is organized for the primary purpose of carrying on medical, public-health, or sanitational services in the public interest, or research to extend the knowledge in these fields, and which is a nonprofit institution.

§ 8310.2 *Scope.* This part applies to all Government-owned industrial real property and transportation property in the United States, its territories and possessions, including plants constructed under Emergency Plant Facilities Contracts but excluding any other plants located on land which the Government does not own. Nothing in this part applies to real property included within the scope of Part 8305,[3] Part 8316, or Part 8320.

§ 8310.3 *Basic policy.* (a) In all studies, negotiations, disposals, and any other actions taken pursuant to this part the disposal agency shall give due weight to the applicable objectives set forth in section 2 of the act. The War Assets Administrator finds that it is imperative that prompt action be taken with respect to the disposal of Government-owned industrial real property and transportation property except such property as may be needed for purposes of national defense. Whenever feasible, the owning agency with the consent of any sponsoring agency may, while property is still in production or operation, declare the property surplus subject to leases and to any other outstanding contract rights and also subject to any conditions the owning or sponsoring agency may deem necessary in the interest of national defense. The disposal agency should, subject to the approval of the owning agency in cases in which national security is involved, enter into negotiations for the sale or lease of transportation property or plants and take other steps hereunder toward the disposal thereof prior to their declaration as surplus: *Provided, however,* That no final action shall be taken until such transportation property or plant has been declared surplus.

(b) It is the policy of the Administrator that industrial real property and transportation property shall be disposed of generally by negotiated sale or lease as provided in this part and in appropriate cases by sealed bids.

[1] Reg. 16 (11 F.R. 7427).
[2] SPA Reg. 20 (11 F.R. 182, 561).
[3] Reg. 5 (issued June 29, 1946).

§ 8310.4 *Duties of owning and disposal agencies*—(a) *General*. Declarations of Government-owned surplus industrial real property and transportation property shall be filed with the Administrator as provided in Part 8301[4] of this chapter; and the Administrator will transmit the declaration to the appropriate disposal agency.

(b) *Care and handling*. (1) After classification of the property for disposal, the property shall be assigned to the appropriate regional office of War Assets Administration, which shall be deemed to be assignment to the disposal agency, and notice thereof shall be given to the owning agency; and the disposal agency shall promptly undertake to work out with the owning agency mutually satisfactory arrangements for the disposal agency's assumption of the care and handling of, and accountability for, the property covered by the declaration. Such assumption shall be effected within ninety (90) days after the assignment to the regional office, or within such additional time as may be granted by the Administrator, except in those cases where the surplus industrial real property is included in a declaration covering an airport, in which event assumption shall be in accordance with the provisions of § 8316.14 (a) (1). Any taxes or rentals becoming due on such property after the date of such assumption shall be paid by the disposal agency. The owning agency shall place the property in normal standby condition to insure its reasonable preservation and safety.

(2) The disposal agency shall make or cause to be made repairs necessary for the protection and maintenance of the property. It shall give careful consideration to what improvements or changes may be necessary for the completing, converting or rehabilitating of the property in order best to attain the applicable objectives of the act, and may make commitments and expenditures for such purposes as in its opinion will further such objectives: *Provided, however*, That not more than $100,000 shall be expended by the disposal agency for any such changes or improvements in connection with any one plant or property without prior approval by the Administrator in writing.

(3) The disposal agency may renew any lease relating to surplus industrial real property or transportation property and shall assume and carry out any obligation which may have been entered into by an owning agency to restore any such property. The disposal agency as such shall not by exercise of any option or otherwise purchase industrial real property or transportation property for resale or lease without the prior written consent of the Administrator.

(c) *Transfer of title papers, documents, etc.* Upon request of the disposal agency, and consistent with any necessary restrictions in the interest of national security, the owning agency shall immediately supply the disposal agency with the originals or true copies of all documents or portions thereof pertaining to the surplus industrial real property or transportation property which are in the possession of the owning agency and copies of which have not been filed with the declaration. These shall include appraisal reports, abstracts of titles, tax receipts, deeds, affidavits of title, copies of judgment in condemnation proceedings, and all other title papers relating to the property. All such papers and documents which may still be needed by the owning agency shall be returned to it as soon as the needs of the disposal agency have been satisfied. The disposal agency may transfer to the purchaser of surplus industrial real property or transportation property, as a part of the disposal transaction, any abstract of title or title guaranty or title insurance policy which relates to the property being transferred and which is no longer needed either by the owning or by the disposal agency. The terms upon which such transfer shall be made shall be fixed by the disposal agency.

[4] SPA Reg. 1 (10 F.R. 14064; 11 F.R. 2602, 3035, 5399).

§ 8310.5 *Restriction on disposal in certain cases*. Any plant or facility classified by the War Assets Administrator as an aluminum, magnesium, synthetic rubber, chemical, aviation gasoline, iron and steel, pipe line or facility used for transporting oil, or aircraft plant or facility or transportation facility which cost more than $500,000 may be disposed of by sale or lease in accordance with this part only with prior written approval by the Administrator: *Provided, however*, That any aircraft plant or facility which the Administrator acting under Part 8301 classifies as readily adaptable to or desirable for uses other than aircraft manufacture or repair, respectively, may be disposed of by sale or lease without prior written approval by the Administrator.

§ 8310.6 *Price*. (a) The price at which the disposal agency shall make a sale of industrial real property or transportation property to a person other than a Government agency shall be determined by taking into consideration actual proposals received and the use of property most desirable in the light of the applicable objectives of the act. It need not necessarily be the same as the fair value of the property determined in accordance with Revised Special Order 19.[5]

(b) In accordance with the requirements of section 12 (c) of the act, all transfers of industrial real property or transportation property to Government agencies as provided in § 8310.11 of this part shall be at the fair value as determined and recorded pursuant to the provisions of Revised Special Order 19[5] unless transfer without reimbursement or transfer of funds is otherwise authorized by law. The disposal agency shall make such transfers of industrial real property to Government agencies without reimbursement or transfer of funds whenever a transfer on such terms by the owning agency by which such property was declared surplus would be authorized by law to be made to the agency desiring such property.

[5] 11 F.R. 953.

(c) State or local governments or educational or public-health institutions seeking to acquire surplus industrial real property or transportation property for educational use or to promote or protect the public health shall be entitled to acquire such property at the fair value as determined and recorded pursuant to the provisions of Revised Special Order 19 less any discount which the Administrator may allow because of the benefit which has accrued or may accrue to the United States by such use: *Provided*, That no such discount may be allowed to any nonprofit institutions which are not exempt from taxation under section 101 (6) of the Internal Revenue Code. Applications for such discounts shall be filed with the Administrator and shall be accompanied by a certificate under oath by an authorized official of the buyer that the property is being acquired solely for educational or health purposes and that the buyer is a State or local government or an educational or public-health institution. The certificate shall also set forth in detail the manner in which the property will be employed for educational or health purposes and shall include such further information as will aid the Administrator in determining to what extent the United States will be benefited by the proposed use. After considering the application, and any additional evidence he may deem appropriate, the Administrator will notify the applicant of his action on the application and will certify to the disposal agency the amount of any discount which may be granted. The Administrator may authorize any such disposal to be made upon such conditions as he may deem expedient, including provisions for the reversion of such property to the United States if the buyer ceases to use it for educational or health purposes.

§ 8310.7 *Studies by disposal agency*. (a) The disposal agency shall compile appropriate information regarding all industrial real property and transportation property to be disposed of hereunder, including generally the data listed on Exhibit A to this part.

(b) *Collection of information*. Any report by any person engaged to collect or evaluate information pursuant to this part shall contain a certificate that he has no interest, direct or indirect, which would conflict in any manner or degree with the preparation and submission of an impartial report. Consistent with any necessary restrictions in the interest of national security, the owning agency shall render all possible assistance to the disposal agency in compiling such information, and where the owning agency shall have prepared any such information it shall immediately upon request forward the same to the disposal agency and shall cooperate with the disposal agency in obtaining any further necessary information. The owning agency and the disposal agency shall avoid duplication of work in compiling or preparing any such information. Studies pursuant to this section shall so far as possible be coordinated with the preparation of the reports required under section 19 of the act.

§ 8310.8 *Scrambled facilities and multiple tenancy.* In the case of any scrambled facilities the disposal agency shall give careful study to the desirability of conversion to a unit capable of independent operation. In all appropriate cases careful consideration shall also be given to the feasibility of sub-dividing a plant to make it available for multiple tenancy or joint use by more than one small business.

§ 8310.9 *Procedures by disposal agency prior to disposal of industrial real property and transportation property.* The disposal agency shall widely publicize all industrial real property and transportation property which becomes available for disposal hereunder, giving information adequate to inform interested persons of the general nature of the property and its possible uses. Such publicity, which may take place either before or after the property is declared surplus, or partly before and partly after such declaration, shall be by public advertising, by press releases, and, particularly in the cases of single-purpose plants, by direct circularization to potential purchasers and by personal interviews. Not less than fifteen (15) days following the first publication of notice shall be allowed in which offers may be submitted. The disposal agency should consult with local groups and organizations. The disposal agency shall upon request supply to bona fide potential purchasers and lessees adequate preliminary information and shall make available for inspection all information compiled pursuant to § 8310.7 and, with the cooperation of the owning agency where necessary, shall render such assistance to such persons as may enable them so far as feasible to acquire complete information regarding plants or transportation property. Interested persons should be encouraged to make offers to purchase or lease on whatever terms they may deem expedient in the light of the use or uses, products, processes, methods of production, or other factors, which bear upon the adaptability of such property for peacetime use or production. The disposal agency shall establish procedures so that all such persons showing due diligence are given full and complete opportunity to make a proposal.

§ 8310.10 *Inspection.* All persons interested in the acquisition of industrial real property or transportation property available for disposal hereunder shall, with the cooperation of the owning agency where necessary, be permitted to make a complete inspection of such property, subject to any necessary restrictions in the interest of national security and subject to such rules or regulations as may be prescribed by the disposal agency. The consent of the owning or sponsoring agency is required where the industrial real property or transportation property is still in production or use or is not yet declared surplus.

§ 8310.11 *Priority for Government agencies and State or local governments*—(a) *Priorities.* Government agencies shall be accorded first priority to acquire surplus industrial real property and transportation property hereunder for their use. Reconstruction Finance Corporation, as successor to Smaller War Plants Corporation, shall have a second priority to acquire any such surplus property for resale to such purchasers as it determines to be small business, as provided in section 18 (e) of the Surplus Property Act of 1944. Such purchases shall be made by the Reconstruction Finance Corporation in its own name, and payment therefor shall be made by the corporation. Each purchase order by the corporation for resale purposes shall be based upon a written finding that the resale is required to preserve and strengthen the competitive position of small business, or will assist the corporation in the discharge of the duties and responsibilities imposed upon it as successor to Smaller War Plants Corporation. State or local governments shall be accorded third priority and nonprofit institutions a fourth priority hereunder.

(b) *Notice.* At the time of the first publication of the advertising required by the provisions of § 8310.9, notice shall be sent by mail to all Government agencies listed in Exhibit B of this part, to the State and political subdivisions in which the property is located, and to any State or local government which has expressed an interest in the property.

(c) *Time and method of exercise.* The time for exercise of priorities shall be a period of fifteen (15) days after the mailing of notice, as provided in § 8310.11 (b). A priority holder wishing to exercise his priority shall indicate his intention to do so by making an offer for the purchase or lease of the property or by submitting to the disposal agency a written application requesting that the property be held for disposal to the priority holder. Such offer or application shall state the price or rental that the applicant is willing to pay, or state that a transfer without reimbursement or transfer of funds is authorized by law, and shall give all pertinent facts pertaining to the applicant's need for the property. If the applicant shall require time to acquire funds or to obtain the authority to take the property without reimbursement or transfer of funds, it shall so state and indicate the length of time needed for that purpose. Upon receipt of an offer or an application with such a statement the disposal agency shall forward a copy thereof, together with its recommendation to the War Assets Administrator. The Administrator will review the application, determine what time (if any) shall be allowed applicant to conclude the acquisition of the property, and advise the disposal agency and the applicant of such determination. During the time thus allowed the property may not be disposed of to any other person.

(d) *Determination between claimants having same priority.* Whenever two or more Government agencies or two or more State or local governments, respectively, shall make acceptable offers for the same property, the disposal agency shall determine, on the basis of the relative needs of the claimants, which offer to accept of those within the same class of priority. No disposal of such property shall be made until five (5) days after the claimants have been notified of such determination, and, if any claimant shall feel aggrieved by such determination and shall so notify the disposal agency in writing within such five (5) days, the disposal agency shall report the matter in writing to the War Assets Administrator setting forth all the facts, including the basis of the respective claims and of the determination by the disposal agency together with any statements in writing that the claimants, or any of them, may wish to file with the Administrator. The Administrator will review the matter and report his determination to the disposal agency. Pending such determination by the Administrator, no disposal of such property shall be made. The Administrator's determination shall be final for all purposes.

§ 8310.12 *Proposals.* All proposals made by any person interested in the acquisition of any industrial real property or transportation property shall be in writing and, in addition to the financial terms upon which the proposal is predicated, shall contain such information as the disposal agency may request. Any information submitted the disclosure of which might tend to subject the person submitting it to a competitive business disadvantage shall upon request be held in strict confidence by the disposal agency and by any other Government agency to which it is made available.

§ 8310.13 *Consideration of proposals.* Whenever in any case more than one proposal is received, the disposal agency shall accept that proposal which it finds upon an evaluation of all the information available to it, will most clearly tend to meet the applicable objectives of the act. In any case, the disposal agency shall reject any proposal if it finds that on the whole it conflicts with such objectives. In considering proposals the disposal agency shall give thorough consideration to whether such objectives can best be met by leasing. Emphasis shall be placed upon the urgency of getting plants and transportation property into civilian production or operation speedily so as to provide maximum employment in the post-war period. Due regard shall be given, however, to the possibility of enlarging the present major contribution to this objective which is made by small business as defined herein and to the importance in this connection of maintenance of free independent competitive enterprise and the establishment of a maximum of independent operators in industry.

It is the policy of the Administrator that plants and transportation property, particularly medium-sized and small plants and transportation property, be sold or leased to local or small firms, preferably those owned or controlled by veterans. The disposal agency should therefore accept offers from responsible local groups with adequate working capital, experience and other necessary qualifications, and should where necessary extend liberal credit terms over a period of years, in preference to a cash offer from a firm or group which would tend to concentrate economic power.

The disposal agency should seriously consider offers to purchase or lease which will result in a lower monetary return if the applicable objectives of the act will be better attained thereby.

The disposal agency shall keep a written record of the factors it weighed in arriving at a decision and shall forward to the Administrator copies of all complaints it may receive from unsuccessful bidders.

§ 8310.14 *Options.* Industrial real property and transportation property shall be declared surplus subject to any outstanding rights of refusal or options to purchase or otherwise acquire such property, and nothing in this part shall be deemed to impair the right of any person to exercise any valid right of refusal or option. In those cases, however, where valid options are in force and the property is under the control of the owning agency, such owning agency is hereby authorized to dispose of the property covered by the option strictly in accordance with its terms where the option price may be determined solely by a mathematical computation under the provisions of the option contract. In such cases, the owning agency, before consummating the transaction, shall submit the matter for approval to the War Assets Administration. In all other cases, the owning agencies shall declare surplus the industrial real property or transportation property covered by options, and disposals of such property shall be made by the disposal agencies pursuant to the rights of refusal or options, if exercised by the person holding them. The disposal agencies may request the assistance of the owning agencies where necessary. Upon the lapse or waiver of any such right or option, the property shall be disposed of as promptly as possible in accordance with the provisions of this part.

§ 8310.15 *Submission to Attorney General and approval by regulatory agencies.* (a) In any case in which a plant or transportation property cost $1,000,000 or more a complete statement of any proposed disposal to private interests which has been tentatively decided upon, including all information compiled or obtained pursuant to §§ 8310.7 and 8310.12 shall be made available to the Attorney General as required by section 20 of the act.

