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Washington, Thursday, April 19, 1945

The President

EXECUTIVE ORDER 9540

AUTHORIZING THE PETROLEUM ADMINISTRATOR TO TAKE POSSESSION OF AND TO OPERATE THE PLANTS AND FACILITIES OF THE CITIES SERVICE REFINING CORPORATION, LOCATED IN AND AROUND LAKE CHARLES, LOUISIANA

WHEREAS after investigation I find and proclaim that the plants and facilities owned or leased by the Cities Service Refining Corporation located in and around Lake Charles, Louisiana, are equipped for the manufacture and production of articles and materials that are required for the war effort, or that are useful in connection therewith; that there are existing interruptions of the operation of the said plants and facilities as a result of a labor disturbance; that the war effort will be unduly impeded or delayed by these interruptions; and that the exercise, as hereinafter specified, of the powers vested in me is necessary to insure, in the interest of the war effort, the operation of these plants and facilities:

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including section 9 of the Selective Training and Service Act of 1940 (54 Stat. 892) as amended by the War Labor Disputes Act (57 Stat. 163), as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby ordered as follows:

1. The Petroleum Administrator is hereby authorized and directed, through and with the aid of any persons or instrumentalities that he may designate, to take possession of the plants and facilities of the Cities Service Refining Corporation located in and around Lake Charles, Louisiana, and, to the extent that he may deem necessary, of any real or personal property, and other assets wherever situated, used in connection with the operations thereof; to operate or to arrange for the operation of the plants and facilities in any manner, in accordance with applicable laws, that he may deem necessary for the successful

prosecution of the war; to exercise any contractual or other rights of the Cities Service Refining Corporation, and to continue or discontinue the employment of, or to employ, any persons; and to do any other things that he may deem necessary for, or incidental to, the operation of the said plants and facilities and the production, sale, and distribution of the products thereof; and to take any other steps that he deems necessary to carry out the provisions and purposes of this order.

2. All Federal agencies, including, but not limited to, the National War Labor Board, the War Manpower Commission, the National Selective Service System, and the Department of Justice, are directed to cooperate with the Petroleum Administrator to the fullest extent possible in carrying out the purposes of this order.

3. The Petroleum Administrator shall provide such protection as may be required for such plants and facilities, and protection for all persons employed or seeking employment therein, both while at work and while going to and from work, and for their families and homes; and upon the request of the Petroleum Administrator, or such person as may be designated to act for him, the Secretary of War shall take such action as may be necessary to provide such protection to such persons and property.

4. The Petroleum Administrator shall permit the management of the plants and facilities taken under the provisions of this order to continue with its managerial functions to the maximum degree possible consistent with the aims of this order.

5. Possession, control, and operation of any plant or facility, or part thereof, taken under this order shall be terminated by the Petroleum Administrator after possession of such plant, facility, or part thereof, is no longer required for the successful prosecution of the war, but in no event more than sixty days after the restoration of the productive efficiency thereof prevailing prior to the taking of possession thereof.

6. The Petroleum Administrator may delegate any and all power, authority, and discretion conferred upon him by this

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per book.

Book 1: Titles 1-31, including Presidential documents in full text.
Book 2: Titles 32-50, with 1943 General Index and 1944 Codification Guide.

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order to the Deputy Petroleum Administrator. The Petroleum Administrator and Deputy Petroleum Administrator may exercise the powers, authority, and discretion conferred upon them by or under the provisions of this order through such personnel of the Petroleum Administration for War in such manner as the Petroleum Administrator or Deputy Petroleum Administrator may determine.

HARRY S. TRUMAN

THE WHITE HOUSE,
April 17, 1945.

[F. R. Doc. 45-6165; Filed, Apr. 18, 1945; 9:37 a. m.]

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 22—REGULATIONS GOVERNING APPEALS OF PREFERENCE ELIGIBLES UNDER THE VETERANS' PREFERENCE ACT OF 1944

DECISION IN COMMISSION AND FURTHER APPEALS

Section 22.10 (9 F.R. 13191) is amended by adding a new paragraph as follows:

§ 22.10 *Decision in the Commission.*

(c) *Report by agencies to Commission of action taken or proposed to be taken on finding favorable to employee.* When the finding and recommendation is that the employee be restored to his position, or is otherwise favorable to the employee, the employing agency will, at the time the finding and recommendation is transmitted to it, be requested to report to the Chief Law Officer or the regional office, as the case may be, within seven (7) days of the receipt of such finding and recommendation, regarding the action taken or proposed to be taken by the employing agency.

In § 22.11 (9 F.R. 13191) paragraph (a) is amended as follows:

§ 22.11 *Further appeals to the Commissioners—(a) Time limit for filing.* An appeal may be made by the employee from a decision of the Chief Law Officer or Regional Office to the Commissioners, the United States Civil Service Commission, within thirty (30) days of the date of receipt of notification of the decision. An appeal may be made to the Commissioners by the employing agency within seven (7) days of the date of receipt of such notification.

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL,
President.

MARCH 30, 1945.

[F. R. Doc. 45-6168; Filed, Apr. 18, 1945; 10:05 a. m.]

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 123, Amdt. 1]

PART 1400—DELEGATION OF AUTHORITY

DELEGATION OF AUTHORITY TO OFFICE OF PRICE ADMINISTRATION WITH RESPECT TO SLAUGHTER OF LIVESTOCK

Pursuant to the provisions of the Directive issued March 16, 1945, by the Director of War Mobilization and Reconversion, supplementing the authority heretofore delegated to the Office of Price Administration under War Food Order No. 56 (formerly Food Directive 3), issued by the Secretary of Agriculture on February 15, 1943 (8 F.R. 2003), and War Food Order No. 61 (formerly Food Directive 7), issued by the Acting Secre-

tary of Agriculture on March 20, 1943 (8 F.R. 3471), and for the purpose of encouraging the movement of livestock into slaughtering establishments operated under Federal inspection, War Food Order No. 123 (10 F.R. 1125), is hereby amended to read as follows:

§ 1400.13 *Delegation of authority to Office of Price Administration with respect to the slaughter of livestock and the production of meat*—(a) *Authority delegated.* The Office of Price Administration is authorized to perform the functions and exercise the power, authority, and discretion conferred upon the President by Title III of the Second War Powers Act of 1942, insofar as the performance of such functions and the exercise of such power, authority, and discretion is necessary in order to enable the Office of Price Administration to establish and enforce quotas governing the slaughter of cattle, calves, sheep, lambs, and swine, *Provided, however,* That this delegation shall not be construed to include authority to limit or restrict (1) the total number of animals slaughtered or the total amount of meat produced by all slaughterers; (2) the number of animals slaughtered or the amount of meat produced by any slaughterer, other than custom slaughterers, whose establishment is operated under Federal inspection, or (3) the acquisition or distribution, by allocation or otherwise, of live cattle, calves, sheep, lambs, and swine.

(b) *Effective date.* This order shall become effective at 12:01 a. m., April 29, 1945.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; OWM Directive of March 16, 1945)

Issued this 18th day of April 1945.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 45-6217; Filed, Apr. 18, 1945; 11:41 a. m.]

[WFO 15-15]

PART 1401—DAIRY PRODUCTS
CHEDDAR CHEESE

Pursuant to the authority vested in me by War Food Order No. 15, as amended (8 F.R. 1704, 5698, 9 F.R. 2072, 4321, 4319, 9584, 10 F.R. 103), it is hereby ordered as follows:

§ 1401.195 *Percentage of Cheddar cheese to be set aside in May 1945*—(a) *Definitions.* Each term defined in War Food Order No. 15, as amended, shall, when used herein, have the same meaning as set forth for such term in War Food Order No. 15, as amended.

(b) *Percentage.* Each person who is required by War Food Order No. 15, as amended, to set aside Cheddar cheese during May 1945 shall set aside, in said month, a quantity of Cheddar cheese equal at least to 65 percent of all Cheddar cheese produced by him in that month.

(c) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., May 1, 1945.

(E. O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 15, as amended, 8 F.R. 1704, 5698, 9 F.R. 2072, 4321, 4319, 9584, 10 F.R. 103)

Issued this 16th day of April 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-6155; Filed, Apr. 17, 1945; 3:27 p. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property
Custodian

PART 503—REGULATIONS ISSUED UNDER
GENERAL ORDER NO. 13

LICENSING TRANSACTIONS INVOLVING COPY-
RIGHTS

Section 503.13-3 (a) (1) of Regulation No. 3 under General Order No. 13 is hereby amended to read as follows:

§ 503.13-3 *Licensing transactions involving copyrights.* (a) * * *

(1) The making and filing in the United States Copyright Office of applications for registration or renewal of copyrights in which a designated foreign country or a national thereof has at any time on or since the effective date of Executive Order No. 8389, as amended, had any interest, and the receipt of registration or renewal certificates granted pursuant to any such applications: *Provided,* That the making or filing of such application involves no communication, direct or indirect, with an enemy national.

Executed at Washington, D. C., on April 16, 1945.

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

[F. R. Doc. 45-6187; Filed, Apr. 18, 1945; 10:50 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T. D. 5451]

PART 29—INCOME TAX; TAXABLE YEARS BE-
GINNING AFTER DECEMBER 31, 1941

CERTIFICATE TO BE ATTACHED TO RETURN IN
CASE OF CERTAIN BLIND INDIVIDUALS

Section 29.23 (y)-1 of Regulations 111 (26 CFR, Cum. Supp., Part 29), as amended by Treasury Decision 5425, approved December 29, 1944, is further amended by striking from the sentence beginning with the words "An individual" the following: "showing in detail the condition of his eyes as of the status determination date", and inserting in lieu thereof the following: "stating that as of the status determination date, in the opinion of such physician or optometrist, (1) such individual's central visual acuity did not exceed 20/200 in the better eye with correcting lenses or (2) such individual's visual acuity was accompanied

by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees."

(Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C. 62))

GEO. J. SCHOENEMAN,
Acting Commissioner
of Internal Revenue.

Approved: April 17, 1945.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 45-6160; Filed, Apr. 17, 1945; 3:54 p. m.]

TITLE 29—LABOR

Chapter VI—National War Labor Board

PART 803—GENERAL ORDERS

RETAIL FUR INDUSTRY IN ALLEGHENY COUNTY,
PA., AND BAKERY INDUSTRY IN CUYAHOGA
COUNTY, OHIO

The National War Labor Board, under paragraph (d) of § 803.4 (General Order No. 4), has approved the following exceptions to the exemption provided for in paragraph (a) of this order:

(55) All employers in the retail fur industry in Allegheny County, Pennsylvania. (Approved, April 11, 1945).

(56) All employers in the bakery industry in Cuyahoga County, Ohio. (Approved, April 12, 1945).

(E.O. 9250, Oct. 2, 1942, 7 F.R. 7871; as amended by E.O. 9381, Sept. 25, 1943, 8 F.R. 13083; E.O. 9328, Apr. 8, 1943, 8 F.R. 4681; Act of Oct. 2, 1942, C 578, 56 Stat. 765, Pub. Law 729, 77th Cong.)

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 45-6166; Filed, Apr. 18, 1945; 9:43 a. m.]

Appendix—Industry Commissions and Panels

TEXTILE COMMISSIONS

By virtue of and pursuant to the powers vested in it by Executive Order 9017 of January 12, 1942, the Executive orders and regulations issued under the act of Congress of October 2, 1942, and the War Labor Disputes Act of June 25, 1943, and in order to effectuate the provisions of the directive orders of February 20, 1945, in the cases of 23 Southern Cotton Textile Companies, Nos. 111-5110-D, etc., 25 New England Cotton and Rayon Companies, Nos. 111-7739-D, etc., and 6 New York and Pennsylvania Rayon Companies, Nos. 111-7107-D, etc., the National War Labor Board hereby directs:

I. There are hereby created two Textile Commissions, one with headquarters at Atlanta, Georgia and the other with headquarters at Boston, Massachusetts, with jurisdiction as follows:

A. *The Commission at Atlanta, Georgia.* With respect to the 23 Southern Cotton Textile Companies covered by the directive order of February 20, 1945, and such other companies as the Board may from time to time designate, this Commission shall have jurisdiction to ap-

prove agreements and to decide disputes submitted to it, subject to the provisions of said directive order and the limitations and principles contained therein.

B. *The Commission at Boston, Massachusetts.* With respect to the 25 New England Cotton and Rayon Companies and the 6 New York and Pennsylvania Rayon Companies covered by the directive order of February 20, 1945, and such other companies as the Board may from time to time designate, this Commission shall have jurisdiction to approve agreements and decide disputes submitted to it, subject to the provisions of said directive orders and the principles and limitations contained therein.

II. Each Commission shall consist of three members to be appointed by the Board, one of whom shall represent labor, one industry and one the public. The public member shall act as Chairman. The Board may at any time appoint alternates or substitutes for the members of each Commission. The labor and industry members of each Commission, whether alternate or substitute, shall serve on a per diem basis and shall be appointed by the Board from nominees submitted by the labor and industry members of the Board, respectively. The presence of all three members of each Commission shall be necessary to constitute a quorum and a majority vote shall determine the decision of the Commission.

III. The rulings of each Commission on wage or salary adjustments and its directive orders in dispute cases shall have the same effect, and be subject to stay and review by the National War Labor Board to the same extent, as rulings and orders of the Regional War Labor Boards, as set forth in Parts IV and VI of the Board's rules of procedure, as amended, except that, in addition to the review therein provided for, the Board shall in any case consider the merits of a petition for review from any ruling or order of either Commission which is claimed to conflict with one or more of the "guide posts" or other limitations and principles set forth in the applicable directive orders of February 20, 1945, referred to above.

IV. Each Commission shall transmit regularly to the Board copies of its decisions and rulings and such additional data and reports as the Board may from time to time require.

Approved by Board, April 12, 1945.

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 45-6167; Filed, Apr. 18, 1945; 9:43 a. m.]