(b) All transfers of surplus transportation property shall be subject to the approval of any regulatory agency, Federal or State, having jurisdiction of such transfer by reason of the type of property involved, for example, the Interstate Commerce Commission and State Public Utility Commissions.

§ 8310.16 *Disposal contract*—(a) *Acquiring of property.* Unless otherwise authorized by the Administrator, as a part of each disposal pursuant to this part, the person acquiring the industrial real property or transportation property shall certify in writing that he is acquiring the property for his own use; and, in the case of a purchase, that he is not acquiring it for the purpose of reselling or leasing it, and that in no case will he resell or lease it within three (3) years without first obtaining the written authorization of the Administrator. If the disposal agency extends credit, the purchaser shall agree that until full payment is made, he will not resell or lease the property without the prior written authorization of the Administrator to such resale or lease. In appropriate cases, after consultation with the owning agency or with any other interested agency if such consultation is requested in either case, the disposal agency shall require an agreement that the facilities of the transportation property or plant shall remain available to the Government for present or future Governmental defense needs upon such terms as may then be mutually agreed upon. All representations and agreements required by this section shall be recited in the instrument of transfer.

(b) *Fissionable materials reserved.* Any lands disposed of under this part shall be subject to a reservation of fissionable materials as provided in § 8305.12 (f) (5) of Part 8305.

(c) *Property adjacent to airport.* Where surplus industrial real property is located adjacent to real property which has been or is to be disposed of as an airport, such industrial property shall be disposed of subject to a restriction that it shall not be used in any manner which will constitute a hazard to the landing, take-off or maneuvering of aircraft at the airport, or otherwise limit the usefulness of the airport as such.

§ 8310.17 *Restrictions on dismantling.* (a) No fixtures, machinery or equipment shall be removed by the disposal agency from any plant or transportation property subject to this part except such as is determined by the disposal agency in writing not to be essential to the operation of the property for the purposes for which it determines that the property should be disposed of. In connection with the leasing of any plant or transportation property subject to this part, the disposal agency may, however, in any case sell to the lessee any personal property located on or used in the operation of the plant or transportation property and not affixed to the realty.

(b) No surplus plant or transportation property other than a scrambled facility shall be dismantled by the disposal agency or disposed of to any person who does not expect to operate it at the place where it is located, unless the governments of the State and of each political subdivision in which such property is physically located have been given at least thirty (30) days' notice by the disposal agency of its intention to dismantle such property or dispose of it to a person who intends to dismantle it. If within such thirty (30) days any such government shall indicate an interest in acquiring such property, it shall be given a reasonable additional opportunity to submit an offer or application pursuant to § 8310.11.

(c) A plant or transportation property may be disposed of to a person for the purpose of dismantling and exporting it only after at least fifteen (15) days' prior written notice to the Administrator.

§ 8310.18 *Form of transfer.* The form of deed or instrument of transfer shall be approved by the Attorney General. Transfers shall be by quitclaim deed unless the disposal agency finds that a warranty deed is necessary to obtain a reasonable price for the property or to render the title marketable and unless the use of such a deed is recommended and approved by the Attorney General as provided in the act.

§ 8310.19 *Disposals under laws other than the Surplus Property Act.* (a) Except as provided in paragraph (b) of this section, disposals of surplus industrial real property or transportation property shall not be made under laws other than the Surplus Property Act of 1944 but shall be made only by the disposal agency in strict accordance with the provisions of this part unless the War Assets Administrator upon written application by the owning agency shall consent in writing to a different procedure.

(b) Transfers of industrial real property and transportation property to Government agencies for war production purposes shall not be subject to any of the provisions of this part and may be made by the owning agency directly.

§ 8310.20 *Permit or order use.* When a Government agency utilizing Government-owned industrial real property or transportation property under some form of arrangement with another Government agency having primary jurisdiction over the property no longer needs the property, such property and any interest therein shall be returned to the agency having primary jurisdiction over the property in accordance with the arrangement between such agencies, except where the property has been substantially improved while being so utilized. In this latter event the agency utilizing the property shall make a report of the facts to the Administrator for his determination as to how the interests of the Government will be best subserved.

§ 8310.21 *Interim use pending disposal.* Pending the disposition of industrial real property or transportation property hereunder, the owning agency prior to the time accountability is assumed by the disposal agency and the disposal agency thereafter, may grant a revocable permit to any person to use such property in any case in which it finds that the interests of the Government will be best served by such action. Any such use shall be conditioned upon payment of such consideration as may be fair and reasonable under all the circumstances.

§ 8310.22 *Records and reports.* Owning and disposal agencies shall prepare and maintain such records as will show full compliance with the provisions of this part and with the applicable provisions of the act. Reports shall be prepared and filed with the War Assets Administrator in such manner as may be specified by order issued under this part subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

§ 8310.23 *Regulations to be reported to the Administrator.* Each owning and disposal agency shall file with the War Assets Administrator copies of all regulations, orders, and instructions of general applicability which it may issue in furtherance of the provisions, or any of them, of this part.

This revision of this part shall become effective June 29, 1946.

E. B. GREGORY,
Administrator.

JUNE 29, 1946.

EXHIBIT A—INFORMATION TO BE COMPILED PURSUANT TO § 8310.7

Plants

(1) Legal description of the property, including its exact location and area.
(2) Plot plans and maps of vicinity.
(3) Description of roads and other means of transportation part of or adjacent to the premises.
(4) Statement of costs of acquisition and construction.
(5) Any available documents, such as drawings, specifications, etc., relating to unexecuted plans for improvement of the property.
(6) General information relative to local housing in non-urban areas, transportation, power and water supplies, sewage systems, and rates of property taxes.
(7) Description of buildings (including available structural drawings and photographs, area, floor loads, clearances, bays, type of construction and condition, type of ventilation and heating, location of fire protection, water and sewer mains, and power outlets, etc.)
(8) Inventory of plant equipment in or on the property with general statement of its condition.
(9) Patent situation relating to operation of the plant in so far as such information may be available to the owning and disposal agencies.

Unimproved Sites

Information with respect to unimproved sites may be limited to the subjects listed in subparagraphs (1) to (6), inclusive, above.

Single-Purpose Plants

In the case of any single-purpose plant of any class enumerated in section 19 of the act (regardless of cost) or of any other class which the Administrator may from time to time designate, the disposal agency shall also compile any available and pertinent or appropriate information which may be of interest to prospective buyers and lessees concerning:
(1) The relation of such plant to similar plants owned by the Government;
(2) Materials and equipment which may be available and necessary or useful for peacetime operation of such plant, with particular reference to available and necessary or useful materials and equipment which are or may become surplus;
(3) Other sources of raw materials and equipment;
(4) Conversion possibilities;
(5) Transportation;
(6) Potential outlets for production;
(7) Relevant national productive capacity;
(8) Capacities and production costs in other individual plants.

Transportation Property

(1) Legal description of the property, including its exact location and area.
(2) Plot plans and maps of vicinity.
(3) Description of roads and other means of transportation part of or adjacent to the facility.
(4) Statement of costs of acquisition and construction.
(5) Any available documents, such as drawings, specifications, etc. relating to unexecuted plans for improvement of the property.
(6) General information relative to local housing in non-urban areas, transportation, power and water supplies, sewage systems, and rates of property taxes.
(7) Description of buildings (including available structural drawings and photographs, area, floor loads, clearances, bays, type of construction and condition, type of ventilation and heating, location of fire protection, water and sewer mains, and power outlets, etc.).
(8) Inventory of equipment with general statement of its condition.
(9) In addition to the foregoing, with respect to pipe lines, the length, diameter and capacity of line and line pipe, width of right of way, length and size of gathering and distribution lines, number and size of pump stations, storage tanks, buildings and other facilities incident to the operation of the property.
(10) In addition to the foregoing, with respect to power transmission lines, type of construction including height and kind of poles, number, size, spacing, arrangement, and description of conductors; terminal facilities, way station facilities, insulation voltage, operating voltage, ground conductors aerial, tower grounding system, and carrier telephone and signalling facilities.
(11) In addition to the foregoing, with respect to railroad trackage, the length of tracks, and the approximate quantity of each weight of rail included therein.
(12) With respect to terminal facilities any of the foregoing which is applicable thereto.

EXHIBIT B

Government agencies to be given notice of impending disposal by mail:

Department of War
Department of the Navy
Department of the Interior
Department of Commerce
Reconstruction Finance Corporation
U. S. Maritime Commission
Tennessee Valley Authority
Office of Scientific Research and Development

The mail address of these agencies is Washington 25, D. C.

[F. R. Doc. 46-11885; Filed, July 9, 1946; 11:20 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter III—Coast Guard: Inspection and Navigation

PART 302—BOUNDARY LINES ON INLAND WATERS

PART 322—PILOT RULES FOR THE GREAT LAKES

MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in me by R. S. 4405, as amended (46 U.S.C. 375,), section 3, 28 Stat. 649, as amended, and section 2, 28 Stat. 672, as amended (33 U.S.C. 151, 243), Executive Order No. 9083, dated February 28, 1942 (3 CFR, Cum. Supp.) as modified by Executive Order No. 9666, dated December 28, 1945 (11 F.R. 1), and Coast Guard General Order 1-46 of the Secretary of the Treasury, dated January 1, 1946 (11 F.R. 185), the following amendments to the regulations are prescribed and shall be made effective August 1, 1946:

ATLANTIC COAST

Section 302.30 is amended to read as follows:

§ 302.30 *Chesapeake Bay and tributaries.* A line drawn from Cape Henry Lighthouse to Cape Henry Junction Lighted Whistle Buoy; thence to Cape Charles Lighthouse.

SIGNALS AND RULES OF THE ROAD

Section 322.2 is amended by changing the phrase "not less than four" to "not less than five" so that this section reads as follows:

§ 322.2 *Danger signal.* If, when steamers are approaching each other, the pilot of either vessel fails to understand the course or intention of the other, whether from signals being given or answered erroneously or from other causes, the pilot so in doubt shall immediately signify the same by giving the danger signal of several short and rapid blasts of the whistle not less than five; and if both vessels shall have approached within half a mile of each other, both shall be immediately slowed to a speed barely sufficient for steerageway, and, if necessary, stopped and reversed, until the proper signals are given, answered, and understood, or until the vessels shall have passed each other.

Section 322.8 is amended in the first undesignated paragraph by changing the phrase "not less than four" to "not less than five" so that this paragraph reads as follows:

§ 322.8 *Vessels running in same direction; signals for overtaking.* When steam vessels are running in the same direction, and the vessel which is astern shall desire to pass on the right or starboard hand of the vessel ahead, she shall give one short blast of the steam whistle, as a signal of such desire, and if the vessel ahead answers with one blast, she shall direct her course to starboard; or if she shall desire to pass on the left or portside of the vessel ahead, she shall give two short blasts of the steam whistle as a signal of such desire, and if the vessel ahead answers with two blasts, shall direct her course to port; or if the vessel ahead does not think it safe for the vessel astern to attempt to pass at that point, she shall immediately signify the same by giving several short and rapid blasts of the steam whistle, not less than five, and under no circumstances shall the vessel astern attempt to pass the vessel ahead until such time as they have reached a point where it can be safely done, when said vessel ahead shall signify her willingness by blowing the proper signals. The vessel ahead shall in no case attempt to cross the bow or crowd upon the course of the passing vessel.

Dated: July 3, 1946.

[SEAL] J. F. FARLEY,
Admiral, U. S. Coast Guard, Commandant.

[F. R. Doc. 46-11851; Filed, July 8, 1946; 3:52 p. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 25—MEDICAL

REIMBURSEMENT OR PAYMENT FOR EXPENSES OF UNAUTHORIZED MEDICAL SERVICES

§ 25.6140 *Adjudication of claims.* (a) Claims for reimbursement or payment of expenses of medical services obtained without prior authorization of the Veterans' Administration as hereinafter comprehended, will be adjudicated in the office of the branch medical director.

(b) The chief or assistant chief of the out-patient division of each branch office upon receiving such claims direct, from regional offices or centers located within the branch area or by reference from central office, will be required to develop them as hereinafter instructed (§ 25.6148). Claims not exceeding $500 in amount will be reviewed and approved or disapproved by either of the employees aforementioned who will be clothed with delegated authority therefor. If the claim exceeds $500 in amount the chief or assistant chief out-patient division, will submit recommendation for approval to the branch medical director.

(c) Appeals—Claims, as defined in § 25.6141 will be subject to one review after an adverse decision, upon appeal to the Administrator. Appeals must be entered within one year from the date of notification to the claimant or his representative of the original adverse decision and the claimant or representative will be so advised. No claim that had been finally denied prior to March 20, 1933, will be reopened or reconsidered. A claim will be deemed to have been finally denied when: (1) Original adjudication or appellate action was taken adversely, and proper appeal was not entered prior to March 20, 1933, or within one year from the date on which the claimant was notified of the adverse action, whichever is the later date; or (2) when the claim was finally denied on appeal prior to March 20, 1933 (Public No. 307, 74th Congress).

§ 25.6141 *Classes of claims comprehended.* Claims for reimbursement of or payment for medical treatment (including the necessary travel incidental thereto) obtained without prior authorization from the Veterans' Administration, except as provided in paragraphs (d) and (e) hereof will be considered under the following conditions:

No change in (a) and (b).

(c) As to authorized treatment rendered subsequent to March 19, 1933, the eligibility criteria defined in paragraph (d) (1), (2), and (3) of this section will apply; and, in addition, it must be shown by a decision of an adjudicative agency that the disability from the disease or injury for which treatment had been rendered was service-connected, or determined by the medical officers designated in § 25.6140 (b) as aggravating such service-connected disability.

No change in (d).

(e) As to claims for reimbursement of or payment for repairs of prosthetic appliances used by beneficiaries for treatment of a service-connected disability, or a nonservice-connected disability determined as aggravating the basic service-connected disability and for repairs of prosthetic appliances used and required by beneficiaries to prevent interruption of the pursuit of a course of training authorized under Public No. 16, 78th Congress, the following eligibility criteria in lieu of those defined in paragraph (b) (1), (2), and (3) of this section will apply:

(1) The repairs were secured from locally available sources.

(2) The cost of the repairs does not exceed $35.00.

(3) There is a showing that the repairs were necessary and that it was more expedient to have such repairs made through private arrangements.

Reimbursement or payment as herein provided will be made in the amount claimed unless determined unreasonable, in which event only a reasonable amount for the service rendered will be paid. Reimbursement or payment will not be made for expense incurred by a beneficiary for transportation.

§ 25.6145 *Statement to support claims*—(a) *Nursing services.* To support a claim for unauthorized medical service when a nurse had been employed, a statement will be required from the attending physician showing necessity for such nurse, and whether she was a registered graduate or a so-called "practical nurse." When for any good reason, it is not practicable to procure such statements and in the judgment of the physician reviewing the claim as prescribed in § 25.6140 (b) the need for a nurse is sufficiently established, the latter may so certify. Payment for service of a "practical nurse" will be allowed only in the exceptional cases wherein a registered graduate nurse could not be engaged.

§ 25.6146 *Schedule of fees to be followed.* In the adjudication of claims for unauthorized medical treatment, the Schedule of Fees, Veterans Administration, will govern as to allowance for items except as provided in § 25.6141 (e). If the schedule of fees in effect at the time the treatment was rendered did not provide a fee for the particular service, the schedule in effect at the time the claim is being considered will be applied. If the particular service is not covered by the schedule in effect, a fee not in excess of what is reasonable and customarily charged in the community concerned, may be allowed.