Chapter IX—War Food Administration (Agricultural Labor)

[Supp. 1, Amdt. 3]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

ASPARAGUS WORKERS IN DESIGNATED CALIFORNIA COUNTIES

Section 1102.1 (9 F.R. 833, 4574, 10 F.R. 1263) paragraph (b) III is hereby amended to read as follows:

III. Cannery culls sorted at cannery.

A. No payment may be made for cutting, sledding, washing, racking and boxing cannery culls except those sold and utilized for human consumption.

This amendment shall be effective at 12:01 a. m., pacific war time, April 19, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq., (Supp. III), 57 Stat. 63 (1943), 50 U.S.C. 964 (Supp. III), 58 Stat. 632 (1944), E.O. No. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; regulations of the Economic Stabilization Director, 8 F.R. 11960-12139, 16702, 9 F.R. 6035, 14547; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 9 F.R. 831, 12807, 14206, 10 F.R. 3177)

Issued this 17th day of April 1945.

WILSON R. BUIE,
Director of Labor,
War Food Administration.

[F. R. Doc. 45-6193; Filed, Apr. 18, 1945; 11:08 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 288]

CERTIFICATE OF DISPOSAL OF CONFIDENTIAL RECORDS

ORDER PRESCRIBING FORMS

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

Addition of a new form designated as DSS Form 380, entitled "Certificate of Disposal of Confidential Records."¹

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

LEWIS B. HERSHEY,
Director.

APRIL 17, 1945.

[F. R. Doc. 45-6195; Filed, Apr. 18, 1945; 11:31 a. m.]

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 58 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-754]

NATIONAL AUTO ACCESSORIES CORP.

National Auto Accessories Corporation of 1142 Columbus Avenue, Boston, Massachusetts, is a dealer in automobile accessories.

¹ Filed as part of the original document.

In January, March and June, 1944, National Auto Accessories Corporation, by unauthorized use of AA-1 preference ratings and the MRO symbol assigned by CMP Regulation 5, obtained 8,688 flashlight batteries not needed or intended for essential maintenance, repair and operating supplies, all in violation of Priorities Regulation No. 3 and CMP Regulation No. 5. These violations were wilful. National Auto Accessories Corporation has failed to keep and preserve accurate and complete records of its inventory of flashlight batteries in violation of Priorities Regulation No. 1. These violations have interfered with the controls established by the War Production Board for the allocation of materials; have diverted critical materials to uses not authorized by the War Production Board, and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.754 *Suspension Order No. S-754.* (a) National Auto Accessories Corporation shall not for four months from the effective date of this order, receive or accept delivery of any dry cell batteries or portable electric lights as defined in Limitation Order L-71 unless hereafter specifically authorized in writing by the War Production Board.

(b) National Auto Accessories Corporation shall not for four months from the effective date of this order apply or extend any preference ratings or use any CMP allotment symbols regardless of the delivery date named in any purchase order to which such ratings may be applied or extended or on which CMP allotment symbols are used.

(c) National Auto Accessories Corporation shall cancel immediately all preference ratings which it has supplied or extended to orders which have not yet been filled, except that if it has extended a bona fide customers rating to get an item for delivery, without change in form, to that customer (as distinct from replacing it in inventory) it need not cancel the rating provided the item when received is promptly delivered to the customer whose rating was extended.

(d) The restrictions and prohibitions contained herein shall apply to National Auto Accessories Corporation, its successors and assigns, or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(e) Nothing contained in this order shall be deemed to relieve National Auto Accessories Corporation, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(f) This order shall take effect on April 18, 1945.

Issued this 11th day of April 1945.

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

[F. R. Doc. 45-6192; Filed, Apr. 18, 1945; 11:06 a. m.]

PART 3290—TEXTILES, CLOTHING AND LEATHER

[Conservation Order M-328B, Supp. XIV to Schedule A as Amended Apr. 18, 1945]

The following Supplement XIV to Schedule A is issued pursuant to Conservation Order M-328B (§ 3290.120a):

MACKINAW, PEA COAT, AND COSSACK JACKET PROGRAM No. 1

Item No.		Price range	
		Table I	Table II
<i>Mackinaws and pea coats</i>			
1	Men's, sizes 34-48.....	\$0.00	\$12.50
2	Boys', sizes 8-18.....	7.00	9.75
3	Juveniles', sizes 4-10.....	5.50	7.75
<i>Cossack jackets</i>			
4	Men's, sizes 34-48.....	6.00	8.50
5	Boys', sizes 8-18.....	4.75	6.50
6	Juveniles', sizes 4-10.....	3.50	5.00

Types of material

1. "Mackinaw cloths" means: woven meltons and melton type and fleece fabrics of all widths weighing 26 oz. and over per linear yard on a 56-inch width basis; and similar fabrics (of equivalent weights) suitable for men's and boys' utility jackets and mackinaws, including all fabrics of the kind reported by each woolen fabric manufacturer for any calendar quarter of 1944 on Form WPB-1420 on line 38.0 entitled "Melton, Mackinaw Jacket" and similar cloths weighing 26 oz. and over, or on line 36.5 under women's and children's top fabrics weighing 20 oz. and over. It includes only woven fabrics containing 25 percent or more by weight of wool fibre.

2. "Linings:

Body lining in cotton plaids and napped fabrics for Items 2 and 3, only;
Sleeve and pocket flap lining, 3 leaf twills, for Items 1, 2 and 3, only;
Pocket lining, Class "B", 40 inch-48 x 40-3.75 sheeting, for all items, 1 through 6 inclusive."

3. Separating type slide fasteners to be used on cossack jackets only.
Application on Form WPB-3732 (set forth separately and identify in column (f) of form: (1), 1944 production on your facilities for your own account; (2), 1944 production on your facilities for the account of others; (3), 1944 production by others for your account).

Filing date: April 18, 1945.

(a) These items must be produced during the second, third and fourth calendar quarters of 1945 in as near equal proportions as deliveries of the fabric will permit.

(b) Priority assistance will be given only for the materials specified above. Applications requesting other fabrics will be denied.

(c) Priority assistance will be granted to the extent of 60 percent of the fabric available for this program to persons producing these items at or below prices indicated in Table I above, and the remaining 40 percent will be allocated to those producing these items in prices at or below those indicated in Table II above. This does not, of course, authorize any person to exceed his OPA ceiling price for any item in this program. (For example: Item (1) men's mackinaws and pea coats, sizes 34-48, at least 60 percent will be allocated to persons producing at \$9.00 or below, and the remaining 40 percent will be allocated to those producing from \$9.01 up to and including \$12.50.)

(d) Applicants must base their estimated production on their present labor and machinery. If the quantity applied for is

greater than that produced in 1944, a statement must be submitted describing the facilities that are available now and were not used for this purpose in 1944.

(e) Applicants must provide the following information on Form WPB-3732:

(1) The item he wishes to produce, (such as men's mackinaws and pea coats) identified by the item number; for example, men's mackinaws and pea coats in size range 34 to 48 is Item No. 1; men's cossack jackets in size range 34 to 48 is Item No. 4, etc.

(2) Size range.

(3) The price at which sold.

(4) Quantity in units of each item in each size range and in each price range.

(5) Type of material used (such as mackinaw cloth, melton type or similar fabrics). In addition to the information enumerated herein, all other questions required on Form WPB-3732 must be observed.

(f) Each applicant who produced during the base period (1944) items listed in this program, must in producing such items from materials obtained with a rating under this program, meet the same specifications, including standards of quality, workmanship, inspection, pressing, folding, and all other operations pertinent to the preparation of the completed garments for marketing, used by the applicant in producing such items sold at the same or nearest higher price during the year 1944.

(g) Each applicant who did not, during the base period, produce the items for which he makes application, shall file with his application the specifications (including the proposed sales price) of the item he proposes to manufacture and, if required by the WPB, a sample. If his application is granted, the applicant must meet the specifications filed. These specifications shall include, but not be limited to, specifications as to dimensions, type of fabric, and stitches per inch, as well as such other essential points as may insure a quality garment, and the price at which the applicant proposes to sell each such item.

(h) Each applicant must include a statement under the section entitled "remarks" on Form WPB-3732 that he has complied with the OPA regulations regarding the prices he has included in columns (d) and (e) of the form.

(i) Applicants desiring to participate in the Mackinaw, Pea Coat and Cossack Jacket Program No. 1 who did not produce such items during 1944 shall not sell more than ten percent of the quantity of items produced with priority assistance granted under this program to any purchaser. Purchasers who are subject to common control shall be deemed a single purchaser.

(j) Applications of any person able to produce the particular items in this program will be entertained.

(k) If the applications exceed the quantity of production of a particular item required under this program, grants of priority assistance will be apportioned equitably on the basis of production during 1944. However, any person who did not produce the item in 1944 and who wants to make it or whose facilities for the production of the item have increased since 1944 or who wants to increase the production of the item may apply for priorities assistance under the program, but his application will not be entertained unless it is accompanied by a signed statement setting forth the facilities or increased facilities he owns or has under contract for his exclusive use to produce the item(s) applied for within the program period. Where facilities or increased facilities are available because of a change from the production of other items, he must state whether production will be reduced on any other items and specify the items. Such applications will be granted on an equitable basis.

(1) Paragraphs (d) (1) and (d) (2) of Conservation Order M-328B do not apply to this program.

(m) Applications which do not provide completely and accurately the information required may be denied.

Issued this 18th day of April 1945.

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

[F. R. Doc. 45-6190; Filed, Apr. 18, 1945; 11:06 a. m.]

PART 3291—CONSUMERS DURABLE GOODS
[Supplementary Limitation Order L-7-c, as Amended Apr. 18, 1945]

DOMESTIC ICE REFRIGERATORS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron and steel and other critical materials used in the production of Domestic Ice Refrigerators for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.16 *Supplementary Limitation Order L-7-c—(a) Definitions.* For the purpose of this order:

(1) "Domestic ice refrigerator" means any non-mechanical ice chest or ice box designed for home use.

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

(3) [Deleted Apr. 18, 1945.]

(4) "Net ice capacity" means the maximum amount of standard scored ice which the ice chamber of a domestic ice refrigerator will hold.

(5) [Deleted June 23, 1944]

(b) *General restrictions.* (1) No person shall make any domestic ice refrigerators containing any metal other than metals used for galvanizing, plating, soldering, or coating steel except:

- (i) Aluminum
- (ii) Magnesium

(iii) Iron and steel (other than stainless steel, monel metal, and inconel metal).

(2) No person shall make any domestic ice refrigerator containing more than 15 pounds of galvanized steel. Other types of iron or steel, except those prohibited in paragraph (b) (1) (iii), may be used without restriction on quantity.

(3) (i) In the second calendar quarter of 1945 no manufacturer shall produce any domestic ice refrigerators except in accordance with Schedule XI to this order.

(ii) In the third calendar quarter of 1945 and in each calendar quarter after that no person shall produce any domestic ice refrigerators except as authorized by the War Production Board in writing. No further schedules to this order will be issued after Schedule XI.

(iii) Application to produce under (b)

(3) (ii) should be made by filing Form WPB-3700 accompanied by Form WPB-3820, when required by the instructions, with the field office of the War Production Board, for the district in which the

ice refrigerators will be made, 60 days before the start of the calendar quarter in which the applicant wants to produce the domestic ice refrigerators. No applications for production within approved programs will be considered for production in the succeeding calendar quarter after that date. In general, production will be authorized where it will not require materials, components, facilities or labor needed for war purposes and will not otherwise adversely affect or interfere with production for war purposes. Authorizations will not be dependent upon applicants having been engaged in the production of domestic ice refrigerators at some previous time. Upon request, the War Production Board will give notice to any person of the production authorized.

(iv) Whenever production quotas are assigned by the War Production Board, it will take into consideration the amount of iron and carbon steel, and other critical materials to be used by each applicant, the extent to which the domestic ice refrigerators which each applicant proposes to produce conforms to the performance specifications contained in Appendix A attached to this order as established by tests of the National Bureau of Standards. Manufacturers may make the refrigerators only in their own plants at the location set forth in the authorization. Manufacturers may not make more domestic ice refrigerators than the number authorized, even for orders bearing preference ratings.

(v) In addition to authorizations to meet approved War Production Board programs, production may be authorized in accordance with Priorities Regulation 25. Such additional production will be authorized on applications filed under paragraph (b) (3) (iii) and applications should not be filed on Form WPB-4000.

(c) *Applicability of other orders.* In so far as any other order heretofore or hereafter issued by the War Production Board limits the use of any material in the production of domestic ice refrigerators to a greater extent than the restrictions imposed by this order, the restrictions of such other order shall govern unless otherwise specified therein.

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

(e) *Avoidance of excessive inventories.* No person authorized to produce domestic ice refrigerators shall accumulate for use in the production of such domestic ice refrigerators inventories of raw materials, semi-processed materials or finished parts in quantities in excess of the minimum amount necessary to maintain production at the rates permitted by this order, any schedule

issued to this order or any production authorization issued under it.

(f) *Records.* All persons affected by this order or any schedule issued pursuant thereto, shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

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

(h) *Reports.* Each person who produces any domestic ice refrigerators shall file Form WPB-1600 with the War Production Board according to the instructions for filing that form.

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

(j) *Appeals.* Any appeals from the provisions of this order should be filed on Form WPB-1477 with the War Production Board field office for the district in which is located the plant or branch of the appellant to which the appeal relates.

(k) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, or any schedule issued pursuant thereto, shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref.: L-7-c.

Issued this 18th day of April 1945.

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

APPENDIX A—PERFORMANCE SPECIFICATIONS FOR DOMESTIC ICE REFRIGERATORS

I. *Temperature & Ice Meltage Performance*

1. The refrigerator shall maintain with no load in the food compartment an average food compartment temperature of 48° F. or less and a temperature of 46.5° F. or less in the milk storage space at 60% of initial ice load with the room at an average temperature of 85° F. plus or minus 1° F.