§ 25.6148 *Development of claims.* (a) Guided by the controlling provisions of §§ 25.6140 to 25.6147, inclusive, the chief, out-patient service, central office; the chief, out-patient division, branch office; the chief medical officer, regional office and the physician in charge of regional office medical activities at centers or their physician designate will advise claimants whether they have or have not prima facie eligibility to reimbursement or payment of unauthorized medical expenses. If the claim is patently inadmissible (e. g., if made for treatment of a nonservice-connected disability, etc.) the claimant will be so advised and the claim will not be developed. But if the basic facts indicate prima facie eligibility, the claim, whether formal or informal, and the claimant's files (claims and medical treatment) will be forwarded to the branch office of jurisdiction, except that in claims comprehended by § 25.6141 (e) a resume of the pertinent evidence of record will be forwarded in lieu of the files. Upon receipt of the files or correspondence in the branch office, the branch medical director will instruct the claimant as to the submission of Form 583, if not originally filed and all the supporting exhibits, and after these have been checked as satisfactory, adjudication will proceed as provided in § 25.6140 (b).

(b) Formal application for reimbursement or payment of unauthorized medical services will be made on Form 583, Claim for Cost of Unauthorized Medical Services. This form will be executed by each creditor who has rendered service for which payment has not been received; or by each person who has paid, from his personal funds, the cost of the unauthorized medical treatment. The claim must be supported by completely itemized bills or statements of account. When a claim is presented by a creditor, it is further required that a statement be supplied, signed by the patient or his representative, certifying to the amounts due and unpaid.

(c) All claims other than those patently inadmissible will be briefed by the claims examiner (medical) prior to their submittal, with supporting exhibits and the beneficiaries' files to the physicians defined in § 26.6140 (b) for approval or disapproval. The brief will contain a complete description of the claim, all pertinent facts explanatory of the data required in Form 608, and an explanation of the audit of the amounts claimed and amounts allowable.

(d) Upon approval of claims an award will be prepared on adjudication Form 608, Public Voucher, in quadruplicate. The original Form 608 will be signed in the spaces provided by the claims examiner (medical) as "medical claims adjudicator" and the employee designated in § 25.6140 (b) acting in the capacity of medical claims authorizer. The original (Form 608) and two copies (Form 608a) will be forwarded to the branch director of finance service for certification for payment. In view of such certification surety bonds will not be required for medical claims authorizers. The remaining copy (Form 608a), the approved brief of facts, all bills, supporting exhibits and correspondence will be filed in the case file. The payee and all interested persons will be fully informed of the action taken.

(e) In problem or doubtful claims the advice of the chief medical director may be solicited by the submission of a brief of the pertinent facts, and a concise statement of the question at issue.

(48 Stat. 9 as amended by 57 Stat. 43; 38 U. S. C. 706, 707)

[SEAL] OMAR N. BRADLEY,
General, U. S. Army,
Administrator.

JULY 9, 1946.

[F. R. Doc. 46-11919; Filed, July 9, 1946; 11:44 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

General Land Office.

[Misc. 1967357]

WYOMING

RESTORATION ORDER NO. 1195 UNDER FEDERAL POWER ACT

JUNE 28, 1946.

By Executive order of July 2, 1910, creating Power Site Reserve No. 13, and Executive order of August 2, 1912, creating Power Site Reserve No. 291, the following described lands were withdrawn for power purposes:

WIND RIVER MERIDIAN

T. 8 N., R. 1 W.,
Sec. 20, lot 1;
Sec. 21, lots 1, 2, 3, 4, and 5, and SE¼SW¼;
Sec. 22, lot 1;
Sec. 29, lots 1, 2, and 3, and NE¼NE¼.

The area described aggregates 434.58 acres.

Pursuant to the determination of the Federal Power Commission (DA-111, Wyoming) and in accordance with Departmental Order No. 1799 of March 19, 1943, 8 F.R. 3743, the above described lands are hereby opened to disposition under applicable public land laws, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1063), as amended by the act of August 26, 1935 (49 Stat. 838, 846, 16 U.S.C. sec. 818).

FRED W. JOHNSON,
Commissioner.

[F. R. Doc. 46-11875; Filed, July 9, 1946; 9:46 a. m.]

NEW MEXICO

PARTIAL REVOCATION OF ORDER OPENING LANDS UNDER THE FOREST HOMESTEAD ACT

On request of the Department of Agriculture, and subject to valid existing rights, the order described below, opening public lands in the Jemez National Forest, now the Carson National Forest, New Mexico, for entry under the act of June 11, 1906 (34 Stat. 233; 16 U.S.C, secs. 506-509) is hereby revoked as to the land hereinafter described:

Date of Order of Opening, List No. and Land

May 19, 1908; 1110____ T. 28 N., R. 8 E., N. M. P. M., sec. 16, W½ SE¼NW¼, containing 20 acres.

OSCAR L. CHAPMAN,
Acting Secretary of the Interior.

JUNE 26, 1946.

[F. R. Doc. 46-11874; Filed, July 9, 1946; 9:46 a. m.]

FEDERAL SECURITY AGENCY.

Social Security Board.

REDUCED RATES OF CONTRIBUTIONS

CERTIFICATION TO CALIFORNIA EMPLOYMENT STABILIZATION COMMISSION PURSUANT TO SECTION 1602 OF INTERNAL REVENUE CODE

The California Employment Stabilization Commission of the State of California having duly submitted to the Social Security Board, pursuant to the provisions of section 1602 (b) (3) of the Internal Revenue Code, as amended, the California Unemployment Insurance Act as amended by Chapters 81, 82 and 83, Statutes of 1946, First Extraordinary Session; and

The Social Security Board having considered the provisions of said act to determine whether or not reduced rates of contributions are allowable thereunder under conditions fulfilling the requirements of section 1602 of the Internal Revenue Code;

The Board hereby finds that:

(1) Said law provides for a pooled fund as defined in section 1602 (c) (2) of the Internal Revenue Code; and

(2) Reduced rates of contributions under said law to such pooled fund are allowable only in accordance with the provisions of section 1602 (a) (1) of the Internal Revenue Code.

Pursuant to the provisions of section 1602 (b) (3) of the Internal Revenue Code, the Board hereby directs that the foregoing findings be certified to the California Employment Stabilization Commission.

[SEAL] SOCIAL SECURITY BOARD,
A. J. ALTMEYER,
Chairman.

JULY 3, 1946.

Approved: July 3, 1946.

MAURICE COLLINS,
Acting Administrator.

[F. R. Doc. 46-11850; Filed, July 8, 1946; 3:33 p. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 396, Special Permit 45]

RECONSIGNMENT OF PLUMS AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 396 (10 F. R. 15008), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Kansas City, Mo.-Kans., July 5, 1946, by E. E. Fadler Company, of car SFRD 7193, plums, now on the A., T. & S. F. Ry., to St. Louis, Mo., account railroad error.

The waybill shall show reference to this special permit.

A copy of this special permit has been 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 notice of this permit shall 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.

Issued at Washington, D. C., this 5th day of July 1946.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 46-11886; Filed, July 9, 1946; 11:29 a. m.]

[S. O. 479, Special Permit 3]

REFRIGERATION OF POTATOES IN EASTERN SHORE, MD.-VA.

Pursuant to the authority vested in me by paragraph (d) of the first ordering paragraph of Service Order No. 479 (11 F.R. 3367), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 479 insofar as it applies to the furnishing of standard refrigeration on not to exceed five (5) refrigerator cars shipped in any one day and not to exceed a total of fifteen (15) refrigerator cars shipped in any one week, when loaded with potatoes originating in the Eastern Shore sections of Maryland or Virginia, shipped for account of the U. S. Army Quarter Master Corps on commercial bills of lading for conversion to Government bills of lading at destination, destined to points in the States of South Carolina, Georgia, Florida, Alabama, Mississippi or Louisiana.

This permit shall become effective at 12:01 a. m., July 4, 1946, and it shall expire at 11:59 p. m., July 20, 1946.

The waybill shall show reference to this special permit.

A copy of this special permit has been 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 notice of this permit shall 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.

Issued at Washington, D. C., this 3d day of July 1946.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 46-11887; Filed, July 9, 1946; 11:29 a. m.]

OFFICE OF PRICE ADMINISTRATION.

Regional and District Office Orders.

[Region I SO 22 Under RMPR 122]

SOLID FUELS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended; *It hereby is ordered*, That:

(a) The specific maximum per-net-ton prices (exclusive of the increased charges to consumers provided by Supplementary Order 19, as amended) for all sizes of bituminous coals which are established by the Region I area price orders under Revised Maximum Price Regulation No. 122 listed in paragraph (d) of this order shall, on and after June 21, 1946, be increased as follows: *Provided*, That the conditions set forth in paragraph (b) hereof are observed:

(1) *Direct mine receivers*. On all sales of bituminous coal which the seller has received directly from the mines, or of which he is the producer, the amounts of the increase shall be as follows:

Producing District:	*Increase*
1—Deep mine coal (see note no. 1)	$0.57
Strip, prepared (see note no. 2)	.22
Strip, unprepared	None
2—Deep mine coal	.51
Strip, prepared (see note no. 2)	.25
Strip, unprepared	None
3—All	.30
7—All	.58
8—All	.46

NOTE: Includes all strip mines blending their coal with at least 25% deep mined coal which have been authorized to charge the deep mine maximum price by Revised Order No. 1438 and Mine Index Nos. 76, 328, 433, 368 and 5390, included in Order No. L-703 under Maximum Price Regulation No. 120.

Limited to strip mines adjusted under § 1340.212 (c), as amended by Order No. 1548 under Maximum Pr'ce Regulation No. 120 and § 1340.213 (e), as amended.

The increases set forth above apply only to mines operating on a six-day week. If the Office of Price Administration determines that a mine is not operating on a six-day week, the increase must be reduced by 12 cents per net ton.

(2) *All other sales*. On all other sales, the seller may add to the otherwise applicable maximum price the exact amount of the increase properly charged to him by his supplier pursuant to the provisions of this supplementary order.

(b) The increase provided for by paragraph (a) hereof may be charged only if coal from a particular district is not mixed by the dealer with coal from another district, either in storage or delivery, and in the case of coal from Producing Districts No. 1 and No. 2, if coal from strip mines is not so mixed with coal from deep mines or with other strip coal carrying a different increase: *Provided, however*, That if a purchaser requests a delivery of a mixture of two or more coals, the dealer may comply with such request if the quantity of each is separately weighed, the price charged does not exceed the weighted average of the maximum prices for the individual coals and the invoice or similar document delivered to the purchaser clearly states the quantity of each coal in the mixture, identified by the terms used herein: *And provided, further*, That two or more coals which carry different increases may be mixed and sold at the increased price provided for that one which carries the lowest increase (if any), if the previously established specific maximum prices for the components of the mixture were the same. In addition, the prohibition against mixing strip mine and deep mine coal shall not apply to strip coal which is sold at the deep mine price, pursuant to permission granted under the applicable provisions of Maximum Price Regulation No. 120.

(c) Subject to the provisions of paragraph (b) hereof, all dealers shall separately invoice strip mine coal and deep mine coal, identifying each clearly by appropriate notation thereon.

(d) *Orders affected*. This supplementary order shall apply to the following Region I orders under Revised Maximum Price Regulation No. 122:

Order No.:	*Area*
G-64 [1]	New Bedford, Mass.
G-68 [1]	Fall River, Mass.
Subparagraphs of par. (o) of Revised Order No. G-70:	
Appendix 6	Hartford, Conn.
Appendix 7	Metropolitan Boston.
Appendix 11	Springfield, Mass.
Appendix 16	Lowell, Mass.
Appendix 17	Lawrence, Mass.
Appendix 18	Haverhill, Mass.
Appendix 20	Worcester, Mass.
Appendix 21	North Shore, Mass.

[1] In respect to Orders No. G-64 and No. G-68, the amount of increase provided in paragraph (a) (1) above is in addition to the amount of increase provided in Supplementary Order No. 14, which is still outstanding and effective in respect to both of said area price orders.

(e) *Definitions*. Terms used herein, such as "deep mine," "strip mine," and "producing district," shall have the meanings provided in § 1340.208 (a) of Maximum Price Regulation No. 120.

This Supplementary Order No. 22 shall become effective as of June 21, 1946.

Issued this 24th day of June 1946.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 46-11820; Filed, July 8, 1946; 10:39 a. m.]

[Region I Rev. Order G-70 Under RMPR 122, Amdt. 3]

SOLID FUELS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, paragraph (o) of Region I Revised Order No. G-70 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. In subparagraph (c) (2) of paragraph (o) (7), (Appendix 7: Bituminous Coal—Metropolitan Boston Area), the amount of the maximum bituminous service charge for a carry or wheel (viz, "50¢ per ton") is deleted, and in lieu thereof there is substituted: "$1.00 per ton."

2. In subparagraph (b) (1) (c) (i) of paragraph (o) (9), (Appendix 9: Specified Solid Fuels—Metropolitan Boston Area), the provision for carry or wheeling outside the structure is amended to read as follows:

(c) *Maximum authorized service and deposit charges.*

(i) * * *

	Per net ton	Per ½ ton	Per ¼ ton
For any carry or wheeling from a "direct delivery" point outside the structure in which the coal is to be stored to such structure, including dumping from the outside into said structure	$1.00	$0.50	$0.30

3. Subparagraph (c) (2) of paragraph (o) (9) (Appendix 9: Specified solid fuels—Metropolitan Boston Area), is amended by adding thereto a new subparagraph, (c) (2) (a), to read as follows:

(a) *Maximum authorized service charges*. If the buyer requests such services of him, the dealer may make the following charges for carry or wheel service:

	Per net ton	Per ½ ton	Per ¼ ton
For any carry or wheeling from a "direct delivery" point outside the structure in which the coal is to be stored to such structure, including dumping from the outside into said structure	$1.00	$0.50	$0.30

This Amendment No. 3 shall become effective June 24, 1946.

Issued this 14th day of June 1946.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 46-11813; Filed, July 8, 1946; 10:37 a. m.]

[Region II Basic Order 1 Under Rev. Gen. Order 65, Amdt. 1]

LUMBER IN NEW YORK REGION

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Regional Administrator of the Office of Price Administration, Region 2, by the Emergency Price Control Act of 1942 as amended, and by Revised General Order No. 65, *It is hereby ordered*:

1. Basic Order No. 1 under Revised General Order 65 is hereby amended by striking out section (f) of said order, and inserting in place thereof the following:

(f) *Maximum prices for lumber improperly invoiced*. Where an invoice or sales slip for a sale in any area covered by any adopting order or orders, issued under this basic order, does not contain a sufficiently complete description to identify the exact species of lumber, nature, type, grade, length, size or condition of the lumber, or any special treatment, workings, or other feature affecting the price, and thus to determine the maximum price fixed by such adopting order, the maximum price applicable to such sale shall be the lowest maximum price which can be computed under such adopting order in accordance with the incomplete description. In the absence of any description or where the description contained in the invoice or sales slip, does not state the species of lumber sold, the maximum price shall be the lowest maximum price fixed by the schedules or price tables of any adopting order under this basic order, which covers the area in which the sale is made.

2. Except as hereby amended, Basic Order No. 1 under Revised General Order 65 shall remain the same, and all provisions thereof shall remain in full force and effect.

This amendment shall become effective immediately.

Issued this 21st day of June 1946.

JAMES L. MEADER,
Regional Administrator.

[F. R. Doc. 46-11807; Filed, July 8, 1946; 10:36 a. m.]

[Syracuse Adopting Order 15 Under Basic Order 1 Under Gen. Order 68, Amdt. 1]

HARD MASON MATERIALS IN ELMIRA, N. Y., AREA

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

1. Adopting Order No. 15 under Basic Order No. 1 as amended, under General Order No. 68 as amended, is hereby amended by striking out Schedule A annexed to and made a part of said order, and inserting in place thereof, Revised Schedule A, hereto attached and made a part of this amendment and of said adopting order.