2. The temperature at a point two inches above the bottom of the food compartment and two inches from the sidewall, located in the vertical plane perpendicularly bisecting a return air duct shall not be higher than the temperature of the air entering the return air duct. (The return air duct is defined as the duct or ducts through which the air in the refrigerator returns from the food compartment to the ice compartment.)

3. Ice meltage at 60% initial ice load for food compartment volumes between 2.75 and 5.5 cubic feet shall not exceed the value, in lbs/day, computed from the following formula:

$$M \text{ equals } 7.28 \text{ plus } 3.3V$$

where M is the ice meltage in lbs/day and V is the volume of the food compartment in

cubic feet. Note: This formula applies only under the following conditions: Room temperature 85° F.; Average food compartment temperature 48° F.; and Food Compartment volumes ranging between 2.75 cubic feet and 5.5 cubic feet.

II. *Construction Performance*

4. *Box deformation:* The box shall show no permanent vertical deformation in excess of 3/16" per 3 feet of vertical elevation when subjected to a horizontal load of 350 pounds applied along one diagonal of the top from front to back with the box fastened to the floor at all four legs.

5. *Door damage:* The door and hinges shall show no permanent damage when the door is subjected to a vertical load of 100 pounds applied to the upper outside corner 2 inches from the outside vertical edge of the door with the door open and at an angle of 90° with the front of the box.

6. *Ice shelf:* The ice shelf shall be able to support a load of 200% of the normal ice load without fracturing the shelf or supports or causing permanent sagging of more than 1/16" at the center, sides and back.

7. *Food shelves:* Full width food shelves shall have sufficient strength to support an evenly distributed load of 50 pounds without fracturing or permanently sagging more than 1/16" at the center. Fractional width shelves around the milk storage space shall have sufficient strength to support an evenly distributed load of 25 pounds without fracturing or permanently sagging more than 1/16" at the center.

8. The back of the ice compartment shall withstand without damage an impact of 40 ft. lbs.

9. The refrigerator door shall withstand without damage to the door, hinges and latch a closing of 100 consecutive times from a fully opened position (opened through an angle of 180°) by an impact of 40 ft. lbs. applied at the center of door.

[F. R. Doc. 45-6191; Filed, Apr. 18, 1945; 11:06 a. m.]

Chapter XI—Office of Price Administration

PART 1499—COMMODITIES AND SERVICES

[SR 14F, Amdt. 4]

CHANNEL CARBON BLACK

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

Section 31 is added to read as follows:

SEC. 31. *Sales of rubber grades of channel carbon black purchased from Defense Supplies Corporation.* (a) The maximum price per pound on a sale by any seller of a rubber grade of channel carbon black purchased directly or indirectly from Defense Supplies Corporation shall be the seller's maximum price per pound on a like sale as established under other provisions of the General Maximum Price Regulation plus an amount equal to Defense Supplies Corporation's selling price per pound in covered hopper cars, f. o. b. plant, for that grade of rubber channel carbon black at the time the channel black being sold was purchased from Defense Supplies Corporation less 3.3 cents per pound. In determining the maximum price for a particular sale of such carbon black the seller shall use the first-in, first-out method of charging his inventory.

(b) In addition to the other records and reports required by the General

Maximum Price Regulation, each seller selling channel carbon black under the provisions of this section shall maintain for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, inventory records of carbon black sufficient to verify the maximum prices for carbon black sold under the provisions of this section.

This amendment shall become effective as of March 25, 1945.

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

Issued this 17th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6164; Filed, Apr. 17, 1945;
4:01 p. m.]

PART 1315—RUBBER AND PRODUCTS AND
MATERIALS OF WHICH RUBBER IS A COM-
PONENT

[MPR 435, Incl. Amdts. 1-3]

NEW BICYCLE TIRES AND TUBES

This compilation of Maximum Price Regulation 435 includes Amendment 8, effective April 23, 1945. Tables 1A, 1B and 1D are amended as indicated by notes.

In the judgment of the Price Administrator, it is necessary and proper to establish specific and uniform maximum prices for new bicycle tires and tubes.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith and has been filed with the Division of the Federal Register.²

§ 1315.17 *Maximum prices for new bicycle tires and tubes.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 435 (New Bicycle Tires and Tubes), which is annexed hereto and made a part hereof, is hereby issued.

Sec.

1. Prohibition against dealing in new bicycle tires and tubes at prices above the maximum.
2. Less than maximum prices.
3. To what transactions and commodities this regulation applies and the relation to other regulations.
4. Federal and state taxes.
5. Credit.
6. Transportation charges.
7. Evasive practices.
8. Petitions for amendment.
- 8a. Applications for adjustment.
9. Adjustable pricing.
10. Marking or posting of maximum prices by retailers.
11. Sales slips and receipts.

¹ 8 F.R. 10419.

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

Sec.

12. Records.
13. Licensing.
14. Sales for export.
15. Enforcement.
16. Definitions.

Appendix A: Maximum prices for sales and deliveries to jobbers, to brand owners, and to bicycle manufacturers.

Appendix B: Maximum prices for sales and deliveries to wholesalers and to retailers of brands of Firestone, Goodrich, Seiberling, Tru-Test and Western Tire Auto Stores.

Appendix C: Maximum prices for sales and deliveries to retailers.

Appendix D: Maximum prices for sales and deliveries at retail.

AUTHORITY: § 1315.17 issued under 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.

SECTION 1. *Prohibition against dealing in new bicycle tires and tubes at prices above the maximum.* On and after July 29, 1943, regardless of any contract or other obligation, no person shall sell or deliver any new bicycle tire or tube, and no person shall buy or receive any new bicycle tire or tube in the course of trade or business, at a price which is higher than the maximum price fixed by this regulation; and no person shall agree, offer, solicit, or attempt to do any of the foregoing. "Person" as used in this regulation includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes any government, or any of its political subdivisions (except the United States or any agency thereof), and any agency of any of the foregoing.

SEC. 2. *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid or offered.

SEC. 3. *To what transactions and commodities this regulation applies and the relation to other regulations—(a) Commodities covered.* This regulation applies to all new bicycle tires and tubes of all brands and types, made in whole or in part of rubber, and to all new rim strips generally recognized by the trade as being for use with bicycle tires and tubes. "Bicycle tires and tubes" include all tires and tubes generally recognized by the trade as being usable on bicycles even though the particular tires or tubes are for use on other articles. "New" as applied to bicycle tires and tubes and rim strips means commodities which are generally recognized by the trade as being salable as new and which have never been put to their intended use. Used bicycle tires and tubes and rim strips are covered by the General Maximum Price Regulation.³ However, in no case shall the maximum price of a used bicycle tire, tube or rim strip exceed the maximum price set by this regulation for such item new. "Rubber" as used in this regulation means all forms and types of rubber, including synthetic and reclaimed rubber and any other rubber-like substance used as a rubber substitute.

(b) *Transactions covered.* Except as provided in paragraph (c), this regulation applies to all sales and deliveries of

bicycle tires and tubes and rim strips covered by this regulation. This regulation also applies to the mounting of a tire, tube or rim strip on the wheel of a bicycle in connection with the sale or delivery of the tire, tube or rim strip.