2. Adopting Order No. 15 under Basic Order No. 1 as amended under General Order 68 as amended, is further amended by inserting after the words "section 7" in said order, the letter "(a)" and adding to section 7 of said order, a subparagraph designated (b), reading as follows:

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

3. Except as hereby amended, Adopting Order No. 15 under Basic Order No. 1 as amended, under General Order 68 as amended, shall remain the same and all provisions thereof remain in full force and effect.

4. This amendment shall become effective immediately.

Issued this 17th day of June 1946.

GEORGE G. MOORE,
District Director.

REV. SCHEDULE A

Items and Maximum Prices on Sales to Ultimate Users or to Purchasers for Resale on an Installed Basis Delivered Within a Radius of 10 Miles from the Dealer's Yard

Plaster, hard wall, (bag 100-lb.)	$ 0.90
Plaster gauging, (bag 100-lb)	2.00
Keene's cement, (bag 100-lb)	3.00
Finishing lime, (bag 50-lb)	.60
Gypsum lath ⅜", (M sq. ft.)	22.00
Metal lath 2.5-lb. painted diamond mesh, (sq. yd.)	.29
Metal lath, 3.4-lb. painted diamond mesh, (sq. yd.)	.32
Metal lath, 3.4-lb. ⅜" high rib painted, (sq. yd.)	.30
Metal lath corner bead expanded type, (ft.)	.05
Portland cement, standard (paper bags), (bag 94-lb.)	.80
Masonry mortar (paper sacks) (bag 70-lb.)	.75
Mason's hydrated lime, (bag 50-lb.)	.50
Concrete block 8 x 8 x 16 cinder, (each)	.20
Fire brick 9" Straight first quality (each)	.096
Fire brick, 9" Straight second quality, (each)	.086
Fire clay, (bag 100-lb)	1.65
Clay drain tile, 3", (ft.)	.0724
Clay drain tile, 4", (ft.)	.0936
Vitrified clay sewer pipe, No. ISS-4" (ft.)	.21½
Vitrified clay sewer pipe, No. ISS-6" (ft.)	.31
Flue lining, 9 x 9, (ft.)	.38½
Flue lining, 9 x 13, (ft.)	.58
Flue lining, 13 x 13, (ft.)	.74
Gypsum wallboard ⅜", (M sq. ft.)	38.00
Asphalt roofing 90-lb. mineral surface, (roll—100 sq. ft.)	2.50
Asphalt or tarred felt 15-lb., (432 ft. roll)	2.47
Asphalt or tarred felt, 30-lb., (216 ft. roll)	2.52
Asphalt shingles 210-lb. (3-in-1) thickbutt, (100 ft. square)	6.32
Asphalt shingles 165-lb. 2-tab hexagon, (100 ft. sq.)	5.04
Fiber Insulation board, 25/32" asphalt sheathing, (M sq. ft.)	69 00
Fiber insulation board, ½" standard lath and board, (M ft.)	50.00
Hard density synthetic fiber board, ⅛" tempered (standard size) (sq. ft.)	.09
Thermal insulation-blankets (paper backed) thick (M sq. ft.)	69.00
Thermal insulation-batts (paper backed) 2" thick (per ft.)	.05
Thermal insulation-batts (paper backed) full thick (per ft.)	.06½
Thermal insulation, loose in bags: (Bag 35 lbs.)	1.10
(Bag 40 lbs.)	1.20
Thermal insulation, loose in bags (nodulated) (bag 40 lbs.)	1.40

NOTE: All prices listed above are delivered prices to all points within a ten mile radius from the seller's yard. On deliveries to points outside such a ten mile radius a charge of 25¢ per mile one way for each mile over ten miles may be made.

[F. R. Doc. 46-11825; Filed, July 8, 1946; 10:40 a. m.]

[Syracuse Adopting Order 14 Under Basic Order 1 Under Gen. Order 68, Amdt. 1]

HARD MASON MATERIALS IN SYRACUSE, N. Y., DISTRICT

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

1. Adopting Order No. 14 under Basic Order No. 1 as amended, under General Order No. 68 as amended, is hereby amended by striking out Schedule A annexed to said order and inserting in place thereof Revised Schedule A hereto annexed, and made a part of this amendment and of said adopting order.

2. Adopting Order No. 14 under Basic Order No. 1 as amended, under General Order No. 68 as amended, is further amended by striking out section 7 of said order and inserting in place thereof the following:

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

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

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

3. Except as hereby amended, Adopting Order No. 14 under Basic Order No. 1 as amended, under General Order 68 as amended, shall remain the same and all provisions thereof remain in full force and effect.

4. This amendment shall become effective immediately.

Issued this 28th day of June 1946.

GEORGE G. MOORE,
District Director.

REVISED SCHEDULE A—MAXIMUM PRICES FOR CERTAIN BUILDING AND CONSTRUCTION MATERIAL IN THE BINGHAMTON AREA CONSISTING OF THE COUNTY OF BROOME IN THE STATE OF NEW YORK, ON SALES BY ALL PERSONS TO ULTIMATE USERS OR TO PURCHASERS FOR RESALE ON AN INSTALLED BASIS

Item and Delivered Maximum Prices to Ultimate Users and to Purchasers for Resale on an Installed Basis

Plaster, neat (100-lb.)	$0.95
Plaster, gauging (50-lb.)	1.00
Keene's cement (100-lb.)	2.20
Finishing lime (bag 50-lb.)	.60
Gypsum lath, ⅜'' (M sq. ft.)	26.25
Metal lath, 2.5 lb., painted, diamond mesh (sq. yd.)	.28
Metal lath, 3.4 lb., painted, diamond mesh (sq. yd.)	.345
Metal lath corner bead, expanded type (ft.)	.056
Portland cement, standard (paper bags) (bag 94-lb.)	.77
Masonry mortar (paper sacks) (bag 65-lb.)	.65
Mason's hydrated lime (each 50-lb.)	.45
Concrete block, 8 x 8 x 16, cinder (each)	.18
Clay drain tile—3'' (ft.)	.067
Clay drain tile—4'' (ft.)	.083
Vitrified clay sewer pipe, No. 1SS-4'' (ft.)	.19
Vitrified clay sewer pipe, No. 1SS-6'' (ft.)	.28
Flue lining, 9 x 9 (ft.)	.37
Flue lining, 9 x 13 (ft.)	.545
Flue lining, 13 x 13 (ft.)	.71
Gypsum Wallboard—⅜'' (M ft.)	40.00
Asphalt roofing, 90-lb., mineral surface (roll, 100-ft.)	2.84
Asphalt or tarred felt—15-lb. (roll, 432-ft.)	2.77
Asphalt or tarred felt—30-lb. (roll, 100-ft.)	2.77
Asphalt shingles, 210-lb. (3-in-1 thick-butt) (100 sq. ft.)	6.52
Asphalt shingles, 165-lb., 2-tab hexagon (100 sq. ft.)	5.05
Fibre insulation board, $\frac{25}{32}$'' asphalt sheathing (M sq. ft.)	64.00
Hard density synthetic fibre board, ⅛'' tempered (standard size) (M sq. ft.)	90.00
Thermal insulation-batts (paper backed) full-thick (M sq. ft.)	60.00
Fibre insulation board, ½'' standard lath and board (M sq. ft.)	45.00

[F. R. Doc. 46-11817; Filed, July 8, 1946; 10:38 a. m.]

[St. Louis Order G-1 Under Gen Order 68, Amdt. 3]

BUILDING MATERIALS IN ST. LOUIS, AND ST. LOUIS COUNTY, MO.

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. 1 under General Order No. 68 is amended in the following respects:

1. Appendix A is amended (1) by revoking and removing from the list of articles contained therein the following:

Asphalt roofing 90-lb., mineral surface.	108-ft. roll.	$2.25	$2.25	$2.25
Asphalt or tarred felt 15-lb.	432-ft. roll.	2.10	2.10	2.10
Asphalt or tarred felt 30-lb.	216-ft. roll.	2.10	2.10	2.10
Smooth roofing paper 55-lb.	108-ft. roll.	1.66	1.66	1.66
Smooth roofing paper 65-lb.	108-ft. roll.	2.05	2.05	2.05
Smooth roofing paper 35-lb.	108-ft. roll.	1.10	1.10	1.10
Smooth roofing paper 45-lb., grade 1.	108-ft. roll.	1.46	1.46	1.46
Asphalt shingles 210-lb. 3 in 1 thickbutt.	Per sq.	4.90	4.90	4.90
Asphalt shingles 165-lb. 2 tab hexagonal.	Per sq.	3.95	3.95	3.95

and (2) by inserting in place of those articles so removed, the following:

Asphalt roofing, 90-lb. mineral surface (best quality).	108-ft. roll.	$2.43	$2.43	$2.43
Asphalt or tarred felt 15-lb. (best quality).	432-ft. roll.	2.32	2.32	2.32
Asphalt or tarred felt 30-lb. (best quality).	216-ft. roll.	2.32	2.32	2.32
Smooth roofing paper 35-lb.	108-ft. roll.	1.10	1.10	1.10
Smooth roofing 45-lb. (best quality).	108-ft. roll.	1.50	1.50	1.50
Smooth roofing 55-lb. (best quality).	108-ft. roll.	1.72	1.72	1.72
Asphalt shingles 210-lb. thickbutt (best quality).	Per sq.	5.10	5.10	5.10
Asphalt shingles 165-lb. 2-tab hex. (best quality).	Per sq.	4.11	4.11	4.11

2. Appendix A is amended (1) by revoking and removing from the list of articles contained therein the following:

Fiber insulation board $\frac{25}{32}$''-asphalt sheathing.	1 M sq. ft.	$60	$60	$60

and (2) by inserting in place of those articles so removed, the following:

Fiber insulation board $\frac{25}{32}$'' asphalt sheathing.	1 M sq. ft.	$64	$64	$64

3. Appendix A is amended by revoking and removing from the list of articles contained therein, the following:

Common brick—hard. Face brick—rough.	Per brick. Per M.	$0.03 29.50	$0.0235 29.50	$0.0235 29.50

This Amendment No. 3 to Order No. 1 under General Order No. 68 shall become effective June 20, 1946.

Issued this 10th day of June 1946.

WILLIAM H. BRYAN,
District Director.

[F. R. Doc. 46-11805; Filed, July 8, 1946; 10:35 a. m.]

[Region V SO 6 Under RMPR 122]

SOLID FUELS IN DALLAS REGION

For the reasons set forth in the opinion issued simultaneously herewith and pursuant to the authority vested in the Regional Administrator of Region V of the Office of Price Administration by § 1340.260 under Revised Maximum Price Regulation 122 and the Emergency Price Control Act of 1942; *It is ordered:*

(a) Dealers making sales of Standard Briquettes produced in Kansas City, Missouri, manufactured from District 14 coal subject to General Orders issued by the Regional Administrator of Region V under Revised Maximum Price Regulation 122, which General Orders are listed in paragraph (b) of this order, shall decrease the maximum prices for such Briquettes by deducting from the dollars and cents maximum prices established in said orders an amount not less than 25¢ per ton.

(b) Orders affected: The provisions of paragraph (a) above shall apply to the following Region V Orders, as amended or revised, which have been issued under Revised Maximum Price Regulation 122:

Order No.	Section of order	Area
G-2	(d) (1) IV (1) (2)	Cities of Kansas City, Mo., and Kansas City, Kans., and parts of the counties adjacent thereto.
G-3	(c) (1) V (1)	City of Topeka, and parts of Shawnee County, Kans., adjacent thereto.
G-5	(c) (1) IV (1)	City of St. Joseph, Mo.

(c) Wherever applicable the definitions set forth in the general orders described in paragraph (b), as amended or revised, are incorporated by reference and made a part of this order.

(d) This supplementary order may be revoked, amended or changed at any time.

(e) This Supplementary Order No. 6 shall become effective as of June 20, 1946.

(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 the 20th day of June 1946.

W. A. ORTH,
Regional Administrator.

[F. R. Doc. 46-11816; Filed, July 8, 1946; 10:38 a. m.]

[Omaha Order G-1 Under Gen. Order 68, Amdt. 3]

HARD BUILDING MATERIALS IN OMAHA, NEBR., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order 68, Omaha District Order No. 1 under General Order 68 is amended in the following respects:

The following changes and revisions are made in Appendix "A" (Table of Prices):

The line "Metal Lath, 2.5 lb., Copper bearing sq. yard .28" is amended to read "Metal Lath, 2.5 lb., Copper bearing sq. yard .30".

The line "Metal Lath, 2.5 lb., Painted diamond mesh sq. yard .28" is amended to read "Metal Lath, 2.5 lb., Painted diamond mesh sq. yard .30".

The line "Metal Lath, 2.5 lb., Galvanized sq. yard .31" is amended to read "Metal Lath, 2.5 lb., Galvanized sq. yard .33".

The line "Metal Lath, 3.4 lb., Painted diamond mesh sq. yard .32" is amended to read "Metal Lath, 3.4 lb., Painted diamond mesh sq. yard .36".

The line "Metal Lath Corner Right, Expanded type 3 x 3 100 lineal ft. 3.00" is amended to read "Metal Lath, Corner Rite, Expanded type 3 x 3 100 lineal ft. 3.10".

The line "Fiber Insulation Board—Asphalt Coating, $\frac{25}{32}$'' per 1000 ft. 59.00" is amended to read "Asphalt Coated Insulating Sheathing, $\frac{25}{32}$'' per 1000 ft. 63.00".

This amendment shall become effective on June 27, 1946.

Issued this 20th day of June 1946.

EDWIN F. MORAN,
District Director.

[F. R. Doc. 46-11809; Filed, July 8, 1946; 10:36 a. m.]

[Chicago Order G-1 Under Gen. Order 68, Amdt. 3]

BUILDING MATERIALS IN THE CHICAGO, ILL., AREA

An accompanying opinion has been filed with the Division of the Federal Register.

Appendices A and B of District Order No. G-1 under General Order 68 are hereby amended as follows:

APPENDIX A

SALES TO CONTRACTORS

No.	Description of Commodity	Unit	Maximum price
23	Vitrified clay sewer pipe No. 1SS-4″.	Lin. ft	$0.19
24	Vitrified clay sewer pipe No. 1SS-6″.	Lin. ft	.29½
25	Flue lining, 9 x 9	Lin ft	.39
26	Flue lining, 9 x 13	Lin. ft	.59
27	Flue lining, 13 x 13	Lin. ft	.74½
29	90-lb. mineral surface, roll roofing (class C label) fixtures included.	Roll	2.39
30	Asphalt or tarred felt, 15-lb., 432 sq. ft. per roll, underwriters label.	Roll	2.47
31	Asphalt or tarred felt, 30-lb., 216 sq. ft. per roll, underwriters label.	Roll	2.47
32	Asphalt standard strip shingles (3 in line) 210-lb.	Square	5.70
34	Fiber insulation board 25/32″ asphalt sheathing (asphalt coated).	1,000 sq. ft.	62.00

APPENDIX B

SALES TO CONSUMERS

No.	Description of Commodity	Unit	Maximum price
23	Vitrified clay sewer pipe, No. 1SS-4″.	Lin. ft	$0.20
24	Vitrified clay sewer pipe, No. 1SS-6″.	Lin. ft	.30¼
25	Flue lining, 9 x 9	Lin. ft	.42
26	Flue lining, 9 x 13	Lin. ft	.64
27	Flue lining, 13 x 13	Lin. ft	.77½
29	90-lb., mineral surface, roll roofing (class C label) fixtures included.	Roll	2.48
30	Asphalt or tarred felt, 15-lb., 432 sq. ft. per roll, underwriters label.	Roll	2.57
31	Asphalt or tarred felt, 30-lb., 216 sq. ft. per roll, underwriters label.	Roll	2.57
32	Asphalt standard strip shingles (3 in line) 210-lb.	Square	5.95
34	Fiber insulation board 25/32″ asphalt sheathing (asphalt coated).	Sq. ft	.06½

All other prices listed in said order for other commodities than those above described shall remain in full force and effect.

This amendment shall become effective May 27, 1946.

Issued May 27, 1946.