(c) *Specific exemptions from the regulation.* This regulation does not apply to the following sales and deliveries of bicycle tires and tubes and rim strips:

(1) Sales and deliveries to the United States or any agency thereof.

(2) Any sale or delivery to a bicycle manufacturer for the original equipment of bicycles, made pursuant to a war order as defined in Maximum Price Regulation No. 403⁴—Certain Rubber Commodities Purchased for Governmental Use.

(3) Any sale or delivery where the price charged is a price for the entire bicycle.

(4) Any sale of imported bicycle tires and tubes of brands not specifically listed in any appendix to this regulation.

[Subparagraph (4) added by Am. 3, 9 F.R. 973, effective 2-1-44]

(d) *Relation to other regulations.* Except as provided in section 10 and paragraph (f) of Appendix D hereof, this regulation supersedes any other regulation issued by the Office of Price Administration, including Maximum Price Regulation No. 220⁵ and the General Maximum Price Regulation, including §§ 1499.13 (b) and 1499.14 thereof, as to commodities and transactions covered by this regulation.

[Paragraph (d) amended by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43]

(e) *Geographical applicability of this regulation.* This regulation applies in the District of Columbia, the 48 states, the territories and possessions of the United States and, notwithstanding the provisions of Maximum Price Regulation No. 194, in the Territory of Alaska.

[Paragraph (e) amended by Am. 6, 9 F.R. 12743, effective 10-28-44]

SEC. 4. *Federal and state taxes.* The federal excise tax on rubber tires and tubes is included in the maximum prices set by this regulation, and no amount may be added to the maximum prices on account of such tax. Any other tax upon, or incident to, the sale, delivery, processing, or use of new bicycle tires or tubes imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows: If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

SEC. 5. *Credit.* The maximum prices established by this regulation shall not be increased by any charges for the extension of credit, unless the seller during

⁴ 8 F.R. 7498, 8837, 10434, 16406, 16743, 9 F.R. 1116, 1318.

⁵ 8 F.R. 16689; 9 F.R. 1116, 6431, 7198, 9650; 10 F.R. 1747.

³ 9 F.R. 1385, 5169, 6106, 8150, 10193, 11274.

March, 1942, required payment of a separately stated additional charge for the extension of credit, by purchasers of the same class on sales of new bicycle tires or tubes or rim strips, and the amount charged for the extension of credit is not in excess of the charge the seller had in effect during March, 1942, for extension of credit involving the same amount and term.

SEC. 6. Transportation charges. No seller shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery of new bicycle tires and tubes, than the seller required purchasers of the same class to pay during March, 1942, on deliveries of new bicycle tires and tubes.

SEC. 7. Evasive practices. The price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase of or relating to bicycle tires or tubes, alone or in conjunction with any other commodity or by way of commission, service, or other charge, or discount, premium or other privilege or by tying-agreement or other trade understanding, or otherwise.

SEC. 8. Petitions for amendment. Any person seeking a modification of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.⁶

SEC. 8a. Applications for adjustment. (a) A manufacturer who is an essential producer of new bicycle tires or tubes and whose maximum prices established by this regulation will impede or threaten to impede his production of such commodities may file an application for adjustment of his maximum prices.

(b) For the purposes of this section, a manufacturer is an essential producer if:

(1) His supply of new bicycle tires or tubes is required to meet military or essential civilian needs; or

(2) The loss of his supply will force his customers to resort to higher priced sources of supply, and no adequate substitutes for his tires or tubes are available to his customers at prices equal to or lower than the adjusted maximum prices which he requests.

(c) The relief granted under this section shall be limited to the amount necessary to permit the manufacturer to supply new bicycle tires or tubes: *Provided, however,* That where application is filed under paragraph (b) (2) above, the manufacturer's maximum prices will not be raised above the general level of prices prevailing for alternative sources of supply.

(d) Applications for adjustment under this section shall be filed with the Office of Price Administration, Washington, D. C., in the manner provided in Revised Procedural Regulation No. 1.

[Sec. 8a added by Am. 3, 9 F.R. 973, effective 2-1-44]

[NOTE: Procedural Regulation No. 6 (9 F.R. 10628) provides for the filing of applications

⁶ 9 F.R. 10476, 13715.

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

SEC. 9. Adjustable pricing. Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

SEC. 10. Marking or posting of maximum prices by retailers. Every person offering to sell new bicycle tires or tubes at retail shall mark or post the maximum prices of such new bicycle tires or tubes in accordance with the provisions of § 1499.13 (a) of the General Maximum Price Regulation.

SEC. 11. Sales slips and receipts. Any seller who has customarily furnished purchasers with invoices, sales slips, receipts, or similar evidence of purchase shall continue to do so. Upon request from a purchaser any seller, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, the quantity of each brand and size of new bicycle tires and tubes sold, and the price charged therefor.

SEC. 12. Records.—(a) Of sales—(1) At retail. Every person making sales at retail subject to this regulation of new bicycle tires or tubes must continue to keep, as to such retail sales, records of the same kind as he customarily kept showing the prices actually charged by him after the effective date of this regulation.

(2) *Other than retail.* Every person making sales subject to this regulation of new bicycle tires or tubes other than sales at retail shall keep, as to such non-retail sales, for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such sale showing the date thereof, the name and address of the buyer, the price received, and the quantity of each brand and size of new bicycle tires and tubes sold.

(b) *Of purchases—(1) By retailers.* Every seller of new bicycle tires and tubes who makes all of his sales of such articles at retail must continue to keep, as to all of his purchases of bicycle tires or tubes subject to this regulation, rec-

ords of the same kind as he customarily kept showing the prices actually paid by him after the effective date of this regulation.

(2) *Other persons.* Every seller of new bicycle tires and tubes other than retailers who are subject to subparagraph (1) shall keep, as to all of his purchases of bicycle tires and tubes subject to this regulation, for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such purchase showing the date thereof, the name and address of the seller, the price paid, and the quantity of each brand and size of new bicycle tires and tubes purchased.

SEC. 13. Licensing. The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[Sec. 13 amended by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43]

SEC. 14. Sales for export. The maximum price at which a person may export any new bicycle tires or tubes shall be determined in accordance with the Second Revised Maximum Export Price Regulation.⁸

SEC. 15. Enforcement. (a) Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942.

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

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

SEC. 16. Definitions. (a) When used in this regulation the term:

"Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for bicycle tires, tubes or rim strips for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantities or grades or under different conditions of sale.

⁷ 8 F.R. 13240.

⁸ 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036, 7201, 9835, 11273, 12919.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

APPENDIX A—MAXIMUM PRICES FOR SALES AND DELIVERIES TO JOBBERS, TO BRAND OWNERS, AND TO BICYCLE MANUFACTURERS

(a) *Maximum prices for sales and deliveries of certain brands to jobbers*—(1) *Applicability of this paragraph*—(i) *Brands covered*. The maximum prices to jobbers fixed by this paragraph apply to brands of the brand owners listed in Table IA or Table IIA. The Firestone Tire and Rubber Co., The B. F. Goodrich Co. and Selberling Rubber Co. are not listed in those tables but are covered by Appendix B.

(ii) *Definitions of jobber*. The maximum prices fixed by this paragraph apply to sales and deliveries to jobbers. "Jobber" as used in this regulation means any seller of bicycle tires or tubes of the class to which the brand owner offered bicycle tires or tubes during October 1941, at the prices which he had in effect to jobbers. In determining whether or not a seller is in that class, the criteria to be applied are those which the brand owner had in effect during October, 1941, for determining which of his buyers were offered bicycle tires or tubes at such jobber prices. Distributors of Atlas Supply Co. shall be considered jobbers.

(2) *Balloon and lightweight tires and tubes of the brands listed in Table IA or Table IIA*. The maximum price for any sale or delivery to a jobber of balloon or lightweight bicycle tires of the brands listed in Table IA shall be the price set forth in Table IA, reduced by any discounts required by subparagraph (5). The maximum price for any sale or delivery to a jobber of balloon or lightweight bicycle tubes of the brands listed in Table IIA shall be the price set forth in Table IIA, reduced by any discounts required by subparagraph (5).

(3) *Single-tube tires*. The maximum price for any sale or delivery to a jobber of single-tube bicycle tires of any brand of one of the brand owners listed in Table IA or Table IIA (whether the brand is listed in the tables or not) shall be the price set forth in Table IIIA, reduced by any discounts required by subparagraph (5).

(4) *Rim strips*. The maximum price for any sale or delivery to a jobber of any rim strips of one of the brand owners listed in Table IA or Table IIA shall be 5 cents each, reduced by any discounts required by subparagraph (5).

[Paragraph heading and subparagraphs (1), (3) and (4) amended by Am. 2, 8 F.R. 15605, effective 11-20-43]

(5) *Discounts to jobbers*. The following percentage discounts shall be given on all sales to jobbers by American Tire Factories, Inc., Carlisle Tire and Rubber Co., Fisk Bicycle Tires—Division of U. S. Rubber Co., Gillette Bicycle Tires—Division of U. S. Rubber Co., The Goodyear Tire and Rubber Co., Inc., The Pharis Tire and Rubber Co., and United States Rubber Co.:

Cash discount	Annual volume bonus for current year	
	Per-cent	Volume
2%—10 prox.....	3	\$5,000 to \$7,499
	4	\$7,500 to \$9,999
	5	\$10,000 to \$19,999
	7½	\$20,000 and over

Any other seller shall extend to jobbers a cash discount which is at least as large as the smallest cash discount which he had in effect to jobbers during March, 1942.

(6) *Brands not otherwise covered*. The maximum price for any sale or delivery to a jobber of any bicycle tires or tubes which are not covered by Appendix B and which are not covered by any other provision of this paragraph (a) shall be whichever of the following two prices is less:

(i) The price which the seller had in effect on the same brand and size of tire or tube to purchasers of the same class on October 15, 1941, increased by 14.3 percent for tires and by 11.8 percent for tubes, or

(ii) The brand owner's list price on the same brand and size of tire or tube which was in effect to purchasers of the same class on October 15, 1941, increased by 14.3 percent for tires and by 11.8 percent for tubes.

(7) *Factory seconds*. The maximum price for any sale or delivery to a jobber of factory second bicycle tires or tubes shall be the price listed in the following table. "Factory second" means any bicycle tire or tube with the brand name buffed off or otherwise removed.

Type of tire or tube (any size):	Maximum price per pair
Balloon tire ¹	\$1.80
Lightweight tire ²	1.84
Single-tube tire.....	2.34
Any tube.....	.92

¹ A balloon tire is any tire of one of the following sizes: 20 x 2.125, 24 x 2.125, 26 x 2.125, or 26 x 2.25.

² A lightweight tire is any tire of one of the following sizes: 26 x 1.25, 26 x 1.375, 26 x 1.25-1.375, 27 x 1.50.

[Subparagraph (7) added by Am. 2, 8 F.R. 15605, effective 11-20-43; footnote 1 amended by Am. 7, 10 F.R. 2016, effective 2-23-46]

(b) *Maximum prices for sales and deliveries by manufacturers to brand owners*—(1) *Applicability of this paragraph*. The maximum prices fixed by this paragraph apply to sales and deliveries by any manufacturer to any brand owner of bicycle tires and tubes of brands owned by such purchaser and of any rim strips.

(2) *Sales not on a jobber basis and not under cost-plus contracts*—(i) *Applicability of this subparagraph*. This subparagraph does not apply to sales or deliveries to any purchaser covered by subparagraph (3) or (4) of this paragraph. It does apply to any other purchaser buying his own brands.

[Subparagraph (1) amended by Am. 2, 8 F.R. 15605, effective 11-20-43]

(ii) *Balloon and lightweight tires*. The maximum price for any sale or delivery, to which this subparagraph applies, of balloon or lightweight bicycle tires by a manufacturer to the brand owner of the tires shall be as follows: For sizes 20 x 2.125, 24 x 2.125, 26 x 2.125 and 26 x 2.25 (motor bike) the maximum price shall be the net price, including federal excise tax, which the manufacturer had in effect to the same purchaser on the same brand and size of tire on October 15, 1941, increased by 29.5 percent. For the lightweight tire, size 26 x 1.25, the maximum price shall be the same as the maximum price under this subdivision for the lowest priced brand sold to the same purchaser by the same seller in the 26 x 2.125 size. For the lightweight tire, size 26 x 1.375, the maximum price shall be 2.22 percent higher than the maximum price under this subdivision for the lowest priced brand sold to the same purchaser by the same seller in the 26 x 2.125 size.

(iii) *Balloon and lightweight tubes*. The maximum price for any sale or delivery, to which this subparagraph applies, of balloon or lightweight bicycle tubes by a manufacturer to the brand owner of the tubes shall be as follows: For sizes 26 x 2.125 and 26 x 2.25 (motor bike) the maximum price shall be the net price, including federal excise tax,

which the manufacturer had in effect to the same purchaser on the same brand and size of tube on October 15, 1941, increased by 19.6 percent. For sizes 26 x 1.25, 26 x 1.25-1.375 and 26 x 1.375 the maximum price shall be the same as the maximum price under this subdivision for the lowest priced brand sold to the same purchaser by the same seller in the 26 x 2.125 size. For size 24 x 2.125 the maximum price shall be the same as the maximum price under this subdivision for the same or the comparable brand sold to the same purchaser by the same seller in the 26 x 2.125 size.