JAMES F. RILEY,
District Director.

[F. R. Doc. 46-11824; Filed, July 8, 1946; 10:40 a. m.]

[Omaha Order G-5 Under Gen. Order 68, Amdt. 2]

HARD BUILDING MATERIALS IN COLUMBUS, NEBR., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order 68, Omaha District Order No. 5 under General Order 68 is amended in the following respects:

The following charges and revisions are made in Appendix A (Table of Prices):

The line "Metal Lath 2.5 Diamond Mesh (on sales of 100 sq. yards or more) per sq. yd. .28" is amended to read "Metal Lath 2.5 lb. Diamond Mesh (on sales of 100 sq. yards or more) per sq. yd. .30".

The line "Metal Lath 2.5 Diamond Mesh (on sales less than 100 sq. yards) per sq. yd. .32" is amended to read "Metal Lath 2.5 lb. Diamond Mesh (on sales less than 100 sq. yards) per sq. yd. .34".

The line "Metal Lath Corner Right 3 x 3 100 lineal ft. 3.00" is amended to read "Metal Lath Corner Rite, Expanded Type 3 x 3 100 lineal ft. 3.10".

The line "Metal Lath Corner Bead Expanded Type 100 lineal ft. 5.50" is amended to read "Metal Lath Corner Bead 2.5 lb. Expanded Type 100 lineal ft. 5.70".

The line "Metal Lath Corner Bead Scalloped 100 lineal ft. 4.50" is amended to read "Metal Lath Corner Bead Scalloped 100 lineal ft. 4.70".

The line "Metal Lath 3.4 Copper Bearing (on sales of 100 sq. yards or more) per sq. yd. .34" is amended to read "Metal Lath 3.4 lb. Copper Bearing (on sales of 100 sq. yards or more) per sq. yd. .38".

The line "Metal Lath 3.4 Copper Bearing (on sales of less than 100 sq. yds.) per sq. yd. .38" is amended to read "Metal Lath 3.4 lbs. Copper Bearing (on sales of less than 100 sq. yds.) per sq. yd. .42".

The line "Asphalt Roofing 90 lb. Mineral Surface Per 100 sq. ft. 2.76" is amended to read "Asphalt Roofing, Mineral Surface 90 lb. 108 sq. ft. 2.94".

The line "Asphalt Shingles 210 lb. (3 in 1) Thick Butt Per 100 sq. ft. 6.50" is amended to read "Asphalt Roofing, Thick Butt 210 lb. 100 sq. ft. 6.71".

The line "Asphalt or Tarred Felt 15 lb. Per 432 sq. ft. 2.72" is amended to read "Asphalt or Tarred Felt 15 lb. Per roll—432 sq. ft. 2.81".

The line "Asphalt or Tarred Felt 30 lb. Per 216 sq. ft. 2.72" is amended to read "Asphalt or Tarred Felt 30 lb. Per roll—216 sq. ft. 2.81".

The line "Fibre Insulation Board Asphalt Coated 25/32″ Per M sq. ft. 70.00" is amended to read "Asphalt Coated Insulating Sheathing, 25/32″ Per M sq. ft. 74.00".

This amendment shall become effective on June 27, 1946.

Issued this 20th day of June 1946.

EDWIN F. MORAN,
District Director.

[F. R. Doc. 46-11811; Filed, July 8, 1946; 10:37 a. m.]

[Dallas Order G-1 Under Gen. Order 68, Amdt. 2]

BUILDING MATERIALS IN DALLAS COUNTY, TEX.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to General Order No. 68, maximum prices for the following commodities set forth in Appendix A are amended to read as follows:

Name of item	Basic unit	When sold in quantities of—	Carload f. o. b. car	F. o. b. plant, yard or store or delivered in free delivery zone
Metal lath, 2.5 lb. painted diamond mesh, copper bearing.	Sq. yd	Any		$0.25½
Metal lath, 3.4 lb. painted diamond mesh, copper bearing.	Sq. yd	Any		.30¼
Metal lath, 3.4 lb. 3/8″ rib copper bearing	Sq. yd	Any		.32½
Metal lath, 4 lb, 3/8″ rib copper bearing	Sq. yd	Any		.34½
Metal corner bead, narrow flange	100 linear ft	Any		3.30
Metal corner bead, expanded type, wide flange	100 linear ft	Any		4.30
Asphalt roofing, 65 lb. smooth surface, 1st quality	Roll 108 sq. ft	Any		2.38
Asphalt roofing, 65 lb. smooth surface, 2nd quality	Roll 108 sq. ft	Any		2.17

The maximum prices established by this amendment shall not be charged until the seller's net invoiced cost has been increased by its supplier.

Issued June 14, 1946.

Effective June 14, 1946.

GUS W. THOMASSON,
District Director.

[F. R. Doc. 46-11815; Filed, July 8, 1946; 10:37 a. m.]

[Region I Order G-10 Under RMPR 251, Amdt. 1]

PLUMBING, STEAMFITTING AND HEATING REPAIRS, MAINTENANCE, ALTERATIONS AND NEW INSTALLATIONS IN VERMONT

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of Revised Maximum Price Regulation No. 251, Region I Order No. G-10 under Revised Maximum Price Regulation No. 251, is amended in the following respects:

Section 6 (a) is amended to read as follows:

SEC. 6. *Price adjustments*—(a) *Government required or authorized wage increases.* Any seller subject to this order whose hourly wages are increased after the effective date of this amendment by reason of a predetermination of wage rates by the Secretary of Labor under the Davis-Bacon Act, or by an order or authorization of the Wage Adjustment Board, National Wage Stabilization Board, or the Office of Economic Stabilization, or by any other federal wage stabilization agency, may add such increased labor cost including additional payments for unemployment insurance, workmen's compensation, old age benefits, and public liability insurance to his customer's hourly rate, as established by this order. Every seller adding such increased labor cost to his customer's hourly rate or rates shall keep available for inspection by the Office of Price Administration the order or authorization of the federal agency requiring or permitting such increase and satisfactory evidence that the seller has actually put such increase into effect.

This amendment shall become effective June 19, 1946.

Issued this 19th day of June 1946.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 46-11818; Filed, July 8, 1946; 10:38 a. m.]

[St. Louis Order G-2 Under Gen. Order 68, Amdt. 1]

BUILDING MATERIALS IN ST. LOUIS, MO., DISTRICT

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. 2 under General Order 68 is amended in the following respects:

1. Appendix A is amended by (1) revoking and removing from the list of articles contained therein listed under the following headings, the following articles:

Name of item and selling unit	*Delivered in free delivery zone*
Smooth roofing paper 45-lb.:	
No. 1 grade, per 108-ft. roll	$1.75
No. 2 grade, per 108-ft. roll	1.30
Smooth roofing paper, 55-lb.:	
No. 1 grade, per 108-ft. roll	2.25
No. 2 grade, per 108-ft. roll	1.70
Smooth roofing paper, 65-lb., per 108-ft. roll	2.45
Asphalt roofing, 90-lb., per 108-ft. roll	2.65
Asphalt or tarred felt—15-lb.:	
Standard grade, 432-ft. roll	2.50
All rag, 432-ft roll	2.75
Asphalt or tarred felt, 30-lb., 216-ft. roll	2.50
Asphalt shingles, 210-lb. 3-in-1 thick butt, per square	6.00
Asphalt shingles, 165-lb. 2-tab hex., per square	4.75

and (2) by inserting in place of those articles so removed, under the following headings, the following articles:

Name of item and selling unit	*Delivered in free delivery zone*
Smooth roofing paper, 45-lb.:	
No. 1 grade, per 108-ft. roll	$1.79
No. 2 grade, per 108-ft. roll	1.34
Smooth roofing paper, 55-lb.:	
No. 1 grade, per 108-ft. roll	2.31
No. 2 grade, per 108-ft. roll	1.76
Smooth roofing paper, 65-lb. (best quality), per 108-ft. roll	2.53
Asphalt roofing, 90-lb. (best quality), per 108-ft. roll	2.83
Asphalt or tarred felt, 15-lb.:	
Standard grade, all rag, 432-ft. roll	2.72
All rag, 432-ft. roll	2.97
Asphalt or tarred felt—30-lb. (best quality), 216-ft. roll	2.72
Asphalt shingles:	
210-lb. 3-in-1 thickbutt (best quality), per square	6.20
165-lb. 2-tab hex (best quality), per square	4.91

2. Appendix A is amended (1) by revoking and removing from the list of articles contained therein listed under the following headings, the following articles:

Name of item	When sold in quantities of—	Selling unit	Delivered in free delivery zone	F. o. b. yard, store or plant (f. o. b. R. R. car in cases of carload sales)
Plaster, hard wall	1-19 bags	100-lb. bag	$1.25	$1.13
	20 or more bags, LCL	Ton	23.00	22.40
	CL or more	Ton	22.90	21.90

and (2) by inserting in place of those articles so removed, under the following headings, the following articles:

Name of item	When sold in quantities of—	Selling unit	Delivered in free delivery zone	F. o. b. yard, store or plant (f. o. b. R. R. car in cases of carload sales)
Plaster, hard wall	1-29 bags	100-lb. bag	$1.25	$1.13
	30 or more bags, LCL	Ton	23.00	22.40
	CL or more	Ton	22.90	21.90

3. Appendix A is amended (1) by revoking and removing from the list of articles contained therein listed under the following headings, the following articles:

Name of item	When sold in quantities of—	Selling unit	Delivered in free delivery zone	F. o. b. yard, store or plant (f. o. b. R. R. car in cases of carload sales)
Portland cement, standard (paper bags).	1-19 bags	94-lb. bag	$0.80	$0.75
	20 or more bags, LCL	376-lb. bbl	2.88	2.83
	CL or more	376-lb. bbl	2.83	2.80

and (2) by inserting in place of those articles so removed, under the following headings, the following articles:

Name of item	When sold in quantities of—	Selling unit	Delivered in free delivery zone	F. o. b. yard, store or plant (f. o. b. R. R. car in cases of carload sales)
Cement, portland	1-49 bags	94-lb. bag	$0.80	$0.75
	50 or more bags, LCL	376-lb. bbl	2.88	2.83
	CL or more	376-lb. bbl	2.83	2.80

4. Appendix A is amended by revoking and removing from the list of articles contained therein listed under the following headings, the following articles:

Name of item	When sold in quantities of—	Selling unit	Delivered in free delivery zone
Common brick		Each brick	$0.03
		Per M	27.50

This Amendment No. 1 to Order No. 2 under General Order 68 shall become effective June 20, 1946.

Issued this 10th day of June 1946.

WILLIAM H. BRYAN,
District Director.

[F. R. Doc. 46-11804; Filed, July 8, 1946; 10:35 a. m.]

[Omaha Order G-6 Under Gen. Order 68, Amdt. 2]

HARD BUILDING MATERIALS IN NORFOLK, NEBR., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order 68, Omaha District Order No. 6 under General Order 68 is amended in the following respects:

The following changes and revisions are made in Appendix A (Table of Prices):

The line "Metal Lath 2.5 Painted Diamond Mesh Per sq. yd. .26" is amended to read "Metal Lath 2.5 lb. Painted Diamond Mesh Per sq. yd. .28".

The line "Metal Lath 3.4 Painted Diamond Mesh Per sq. yd. .31" is amended to read "Metal Lath 3.4 lb. Painted Diamond Mesh Per sq. yd. .34".

The line "Asphalt Roofing 90 lb. Mineral Surface Per 100 sq. ft. $2.71" is amended to read "Asphalt Roofing 90 lb. Mineral Surface 108 sq. ft. $2.90".

The line "Asphalt Shingles 210 lb. (3 in 1) thick butt Per 100 sq. ft. 6.45" is amended to read "Asphalt Roofing Thick Butt 210 lb. 100 sq. ft. 6.61."

The line "Asphalt Roll Roofing Diamond Point Per 100 sq. ft. 3.35" is amended to read "Asphalt Shingles Diamond Point 105 lb. 100 sq. ft. 3.40".

The line "Asphalt Shingles 165 lb. two tab—hexagon per 100 sq. ft. 5.25" is amended to read "Asphalt Shingles two tab—165 lb. hexagon 100 sq. ft. 5.41".

The line "Asphalt or Tarred Felt 15 lb. Per 432 Sq. Ft. 2.52" is amended to read "Asphalt or Tarred Felt 30 lb. Per roll—432 sq. ft. 2.54".

The line "Asphalt or Tarred Felt 30 lb. Per 216 sq. ft. 2.52" is amended to read "Asphalt or Tarred Felt 30 lb. Per roll—216 sq. ft. 2.54".

The line "Fiber Insulation Board Asphalt Coated $^{25}/_{32}$'' Per M sq. ft. 66.00" is amended to read "Asphalt Coated Insulating Sheathing, $^{25}/_{32}$'' Per M sq. ft. 70.00".

This amendment shall become effective on June 27, 1946.

Issued this 20th day of June 1946.

EDWIN F. MORAN,
District Director.

[F. R. Doc. 46-11810; Filed, July 8, 1946; 10:37 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register July 3, 1946.

Region I

Concord Order 9-F, Amendment 63, covering fresh fruits and vegetables in Manchester, Nashua, Concord, Rochester, Somersworth, Dover and Portsmouth. Filed 3:01 p. m.

Hartford Order 5-F, Amendment 63, covering fresh fruits and vegetables in Waterbury and Watertown. Filed 2:01 p. m.

Hartford Order 6-F, Amendment 63, covering fresh fruits and vegetables in the Hartford area. Filed 2:01 p. m.

Hartford Order 7-F, Amendment 63, covering fresh fruits and vegetables in the New Haven area. Filed 2:01 p. m.

Hartford Order 8-F, Amendment 63, covering fresh fruits and vegetables in the Bridgeport area. Filed 2:01 p. m.

Hartford Order 8, Amendment 5, covering dry groceries. Filed 2:01 p. m.

Hartford Order 3-W, Amendment 5, covering dry groceries. Filed 2:02 p. m.

Region II

District of Columbia Order 6-F, Amendment 22, covering fresh fruits and vegetables in the Washington, D. C., area. Filed 3:00 p. m.

District of Columbia Orders 8-C and 3-O, Amendments 7 and 3, covering poultry and eggs in the Washington, D. C. area. Filed 3:00 p. m.

District of Columbia Order 15, Amendment 8, covering dry groceries in the Washington, D. C. area. Filed 3:00 p. m.

District of Columbia Orders 7-W and 16, Amendment 10, covering dry groceries in the Washington, D. C. area. Filed 3:01 p. m.

Newark Order 8-F, Amendment 23, covering fresh fruits and vegetables in certain counties in New Jersey except the Borough of North Plainfield, New Jersey. Filed 3:01 p. m.

Newark Order 9-F, Amendment 22, covering fresh fruits and vegetables in certain counties in New Jersey and the Borough of North Plainfield in Somerset County, New Jersey. Filed 3:01 p. m.

Wilmington Order 24, Amendment 4, covering dry groceries in Delaware lying North of the Chesapeake and Delaware Canal. Filed 3:00 p. m.

Region V

Houston Order 9-F, Amendment 8, covering fresh fruits and vegetables in Galveston county, Texas. Filed 1:56 p. m.

Houston Order 10-F, Amendment 8, covering fresh fruits and vegetables in certain areas in Texas. Filed 1:57 p. m.

Houston Orders 2-C and 4-O, Amendments 29 and 30, covering poultry and eggs in Harris county, Texas. Filed 1:57 and 1:58 p. m.

Houston Orders 3-C and 5-O, Amendments 29 and 30, covering poultry and eggs in Orange and Jefferson counties, Texas. Filed 1:57 and 1:58 p. m.

Houston Orders 4-C and 6-O, Amendments 20 and 21, covering poultry and eggs in Galveston county, Texas. Filed 1:58 and 1:57 p. m.

Kansas City Order 4-F, Amendment 51, covering fresh fruits and vegetables in Johnson and Wyandotte counties, Kansas; Jackson county, Missouri and the city of North Kansas City, Missouri. Filed 1:56 p. m.

Kansas City Order 9-F, Amendment 35, covering fresh fruits and vegetables in Buchanan county, Missouri. Filed 1:56 p. m.

Kansas City Order 10-F, Amendment 35, covering fresh fruits and vegetables in Greene county, Missouri. Filed 1:56 p. m.

Kansas City Order 11-F, Amendment 35, covering fresh fruits and vegetables in Jasper county, Missouri. Filed 1:56 p. m.

Kansas City Order 14-F, Amendment 3, covering fresh fruits and vegetables in certain areas in Missouri. Filed 1:56 p. m.

Kansas City Order 15-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Missouri. Filed 1:57 p. m.

Kansas City Order 16-F, Amendments 2 and 3, covering fresh fruits and vegetables in certain counties in Missouri. Filed 1:57 p. m.

Kansas City Orders 9-C and 11-O, Amendments 28 and 30, covering poultry and eggs in counties of Johnson and Wyandotte, Kansas; city of North Kansas City, Jackson and Buchanan counties, Missouri. Filed 1:54 p. m.

Kansas City Orders 10-C and 12-O, Amendments 28 and 29, covering poultry and eggs in Greene and Jasper counties, Missouri. Filed 1:55 p. m.

Kansas City Orders 24 and 6-W, Amendment 4, covering dry groceries in 1 and 2 stores. Filed 1:58 p. m.

Kansas City Order 25, Amendment 3, covering dry groceries sold by 3 and 4 stores. Filed 1:59 p. m.

Little Rock Order 16-F, Amendments 2 and 3, covering fresh fruits and vegetables in Ashley, Bradley, Calhoun, Columbia, Dallas, Drew, Ouachita and Union counties, Arkansas. Filed 1:55 p. m.

Little Rock Order 17-F, Amendments 2 and 3, covering fresh fruits and vegetables in certain counties in Arkansas. Filed 1:55 p. m.

Little Rock Order 18-F, Amendments 2 and 4, covering fresh fruits and vegetables in certain counties in Arkansas. Filed 1:55 and 1:56 p. m.

Little Rock Order 19-F, Amendments 2 and 3, covering fresh fruits and vegetables in certain counties in Arkansas and in Bowie county, Texas. Filed 1:54 p. m.

Little Rock Order 20-F, Amendments 2 and 3, covering fresh fruits and vegetables in Garland, Montgomery and Pike counties, Arkansas. Filed 1:54 p. m.

Little Rock Orders 4-C and 4-O, Amendments 28 and 29, covering poultry and eggs in Pulaski county, Arkansas. Filed 1:53 and 1:54 p. m.

Little Rock Orders 4-C and 4-O, Amendments 29 and 30, covering poultry and eggs in Pulaski county, Arkansas. Filed 1:54 and 1:53 p. m.

New Orleans Orders 31 and 32, Amendment 5, covering dry groceries. Filed 1:59 p. m.

New Orleans Order 33, Amendments 7 and 8, covering dry groceries by Groups 3 and 4 and 3A and 4A stores. Filed 1:59 p. m.

New Orleans Orders 5-W and 6-W, Amendment 5, covering dry groceries. Filed 1:59 and 2:00 p. m.

Oklahoma City Order 19, Amendments 7 and 8, covering dry groceries by Groups 3 and 4 and 3A and 4A stores. Filed 2:00 p. m.

Oklahoma City Orders 18 and 6-W, Amendment 6, covering dry groceries. Filed 2:00 p. m.

San Antonio Order 6-F, Amendment 49, covering fresh fruits and vegetables in Bexar county, Texas. Filed 1:52 p. m.

St. Louis Order 4-F, Amendments 49 and 50, covering fresh fruits and vegetables in the city of St. Louis and county of St. Louis, Missouri. Filed 1:53 and 1:54 p. m.

St. Louis Order 7-F, Amendments 2 and 3, covering fresh fruits and vegetables in certain counties in Missouri. Filed 1:52 and 1:53 p. m.

St. Louis Orders 3-C and 2-O, Amendments 29 and 30, covering poultry and eggs in the city of St. Louis and county of St. Louis, Missouri. Filed 1:52 p. m.

St. Louis Orders 27 and 28, Amendment 3, covering dry groceries. Filed 1:51 and 1:52 p. m.

St. Louis Order 28, Amendment 3, covering dry groceries. Filed 1:52 p. m.

St. Louis Orders 26 and 7-W, Amendment 4, covering dry groceries. Filed 1:52 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 46-11855; Filed, July 8, 1946; 4:17 p. m.]

[Region I Rev. Order G-70 Under RMPR 122, Amdt. 2]

SOLID FUELS IN BOSTON REGION

For the reasons set forth in an Opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (9) of paragraph (o) of Region I Revised Order G-70 under Revised Maximum

Price Regulation No. 122 (Appendix 9—Specified Solid Fuels—Metropolitan Boston Area) is hereby amended in the following respect:

1. In subparagraph (d) (1), in "Price Schedule VII—Prices (in cents per bag) for ambricoal in 25-pound paper bags," each of the maximum prices listed thereunder are hereby increased one (1¢) cent per bag.

This Amendment No. 2 shall become effective as of June 1, 1946.

Issued this 12th day of June 1946.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 46-11814; Filed, July 8, 1946; 10:37 a. m.]

[Omaha Order G-8 Under Gen. Order 68, Amdt. 2]

HARD BUILDING MATERIALS IN NORTHEASTERN NEBRASKA AREA

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order 68, Omaha District Order No. 8 under General Order 68 is amended in the following respects:

The following changes and revisions are made in Appendix A (Table of Prices):

The line "Metal lath 2.5 painted diamond mesh, sq. yd., .35" is amended to read "Metal lath 2.5 lb. painted diamond mesh, sq. yd., .37".

The line "Metal lath 2.5 galvanized, sq. yd., .29" is amended to read "Metal lath 2.5 lb. galvanized, sq. yd., .31".

The line "Metal lath, corner bead, expanded type, per lineal ft., .05" is amended to read "Metal lath, corner bead, 2.5 lb., expanded type, per lineal ft., .052".

The line "Metal lath, corner bead, scalloped, per lineal ft., .045" is amended to read "Metal lath corner bead, scalloped, per lineal ft., .047".

The line "Metal lath 3.4 galvanized, sq. yd., .31" is amended to read "Metal lath, 3.4 lb., galvanized, sq. yd., .35".

The line "Metal lath, 3.4 copper bearing, sq. yd., .38" is amended to read "Metal lath, 3.4 lb., copper bearing, sq. yd., .42".

The line "Fiber insulation board, asphalt coated, 25/32", 100 sq. ft., 70.00" is amended to real "Asphalt coated insulating sheathing, 25/32", 1,000 sq. ft., 74.00".

This amendment shall become effective on June 27, 1946.

Issued this 20th day of June 1946.

EDWIN F. MORAN,
District Director.

[F. R. Doc. 46-11812; Filed, July 8, 1946; 10:37 a. m.]

[Fargo-Moorhead Order G-3 Under Gen. Order 68, Amdt. 1]

HARD BUILDING MATERIALS IN FARGO-MOORHEAD, N. DAK.-MINN., DISTRICT

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

Appendix A to Order No. G-3 under General Order 68 establishing maximum prices for retail sales of hard building materials in Grand Forks, North Dakota, and East Grand Forks, Minnesota, which became effective February 4, 1946, is hereby amended as follows:

APPENDIX A

STANDARD RETAIL BUILDING SUPPLIERS

Item and unit	*Maximum price for all retail sales except cash and carry yards*
Plaster, hard wall, 100-lb. bag	$1.17
Gypsum lath, ⅜-inch (rock lath), 1,000 sq. ft	31.00
Metal lath, 2.5-lb. copper diamond mesh,[1] sq. yd	.34
Metal lath, 2.5 lb., galvanized,[1] sq. yd	.28
Metal lath, 3.4 lb., galvanized high rib,[1] sq. yd	.44
Portland cement, standard, 94-lb. paper bag	.85
Portland cement, standard, 94-lb. cloth bag (bag extra)	.85
Mason's hydrated lime, 50-lb. bag	.70
Cement, portland water proof, white 94-lb. bag	2.75
Clay drain tile, 4 inch, lineal foot	.08
Clay drain tile, 6 inch, lineal foot	.12
Vitrified clay sewer pipe (No. 1 SS 4 inch) lineal foot	.24
Vitrified clay sewer pipe (No. 1 SS 6 inch) lineal foot	.34
Flue lining 9 x 9, lineal foot	.47
Gypsum wallboard ⅜ inch, 1000 sq. ft	45.00
Asphalt roofing 90-lb. mineral surface[1], roll	3.25
Asphalt or tarred felt, 15-lb.[1], roll (432 sq. ft.)	3.00
Asphalt or tarred felt, 30-lb.[1], roll (216 sq. ft.)	3.15
Planking ½ inch, 1000 sq. ft	75.00
Fiber insulation board, ½ inch standard lath and board, 1,000 sq. ft	50.00
Fiber insulation board 25/32 inch (asphalt sheathing)[1], 1,000 sq. ft	69.00
Thermal insulation blankets paper packed medium (rock wool or wood fiber), 1,000 sq. ft	55.00
Ridge roll 2 inch, lineal foot	.07
Valley tin 14 inch 28 gauge, lineal foot	.10

[1] Price change.

This amendment shall become effective June 17, 1946.

Issued this 13th day of June 1946.

JAMES S. ERIKSSON,
Acting District Director.

[F. R. Doc. 46-11823; Filed, July 8, 1946; 10:39 a. m.]

[Dallas Order G-4 Under Gen. Order 68, Amdt. 2]

BUILDING MATERIALS IN BOWIE COUNTY, TEX.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to General Order No. 68, the maximum prices for the commodities set out in Appendix A are modified to permit any seller subject to Order No. 4 under General Order No. 68 who has purchased such commodities from a supplier who has increased his prices pursuant to Amendment No. 9 to Revised Price Schedule No. 45, to add to the prices established in Order No. 4 the exact increase in dollars-and-cents which he has paid to his supplier.

Appendix A: All asphalt roofing covered by Order No. 4. All tarred felt roofing covered by Order No. 4.

Issued June 11, 1946.

Effective June 11, 1946.

Termination July 31, 1946.

GUS W. THOMASSON,
District Director.

[F. R. Doc. 46-11806; Filed, July 8, 1946; 10:35 a. m.]

[Springfield Order G-7 Under Gen. Order 68, Amdt. 2]

HARD BUILDING MATERIALS IN PIATT AND DEWITT COUNTIES, ILL., AREA

An accompanying opinion has been filed with the Division of the Federal Register. The Appendix to Order No. G-7 is amended by deleting all of the items and the maximum prices for Vitrified Clay Sewer Pipe, Flue Lining and Allied Products and substituting therefor the following corrected maximum prices:

Item and unit of sale	*Maximum price*
Vitrified clay sewer pipe 1SS 4", ft	$0.22
Vitrified clay sewer pipe 1SS 6", ft	.32
Vitrified clay sewer pipe 1SS 8", ft	.48
Vitrified clay sewer pipe 1SS 10", ft	.69
Vitrified clay sewer pipe 1SS 12", ft	.90
Flue lining 9 x 9, ft	.44
Flue lining 9 x 13, ft	.63
Flue lining 13 x 13, ft	.85

This Amendment No. 2 becomes effective June 27, 1946.

Issued this 20th day of June 1946.

CHAS. P. CASEY,
District Director.

[F. R. Doc. 46-11822; Filed, July 8, 1946; 10:39 a. m.]

[Region I Order G-6 Under RMRR 251, Amdt 1]

PAINTING AND PAPER HANGING SERVICES IN VERMONT

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of Revised Maximum Price Regulation No. 251, Region I Order No. G-6 Under Revised Maximum Price Regulation No. 251, is amended in the following respects:

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

(a) Any seller supplying paper hanging and/or painting services in the State of Vermont which are subject to Revised Maximum Price Regulation No. 251, may charge as his maximum customer's hourly rates the average hourly wage paid to journeymen painters, helpers, and apprentices plus 25 cents per hour; or, in the case of a self-employed seller, 25 cents per hour in addition to the wages being paid to journeymen painters in his trading area.

"Average hourly wage" shall be determined by reference to the wages for each class of employees paid during the week including July 20, 1944.

2. Section (d) is amended so as to read as follows:

(d) Any seller subject to this order who has incurred a labor cost increase by reason of a predetermination of wage rates by the Secretary of Labor under the Davis-Bacon Act or an order or authorization of the Wage Adjustment Board, National Wage Stabilization Board, or the Office of Economic Stabilization or by any other federal wage stabilization agency, and paid to employees after July 20, 1944, may add such labor cost increase to his maximum customer's hourly rate as established by this order.

This amendment shall become effective June 21, 1946.

Dated this 21st day of June 1946.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 46-11819; Filed, July 8, 1946; 10:39 a. m.]

[Region I SO 20 Under RMPR 122, Amdt. 1]

SOLID FUELS IN BOSTON REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Supplementary Order No. 20 is amended in the following respect:

1. In paragraph (b), there is inserted in its numerical order the following:

Paragraph	Order number	Area
*	*	* * *
(p)	G-12	Haverhill, Mass.

This Amendment No. 1 to Supplementary Order No. 20 shall become effective as of March 19, 1946.

Issued this 12th day of June 1946.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 46-11821; Filed, July 8, 1946; 10:39 a. m.]

[Omaha Order G-2 Under Gen. Order 68, Amdt. 2]

HARD BUILDING MATERIALS IN LINCOLN, NEBR., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order 68, Omaha District Order No. 2 under General Order 68 is amended in the following respects:

The following changes and revisions are made in Appendix A (Table of Prices):

The line "Metal Lath 2.5 lb., painted diamond mesh Sq. yard .26" is amended to read "Metal Lath 2.5 lb., painted diamond mesh Sq. yard .28".

The line "Metal Lath 3.4 lb., painted diamond mesh Sq. yard .32" is amended to read "Metal Lath 3.4 lb., painted diamond mesh Sq. yard .35".

The line "Metal Lath Corner Rite, 3 x 3 per lineal ft. .03" is amended to read "Metal Lath Corner Rite, 3 x 3 per lineal ft. .031".

The line "Asphalt Roofing, mineral surface (90 lbs.) Per roll—108 sq. ft. 2.50" is amended to read "Asphalt Roofing, mineral surface 108 sq. ft. 2.69".

The line "Asphalt Shingles (3 in 1) Thick Butt (210 lbs.) Per hundred sq. ft. coverage 6.00" is amended to read "Asphalt Roofing—Thick Butt (210 lbs.) 100 sq. ft. 6.21".

The line "Asphalt or Tarred Felt (15 lbs.) Per roll—432 sq. ft. 2.40" is amended to read "Asphalt or Tarred Felt (15 lbs.) Per roll—432 sq. ft. 2.44".

The line "Asphalt or Tarred Felt (30 lbs.) Per roll—216 sq. ft. 2.40" is amended to read "Asphalt or Tarred Felt (30 lbs.) Per roll—216 sq. ft. 2.44".

This amendment shall become effective on June 27, 1946.

Issued this 20th day of June 1946.

EDWIN F. MORAN,
District Director.

[F. R. Doc. 46-11808; Filed, July 8, 1946; 10:36 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 54-51]

NATIONAL POWER & LIGHT CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 3d day of July, A. D. 1946.

Notice is hereby given that National Power & Light Company (National), a registered holding company and a subsidiary of Electric Bond and Share Company (Bond and Share), also a registered holding company, has filed an application-declaration, pursuant to the Public Utility Holding Company Act of 1935 (the Act), for authority to distribute certain of its portfolio assets among its security holders. Bond and Share has joined in said application-declaration, requesting approval of the acquisition by it as a common stockholder of National of its pro rata share of said assets in the proposed distribution.

Notice is further given that any interested person may, not later than July 17, 1946, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said application-declaration may be granted, as provided in Rule U-23 of the rules and regulations promulgated under said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. All interested persons are referred to the application-declaration, which is on file in this Commission, for a statement of the transaction therein proposed which is summarized as follows:

On August 23, 1941, the Commission issued an order, pursuant to section 11 (b) (2) of the act, requiring that the existence of National be terminated, and that said company be dissolved. National states that as a further step in carrying out its liquidation program and in order to comply with the said order of the Commission, it submits the following plan of distribution:

National proposes to distribute to its common stockholders all of its holdings in Birmingham Electric Company (Birmingham), Carolina Power & Light Company (Carolina), and Pennsylvania Power & Light Company (Pennsylvania), with the exception of 34,146 shares of common stock of Pennsylvania, on a basis so that the holders of its common stock will receive for each share of such stock, $\frac{1}{10}$ of a share of common stock of Birmingham, $\frac{1}{6}$ of a share of common stock of Carolina, and $\frac{1}{8}$ of a share of common stock of Pennsylvania.

The said distribution is subject to the effectuation by National of a proposed reduction in its capital as set forth in an application filed by National with this Commission for authority to consummate said reduction of capital (see Holding Company Act Release No. 6713), and subject, further, to the effectuation of the plan for the compromise, settlement and discharge of various claims asserted by National and its subsidiaries against Bond and Share and certain of its subsidiaries, as approved by the Commission in its order dated May 27, 1946. (See Holding Company Act Release No. 6663.)

National proposes to fix as a record date for the making of the said distributions the earliest practicable date after the accomplishment of the above-mentioned conditions, and to mail to its stockholders notice of such record date at least fourteen days prior thereto. As soon as practicable after such record date, National proposes to make the said distributions provided for by mailing, by registered mail, to its common stockholders of record, at the close of business on the record date, the respective number of full shares of common stock of Birmingham, Carolina and Pennsylvania, which they are entitled to receive in accordance with the proposals of distribution, together with fractional receipts, exchangeable, when combined with other fractional receipts, for full shares of the securities to be distributed. It is proposed that Bankers Trust Company, New York, act as Distribution Agent in making the distributions required by the program of distribution. It is further proposed that the fractional receipts above referred to shall be non-dividend bearing and non-voting, and shall not constitute the holders thereof stockholders. The terms and conditions and form of the fractional receipts to be used will be supplied by supplemental amendment hereto.

Electric Bond and Share, as a holder of 2,540,450 shares (46.56%) of the outstanding common stock of National, will, pursuant to the distribution herein proposed, be entitled to receive 254,045 shares of the common stock of Birmingham, 423,408⅚ shares of the common stock of Carolina, and 317,556⅚ shares of the common stock of Pennsylvania. On June 24, 1946, Bond and Share filed, pursuant to section 11 (e) of the act, a plan, and an application for the approval thereof, providing for the distribution by sale of the securities to be received from National in the above described proposed distribution and for the use of the proceeds derived from said sales to make a capital distribution with respect to Bond and Share's outstanding $5 and $6 Preferred Stocks.

Bond and Share states that the acquisition of these shares is a necessary part of its corporate simplification program and requests the Commission (a) to find the acquisition of the said securities by Electric Bond and Share, pursuant to the plan of distribution proposed by National, to be necessary to effectuate the provisions of section 11 (b) of the act and fair and equitable to the persons affected thereby, and approve such acquisition; and (b) to recite in its order with respect thereto that such acquisition and transfers are necessary or appropriate to the integration or simplification of the holding company system, of which Electric Bond and Share is a part, and are necessary or appropriate to effectuate the provisions of section 11 (b) of the act.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 46-11878; Filed, July 9, 1946; 10:36 a. m.]

[File No. 59-86]

PUBLIC SERVICE CORP. OF NEW JERSEY ET AL.

ORDER EXTENDING TIME FOR FILING ANSWER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 2d day of July 1946.

In the matter of Public Service Corporation of New Jersey and its subsidiary companies, the United Corporation; File No. 59-86.

The Commission having entered an order on June 12, 1946 instituting proceedings under sections 11 (b) (1) and 11 (b) (2) of the Public Utility Holding Company Act of 1935 naming as respondents Public Service Corporation of New Jersey (Public Service) and its subsidiaries and The United Corporation and directing that said respondents file an answer on or before July 5, 1946 to the several allegations of such order; and

Public Service and its subsidiaries having requested the Commission to extend the time from July 5, 1946 to July 11, 1946 within which to file such answer; and

It appearing that it is appropriate and in the public interest and the interests of investors and consumers that the request for an extension of time be granted;

It is ordered, That the time within which the respondents in these proceedings shall file an answer be, and the same hereby is, extended from July 5, 1946 to July 11, 1946.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 46-11877; Filed, July 9, 1946; 10:36 a. m.]

[File Nos. 54-43, 70-1176, 70-1177]

GREAT LAKES UTILITIES CO.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS 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 2d day of July A. D. 1946.

In the matter of Great Lakes Utilities Company, File No. 54-43; Great Lakes Utilities Company, The Ohio Gas, Light & Coke Company, File No. 70-1176; Great Lake Utilities Company, Paxton Gas Company, and Rochelle Gas Company, File No. 70-1177.

Great Lakes Utilities Company ("Great Lakes"), a registered holding company, and the only remaining subsidiaries of Great Lakes, Rochelle Gas Company ("Rochelle") and Paxton Gas Company ("Paxton"), having filed applications and declarations and amendments thereto pursuant to sections 6, 9, 10 and 12 of the Public Utility Holding Company Act of 1935 and the rules thereunder regarding:

(1) The sale and transfer by Paxton to Rochelle of (a) the properties of Paxton for a consideration equal to the net book value thereof ($202,073 at February 28, 1946) to be paid by the assumption by Rochelle of the liabilities of Paxton for consumers' deposits, interest thereon, and of a portion of the note and open account indebtedness plus interest thereon owed by Paxton to Great Lakes and (b) the current assets (except cash) less the reserve for uncollectible accounts of Paxton for a cash consideration equivalent to the book amount thereof ($11,172 at February 28, 1946).

2. The reclassification by Rochelle of its presently outstanding 600 shares of capital stock having a par value of $100 per share into 10,052 shares of capital stock with a par value of $10 per share and the exchange of such new capital stock for the presently outstanding 600 shares of capital stock owned by Great Lakes and the change of Rochelle's name to Allied Gas Company or such other name as may be appropriate and available.

3. The contribution by Great Lakes to the capital of Rochelle of the amount of $208,348 as of February 28, 1946 consisting of indebtedness of $199,115 owed by Paxton to Great Lakes (assumed by Rochelle) and $9,233 in cash.

4. The payment by Paxton to Great Lakes, prior to the dissolution of Paxton, of a portion of Paxton's indebtedness to Great Lakes and the receipt by Paxton of a capital contribution from Great Lakes consisting of the balance of Paxton's indebtedness to Great Lakes ($23,412 at February 28, 1946).

A public hearing having been held after appropriate notice and the Commission having filed its findings and opinion herein:

Great Lakes, Rochelle, and Paxton having requested that the Commission's order shall conform with section 373 (a) of the Internal Revenue Code, as amended, and contain the recitals, specifications and itemizations described in sections 371 (f) and 1808 (f) thereof:

It is ordered, That said applications and declarations, as amended, be, and the same hereby are, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24;

It is further ordered, That the transactions proposed in the aforesaid applications and declarations and amendments thereto to be effected by Great Lakes, Rochelle, and Paxton including particularly those hereinafter described and recited are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935:

(a) The sale and transfer by Paxton to Rochelle of all of its property (including real estate), comprising the manufactured gas plant and system of Paxton serving the City of Paxton and Gibson City, Illinois, and the community of Rantoul in Champagne County, Illinois, together with rights, franchises and current assets for the consideration and upon the terms and conditions specified in the applications and declarations, as amended, of Great Lakes, Paxton, and Rochelle (File No. 70-1177);

(b) The change by Rochelle of its presently existing capital stock of $60,000, consisting of 600 shares of the par value of $100 per share into 10,052 shares of common stock of the par value of $10 per share, and the issuance by Rochelle of said 10,052 shares of common stock for the purpose and in the manner and upon the terms and conditions set forth in the aforesaid applications and declarations.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 46-11876; Filed, July 9, 1946; 10:36 a. m.]

[File No. 70-1296]

UNITED GAS CORP. AND UNITED GAS PIPE LINE CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 2d day of July A. D. 1946.

United Gas Corporation ("United"), a subsidiary of Electric Power & Light Corporation, a registered holding company, and United's wholly owned subsidiary, United Gas Pipe Line Company ("Pipe Line"), having filed a joint application and declaration with amendments thereto under the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder with respect to the following transactions:

United proposes to lend to Pipe Line and the latter proposes to borrow a total of $5,000,000 during the year 1946 in such installments and at such times as funds may be required to meet the construction program of Pipe Line for that year. The proposed loans will be evidenced by unsecured promissory notes issued by Pipe Line to United, from time to time, payable on or before six years from the date of the respective notes, bearing interest at the rate of 3% per annum payable semiannually on January 1 and July 1 of each year.

United proposes to retain the notes of Pipe Line in its investment portfolio but will pledge with the Guaranty Trust Company of New York, the Trustee under United's Mortgage and Deed of Trust dated as of October 1, 1944 securing United's outstanding bonds, all of such notes in an aggregate principal amount in excess of $3,000,000 in accordance with the provisions of said Mortgage and Deed of Trust.

Said joint application and declaration and amendments thereto, having been filed and notices of said filing having been duly given in the form and manner prescribed by Rule U-23 under said Act and the Commission not having received a request for a hearing with respect to said joint application and declaration within the period specified in said notices, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the proposed transactions hereinabove mentioned satisfy the requirements of the provisions of the Act and Rules thereunder, insofar as they are applicable, and that it is appropriate in the public interest and in the interest of investors and consumers that said joint application, as amended, be granted and said joint declaration, as amended, be permitted to become effective.

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid joint application, as amended, be, and the same hereby is, granted and that the aforesaid joint declarations, as amended, be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 46-17879; Filed, July 9, 1946; 10:37 a. m.]

[File No. 70-1325]

NORTHERN STATES POWER 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, Pa., on the 2nd day of July 1946.

Notice is hereby given that Northern States Power Company, a Minnesota corporation and a registered holding company and a subsidiary of Northern States Power Company, a Delaware corporation, also a registered holding company, has filed a declaration pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935.

All interested persons are referred to the declaration which is on file in the office of the Securities and Exchange Commission for a statement of the transactions therein proposed, which may be summarized as follows:

Northern States Power Company proposes to exchange or redeem all of its outstanding 275,000 shares of Cumulative Preferred Stock, $5 Series (Old Preferred Stock), without par value, stated value $100 per share. For this purpose the Company will issue 275,000 shares of new Cumulative Preferred Stock, $— Series (New Preferred Stock), without par value, stated value $100 per share, and will offer to the holders of the Old Preferred Stock the right to exchange their shares of Old Preferred Stock for shares of the New Preferred Stock on a share-for-share basis, together with a cash payment in an amount equal to the difference between the price at which the shares of the New Preferred Stock not issued pursuant to the exchange offer are sold to the public, and the redemption price ($110 per share) for the Old Preferred Stock, plus accrued dividends to date of redemption.

In connection with the exchange and redemption of the Old Preferred Stock, the Company proposes, pursuant to Rule U-50, to invite sealed written proposals for services in obtaining exchanges of shares of Old Preferred Stock and for the purchase of any shares of the New Preferred Stock not taken up by the holders of the Old Preferred Stock. Each proposal shall specify (a) the annual dividend rate for the New Preferred Stock, which rate shall be a figure that is a multiple of 10 cents; (b) the total amount of compensation to be paid the bidders for their services in connection with the exchanges and for the purchase of shares of the New Preferred Stock not required to effect the exchanges; and (c) the price per share (exclusive of accrued dividends) to be paid the Company for the unexchanged shares of New Preferred Stock, which price shall be not more than $102.75 nor less than $100 net, after deducting the per share amount of compensation specified pursuant to the foregoing Clause (b). Each proposal shall state that if the successful bidder shall make a public offering of the shares of New Preferred Stock not required to effect the exchanges, such public offering price will be the price per share referred to in (c) above, plus accrued dividends from July 1, 1946.

The Company has designated Sections 6 and 7 of the Public Utility Holding Company Act of 1935 and Rule U-50 as applicable to the proposed transactions.

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 the matters set forth in the declaration and that said declaration should not be permitted to become effective except pursuant to further order of this Commission;

It is ordered, That a hearing on said declaration under the applicable provisions of the act and the rules and regulations promulgated thereunder be held at 10 a. m., e. d. s. t. on the 16th day of July, 1946, at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date, the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. Any person desiring to be heard or otherwise wishing to participate in these proceedings shall file with the Secretary of the Commission on or before July 9, 1946 his request or application therefor as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That Harold B. Teegarden or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of 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 such filing, particular attention will be directed at such hearing to the following matters and questions:

1. Whether the securities proposed to be issued and sold by Northern States Power Company are reasonably adapted to the security structure and earning power of Northern States Power Company and are necessary and appropriate to the economical and efficient operation of the business or businesses in which Northern States Power Company is engaged.

2. Whether the terms and conditions of the issue and sale of the securities of Northern States Power Company are detrimental to the public interest or the interest of investors or consumers.

3. Whether the fees, commissions or other remuneration to be paid in connection with the proposed transactions are for necessary services and are reasonable in amount.

4. Whether the accounting entries to be recorded in connection with the proposed transactions are proper and conform to sound accounting principles and meet the standards of the Act.

5. Whether it is necessary or appropriate in the public interest and the interest of investors and consumers that the proposed issue of New Preferred Stock be conditioned upon the making of such charter amendments as may be necessary to provide (1) for appropriate voting rights by holders of the New Preferred Stock in the event of default in the payment of dividends; (2) for appropriate provisions restricting the payment of common stock dividends in the event that capitalization ratios may from time to time be such as to warrant such dividend restrictions; or (3) any other appropriate provisions for the protection of the holders of the preferred stock.

6. Whether the terms and conditions of the proposed exchange offer affecting the Preferred Stock of Northern States Power Company are fair and reasonable

and in the public interest and in the interest of investors and consumers.

7. Whether it is necessary or appropriate to impose terms or conditions in the public interest or for the protection of investors or consumers in connection with the proposed transactions.

8. Whether, generally, 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 the Secretary of the Commission shall serve by registered mail copies of this order on the Federal Power Commission, the Public Service Commission of North Dakota, the Railroad and Warehouse Commission of Minnesota, the Public Utilities Commission of South Dakota, and on the declarant herein; and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 46-11880; Filed, July 9, 1946; 10:37 a. m.]

[File No. 70-1328]

THE UNITED CORP.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 3rd day of July A. D. 1946.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The United Corporation (United), a registered holding company.

Notice is further given that any interested person may, not later than July 15, 1946, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such declaration, as filed or as amended, may become effective as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsulvania.

All interested persons are referred to said declaration which is on file in the office of said Commission for a statement of the transactions therein proposed, which are summarized below:

United proposes to pay in full on its outstanding 1,214,699 shares of $3 Cumulative Preference Stock all accumulated dividends which, as of July 1, 1946, amounted to $7.50 per share, or a total of $9,110,242.50. United's entire balance in Earned Surplus, estimated at $5,000,000 as of July 1, 1946, will be utilized for this purpose and the remaining part of the aggregate amount of such dividend, approximately $4,110,242.50, will be charged to unrestricted capital surplus which as of May 31, 1946 amounted to $32,660,355.

The proposed transaction is described as a facilitating step in a program contemplated by United to effectuate further partial compliance with the Commission's order of August 14, 1943 directing United to change its capitalization to one class of stock, namely, common stock and to take such action as will cause it to cease to be a holding company. The other contemplated transactions, which are not before us for approval at this time involve (a) the payment, as of October 1, 1946, of a quarterly dividend on the Preference Stock of 75¢ per share, or an aggregate amount of $911,024.25; and (b) the filing of plans pursuant to section 11 (e) of the act providing for the disposition of the bulk of United's holdings of the common stock of Niagara Hudson Power Corporation by offering to United's common stockholders the right to purchase such securities, and providing for the elimination of the remaining 1,214,699 shares of United's $3 Cumulative Preference Stock by paying to the holders thereof $50 per share, plus accrued dividends, if any.

The company states that the plan for disposing of its holdings of the common stock of Niagara Hudson Power Company will be legally simplified, if in advance of such an offering, the dividends in arrears on the Preference Stock are declared and paid.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant to the Secretary.

[F. R. Doc. 46-11881; Filed, July 9, 1946; 10:37 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 6074]

GERMAN NATIONALS

In re: Copyright interests of German nationals.

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

1. Finding that each person (including individuals, partnerships, associations, corporations and other business organizations) whose name appears in the "Halbjahrsverzeichnis der Neuerscheinungen des deutschen Buchhandels" for the years 1941, 1942 and 1943, published by the Börsvenverein der Deutschen Buchhändler zu Leipzig, Leipzig, Germany, 1941, 1942 and 1943, and the Deutsche Nationalbibliographie for the year 1944, published by Börsenverein der Deutschen Buchhändler zu Leipzig, Leipzig, Germany, 1944 attached hereto and by reference made a part hereof, and whose address is listed therein as being in Germany, is a resident of Germany or is a partnership, association, corporation or other business organization organized under the laws of, or having its principal place of business in, Germany, and is a national of a foreign country (Germany);

2. Finding that each partnership, association, corporation or other business organization whose name appears in the "Halbjahrsverzeichnis der Neuerscheinungen des deutschen Buchhandels" for the years 1941, 1942 and 1943, published by the Börsenverein der Deutschen Buchhändler zu Leipzig, Leipzig, Germany, 1941, 1942 and 1943, and the Deutsche Nationalbibliographie, for the year 1944, published by Börsenverein der Deutschen Buchhändler zu Leipzig, Leipzig, Germany, 1944 attached hereto and by reference made a part hereof, and which was organized under the laws of, or which has, or on or since June 14, 1941, has had, its principal place of business in, Germany, is a national of a foreign country (Germany);

3. Finding that the property described as follows: All right, title, interest and claim of whatsoever kind or nature, under the statutory or common law of the United States and of the several States thereof, of the persons identified in subparagraphs 1 and 2 hereof, and also of each and all other individuals who are residents of, and of each and all other partnerships, associations, corporations or other business organizations organized under the laws of, or which have, or on or since June 14, 1941, have had, their principal places of business in, Germany, whether or not named elsewhere in this order or in the "Halbjahrsverzeichnis der Neuerscheinungen des deutschen Buchhandels" for the years 1941, 1942 and 1943 published by the Börsenverein der Deutschen Buchhändler zu Leipzig, Leipzig, Germany, 1941, 1942 and 1943, and the Deutsche Nationalbibliographie, for the year 1944, published by Börsenverein der Deutschen Buchhändler zu Leipzig, Leipzig, Germany, 1944, attached hereto and by reference made a part hereof, in, to and under the following:

a. Every copyright, claim of copyright and right to copyright in each and all of the works described in said "Halbjahrsverzeichnis der Neuerscheinungen des deutschen Buchhandels" for the years 1941, 1942 and 1943, published by the Börsenverein der Deutschen Buchhändler zu Leipzig, Leipzig, Germany, 1941, 1942 and 1943, and the Deutsche Nationalbibliographie for the year 1944, published by Börsenverein der Deutschen Buchhändler zu Leipzig, Leipzig, Germany for 1944, and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

b. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

c. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

d. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

e. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property of, or is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

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

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate 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 22, 1946.

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

[F. R. Doc. 46-11846; Filed, July 8, 1946; 11:47 a.m.]

[Vesting Order 6437]

BABETTE JACCARD

In re: Estate of Babette Jaccard, deceased. File No. D-28-9873; E.T. sec. 13942.

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: Cash in the amount of $270.17.

is property in the possession of the Alien Property Custodian;

That such property was held by Walter M. Hoffman, Executor of the Estate of Babette Jaccard and is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Sigmund Herrmann, Germany.
Rosa Herrmann, Germany.

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

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

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

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to 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 June 5, 1946.

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

[F. R. Doc. 46-11856; Filed, July 9, 1946; 9:36 a. m.]

[Vesting Order 6520]

ALBERT R. SEARLES

In re: Estate of Albert R. Searles, deceased. File No. D-28-6587; E.T. sec. 5416.

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, interest and claim of any kind or character whatsoever of Martha F. Heins, Alma Ehrlich and Marie Stapff, and each of them, in and to the estate of Albert R. Searles, deceased, and all right, title, interest and claim of any kind or character whatsoever of Martha F. Heins, Wolfardt Stapff, Ursula Colpe, and Elizabeth Ehrlich, and each of them, in and to the trust created under Paragraph "Sixth" of the Last Will and Testament of Albert R. Searles, deceased,

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

Nationals and Last Known Address

Martha F. Heins, Germany.
Wolfardt Stapff, Germany.
Ursula Colpe, Germany.
Elizabeth Ehrlich, Germany.
Alma Ehrlich, Germany.
Marie Stapff, Germany.

That such property is in the process of administration by Alexander Bailwitz, as Executor and Trustee, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

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

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

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

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

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

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

Executed at Washington, D. C., on June 12, 1946.

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

[F. R. Doc. 46-11857; Filed, July 9, 1946; 9:36 a. m.]

[Vesting Order CE 308]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN OREGON COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 4 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property which each of the persons named in said Column 1 of said Exhibit A obtained or is determined to have as a result of the action or proceeding described in said Column 3 of said Exhibit A the sums stated in said Column 4 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

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

Executed at Washington, D. C., on June 25, 1946.

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

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
		Item 1	
Henning Moller	Denmark	Estate of Jacob H. Moller, deceased, County Court, State of Oregon, Umatilla County.	$5.00
		Item 2	
Maren Matthiesen	Denmark	Same	12.00
		Item 3	
Children of Karoline Alsen	Denmark	Same	12.00
		Item 4	
Catherine Christensen	Denmark	Same	12.00
		Item 5	
Christine Jorgensen	Denmark	Same	12.00
		Item 6	
Nielsine Nielsen	Denmark	Estate of Hans Nielsen, deceased, Circuit Court, State of Oregon, Multnomah County; Department of Probate No. 51-138.	17.00
		Item 7	
Ane Kirstine Nielsen	Denmark	Same	17.00
		Item 8	
Jens Poulsen	Denmark	Same	17.00

[F. R. Doc. 46-11803; Filed, July 8, 1946; 9:53 a. m.]

[Vesting Order 6641]

N. V. EDMUND WAGENKNECHT'S HANDELMAATSCHAPPIJ

In re: Debt owing to N. V. Edmund Wagenknecht's Handelmaatschappij.

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

1. Having found and determined in Vesting Order Number 2170, dated September 9, 1943, that N. V. Edmund Wagenknecht's Handelmaatschappij is a corporation organized under the laws of The Netherlands, whose principal place of business is located at Heerengracht 256, Amsterdam, Holland, and is a national of a designated enemy country (Germany);

2. Finding that the property described as follows: That certain debt or other obligation owing to N. V. Edmund Wagenknecht's Handelmaatschappij, by Atlantic Assets Corporation, 420 Lexington Avenue, New York, New York, in the amount of $1,015,746.47, as of January 1, 1942, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

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

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

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

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

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 June 18, 1946.

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

[F. R. Doc. 46-11858; Filed, July 9, 1946; 9:36 a. m.]

[Vesting Order 6645]

GEORG EBNET

In re: Bank account owned by Georg Ebnet. F-28-9601-E-1.

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

1. That Georg Ebnet, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Georg Ebnet, by The First National Bank of Chicago, Chicago, Illinois, arising out of a savings account, Account Number 1,354,035, entitled Georg Ebnet, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

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

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

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

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

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 June 19, 1946.

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

[F. R. Doc. 46-11859; Filed, July 9, 1946; 9:36 a. m.]

[Vesting Order 6647]

META B. GENZMER

In re: Bank account owned by Meta B. Genzmer. F-28-9818-E-1.

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

1. That Meta B. Genzmer, whose last known address is Verden a. d. Aller, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Meta B. Genzmer, by Security-First National Bank of Los Angeles, Sixth and Spring Streets, Los Angeles, California, arising out of a term savings account, Account Number 393555, entitled Meta B. Genzmer, maintained at the branch office of the aforesaid bank located at 110 South Spring Street, Los Angeles 12, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

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

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

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

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

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 June 19, 1946.

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

[F. R. Doc. 46-11860; Filed, July 9, 1946; 9:36 a. m.]

[Vesting Order 6648]

EMILIE HARTMANN

In re: Bank account owned by Emilie Hartmann. F-28-10010-E-1.

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

1. That Emilie Hartmann, whose last known address is Potsdam, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Emilie Hartmann, by Union Bank & Trust Co. of Los Angeles, 760

South Hill Street, Los Angeles, California, arising out of a term savings account, Account Number 86313, entitled Emilie Hartmann, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

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

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

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

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

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 June 19, 1946.

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

[F. R. Doc. 46-11861; Filed, July 9, 1946; 9:36 a. m.]

[Vesting Order 6649]

META HELLMIS

In re: Bank account owned by Meta Hellmis. F-28-10074-E-1.

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

1. That Meta Hellmis, whose last known address is Kaiserdam 99, Charlottenburg, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Meta Hellmis, by Union Bank & Trust Company of Los Angeles, 760 South Hill Street, Los Angeles, California, arising out of a Term Savings Account, Account Number 84383, entitled Meta Hellmis, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

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

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

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

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

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 June 19, 1946.

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

[F. R. Doc. 46-11862; Filed, July 9, 1946; 9:37 a. m.]

[Vesting Order 6676]

MARIE WERNER

In re: Bank account owned by Marie Werner, also known as Maria Werner. F-28-12710-E-1.

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

1. That Marie Werner, also known as Maria Werner, wose last known address is Horst Wesselstr. Aulendorf, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Marie Werner, also known as Maria Werner, by The San Francisco Bank, 526 California Street, San Francisco 4, California, arising out of a Savings Account, Account Number 763091, entitled Marie Werner, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

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

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

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

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

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 June 19, 1946.

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

[F. R. Doc. 46-11863; Filed, July 9, 1946; 9:37 a. m.]

[Vesting Order 6677]

MRS. ANNA WILLMY

In re: Bank account owned by Mrs. Anna Willmy also known as Anna Stricker. F-28-12749-E-1; F-28-12749-C-1.

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

1. That Mrs. Anna Willmy, also known as Anna Stricker, whose last known address is Frankfurterstrasse 75, Kalbach (Taunus) Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Mrs. Anna Willmy, also known as Anna Stricker, by Security-First National Bank of Los Angeles, Sixth and Spring Streets, Los Angeles, California, arising out of a Savings Account, Account Number 394233, entitled Mrs. Anna Willmy, maintained at the branch office of the aforesaid bank located at 110 South Spring Street, Los Angeles, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

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

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

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

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

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 June 19, 1946.

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

[F. R. Doc. 46-11864; Filed, July 9, 1946; 9:37 a. m.]

[Vesting Order 6678]

MATILDE M. ZIEGLER

In re: Bank account owned by Matilde M. Ziegler. F-28-7439-E-1.

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

1. That Matilde M. Ziegler, whose last known address is Johannisbergerstr. 41A, Berlin, Wilmersdorf, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Matilde M. Ziegler, by The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a checking account, entitled Matilde M. Ziegler, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

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

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

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

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

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 June 19, 1946.

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

[F. R. Doc. 46-11865; Filed, July 9, 1946; 9:37 a. m.]

[Vesting Order 6682]

JOSEPH KEMPER

In re: Bank account owned by Joseph Kemper. F-28-272-E-1.

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

1. That Joseph Kemper, whose last known address is Berlin, Germany, is a resident of Germany, and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Joseph Kemper by Union Dime Savings Banks, 1065 Avenue of the Americas, New York 18, New York, arising out of a Savings Account, Account Number 1101843, entitled Monroe Newberger in trust for Joseph Kemper, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

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

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

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

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

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 June 20, 1946.

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

[F. R. Doc. 46-11866; Filed, July 9, 1946; 9:37 a. m.]

[Vesting Order 6683]

EDWARD Y. KUROISHI

In re: Bank account owned by Edward Y. Kuroishi.

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

1. That Edward Y. Kuroishi, whose last known address is c/o The Brazilian Embassy, Tokyo, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Edward Y. Kuroishi, by The National City Bank of New York, 55 Wall Street, New York, New York, arising out of a special checking account, Account Number 192, entitled Edward Y. Kuroishi, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

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

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

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

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

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 June 20, 1946.

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

[F. R. Doc. 46-11867; Filed, July 9, 1946; 9:37 a. m.]

[Vesting Order 6702]

KONRAD ZITTEL

In re: Debt owing to Konrad Zittel.

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

1. That Konrad Zittel, whose last known address is 80 Meerlautererstrasse, Kaiserlautern Palatinate, Germany is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: All those debts or other obligations owing to Konrad Zittel, by Richter & Kaiser, Inc., 186 Remsen Street, Brooklyn 2, New York, including particularly but not limited to a portion of the sum of money on deposit with Manufacturers Trust Company, 55 Broad Street, New York, New York, in a dollar account, entitled Richter & Kaiser, Inc. Special, Blocked as German Nationals, maintained at the branch office of the aforesaid bank located at 209 Montague Street, Brooklyn, New York, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

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

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

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

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

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 June 20, 1946.

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

[F. R. Doc. 46-11868; Filed, July 9, 1946; 9:38 a. m.]

[Vesting Order 6719]

MRS. ELISABETH RENNAU, ET AL.

In re: Debt owing to the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Mrs. Elisabeth Rennau, also known as Mrs. Elizabeth Rennau, deceased. F-28-8816-C-1.

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

1. That the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Mrs. Elisabeth Rennau, also known as Mrs. Elizabeth Rennau, deceased, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Mrs. Elisabeth Rennau, also known as Mrs. Elizabeth Rennau, deceased, by Julius Forstmann & Co., Inc., 2 Barbour Avenue, Passaic, New Jersey, in the amount of $48,806.73, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country;

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

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

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

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

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 June 24, 1946.

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

[F. R. Doc. 46-11869; Filed, July 9, 1946; 9:38 a. m.]

[Vesting Order 6726]

AUGUST BECKER AND PAULINE BECKER

In re: Bank account owned by August Becker and Pauline Becker. F-28-4854-C-1.

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

1. That August Becker and Pauline Becker, whose last known address is 55 Dietzen Strasse, Idar Oberstein O/d Nahe, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to August Becker and Pauline Becker, by The Guardian Trust Company, Room 1436, Guardian Building, Box 6537, Cleveland, Ohio, arising out of a savings account, Account Number 230232, entitled August or Pauline Becker, as evidenced by liquidation claim number 7-256, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country;

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

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

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

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

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 June 25, 1946.

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

[F. R. Doc. 46-11870; Filed, July 9, 1946; 9:38 a. m.]

[Vesting Order 6727]

ERNEST BESSER

In re: Bank accounts owned by Ernest Besser. F-28-8431-E-1.

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

1. That Ernest Besser, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation owing to Ernest Besser, by The American National Bank of Denver, Denver, Colorado, arising out of a savings account, Account Number 127235, entitled Ernest Besser, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation owing to Ernest Besser, by The American National Bank of Denver, Denver, Colorado, arising out of a depository account, entitled Ernest Besser, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

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

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

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

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

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 June 25, 1946.

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

[F. R. Doc. 46-11871; Filed, July 9, 1946; 9:38 a. m.]