(iv) *Single-tube tires*. The maximum price for any sale or delivery, to which this subparagraph applies, of single-tube bicycle tires by a manufacturer to the brand owner of the tires shall be calculated as follows: Determine under (ii) the maximum price for the 26 x 2.125 balloon tire (standard or volume tire and not premium tire) sold by the manufacturer to the same brand owner and increase that figure by the following percentage to get the maximum price for the single-tube tire:

[Subparagraph (iv) amended by Am. 1, 8 F.R. 12444, effective 9-13-43]

Size	Ply	Percentage
12 x 1.375.....	2	17.3
14 x 1.375.....	2	20.5
16 x 1.375.....	2	23.6
18 x 1.375.....	2	26.7
20 x 1.50.....	2	20.5
24 x 1.50.....	2	23.6
26 x 1.50.....	2	26.7
26 x 1.50.....	3	49.2
28 x 1.00 (Fabric).....	2	39.5
28 x 1.125 (Fabric).....	2	53.2
28 x 1.25 (Fabric).....	2	33.2
28 x 1.50.....	2	30.0
28 x 1.50.....	3	52.1

[Above table amended by Am. 2, 8 F.R. 15605, effective 11-20-43]

(v) *Rim strips*. The maximum price for any sale or delivery, to which this subparagraph applies, of rim strips by a manufacturer to a brand owner shall be whichever of the following two prices is less:

(a) 5 cents each, or
 (b) The net price, including federal excise tax, which the manufacturer had in effect to the same purchaser on October 15, 1941, or if the manufacturer had no price in effect on October 15, 1941, to the same purchaser, the highest price, including federal excise tax, which the manufacturer had in effect on October 15, 1941, to a purchaser of the same class.

(3) *Sales on a jobber basis*. This subparagraph applies to sales to any purchaser who bought his own brands of bicycle tires and tubes from the manufacturer during October, 1941, on a jobber basis. Such a purchaser bought on a jobber basis if the price he paid was determined by using or applying discounts to the price list which the manufacturer had in effect to jobbers for comparable tires and tubes or if his total purchases of replacement bicycle tires and tubes from the manufacturer during 1941 did not exceed \$20,000. This subparagraph also applies to any purchaser buying his own brands, other than a cost-plus purchaser, to whom the manufacturer did not have a price in effect on October 15, 1941. The maximum price for any sale or delivery by a manufacturer to such a brand owner of bicycle tires or tubes of the brand owner's brand shall be the same as the maximum price to jobbers under paragraph (a) for whichever one of the manufacturers' own brands is most comparable in physical quality to the tires or tubes being priced: The maximum price of rim strips under this subparagraph shall be determined according to subparagraph (2) (v).

[Subparagraph (3) amended by Am. 2]

TABLE IA—MAXIMUM PRICES FOR SALES AND DELIVERIES OF CERTAIN BRANDS OF BALLOON AND LIGHTWEIGHT BICYCLE TIRES TO JOBBERS—Continued

Brand owner and brand	Sizes					All other sizes
	20 x 2.125	24 x 2.125	26 x 1.25	26 x 1.375 and 26 x 1.25-1.375	26 x 2.125	
*The Pharis Tire and Rubber Co.: Rib Gripper Deluxe, Light weight.....	\$2.20	\$2.34	\$2.40	\$2.45	\$2.73	
Roadrunner.....	2.20	2.34	2.40	2.45	2.40	
Roadrunner Dart.....	2.20	2.34	2.40	2.45	2.40	
Roadrunner Deluxe.....	2.62	2.67	2.73	2.73	2.73	
Roadrunner Motor Bike.....	2.14	2.14	2.25	2.25	2.25	
Roadrunner Victory.....	2.20	2.34	2.40	2.40	2.40	
Columbia Deluxe.....	2.20	2.34	2.40	2.45	2.40	
Columbia Motor Bike.....	3.14	2.67	2.73	2.73	2.73	
Grayhound Deluxe.....	2.20	2.34	2.40	2.45	2.40	
Grayhound Motor Bike.....	2.62	2.67	2.73	2.73	2.73	
Lightning Deluxe.....	3.14	2.67	2.73	2.73	2.73	
Lightning Motor Bike.....	3.14	2.67	2.73	2.73	2.73	
Raleigh Cycle Distributors: Dunlop Racing Pressure.....				3.20		\$2.64
Dunlop Triple Rhino.....						4.04
Dunlop War Grade.....						3.00
United States Rubber Co.: U. S. Chain 400.....	2.20	2.34	2.40	2.45	2.40	2.40
U. S. Chain 500.....	2.20	2.34	2.40	2.45	2.40	2.40
U. S. Chain 42.....						2.45
U. S. Chain 83.....						2.45
U. S. Royal Touring.....						2.45
U. S. Royal Master (and U. S. Royal Master E. A. 3-For-eign).....	2.62	2.67	2.40	2.45	2.73	2.45
U. S. Royal Master Heavy Duty.....	3.11			2.46		
U. S. Motor Bike.....						3.07

* Paragraph (a) (5) in Appendix A requires the deduction of certain discounts from these prices.
* Amended by Am. 8, effective 4-23-45.

[Table IA amended by Am. 1, 8 F.R. 12444, effective 9-13-43; Am. 2, 8 F.R. 15905, effective 11-20-43; Am. 5, 9 F.R. 8253, effective 7-25-44; and Am. 7, 10 F.R. 2016, effective 2-23-45]

TABLE IIA—MAXIMUM PRICES FOR SALES AND DELIVERIES OF CERTAIN BRANDS OF BALLOON AND LIGHTWEIGHT BICYCLE TUBES TO JOBBERS

Brand owner and brand	Sizes					All other sizes
	20 x 2.125	24 x 2.125	26 x 1.25	26 x 1.25, 26 x 1.375 and 26 x 1.25-1.375	26 x 2.125	
Atlas Supply Co.: Atlas Carlisle Tire and Rubber Co.: Carlisle Standard.....		\$1.23	1.26		\$1.23	\$1.23
Carlisle Extra Heavy.....		1.91	1.91		1.91	1.23
Continental Rubber Works: Vitalis.....		1.29	1.29		1.29	1.26
Fisk Bicycle Tires—Division of U. S. Rubber Co.: Fisk Airflight Gillette Bicycle Tires—Division of U. S. Rubber Co.: Gillette Ambassador.....		\$1.17	1.23	\$1.23	\$1.23	1.23
The Goodyear Tire and Rubber Co., Inc.: Goodyear.....		1.17	1.23	1.23	1.23	1.23
The Mansfield Tire and Rubber Co.: Mansfield Superior.....		1.17	1.23	1.23	1.23	1.23

(4) Sales under cost-plus contracts—(1) Sales to purchasers who purchased under a cost-plus contract during October 1941. This subdivision applies to sales to any purchaser who bought his own brands of bicycle tires and tubes from the manufacturer during October, 1941, under a cost-plus contract.

(c) Maximum prices for sales and deliveries to bicycle manufacturers for the original equipment of bicycles—(1) Applicability of this paragraph. The maximum prices fixed by this paragraph apply to sales and deliveries of bicycle tires, tubes and rim strips to bicycle manufacturers for the original equipment of bicycles. This paragraph applies to all such original equipment sales and deliveries except those made pursuant to war orders. This paragraph does not apply to any sale or delivery of bicycle tires, tubes, and rim strips for the original equipment of bicycles, made pursuant to a war order as defined in Maximum Price Regulation No. 403—Certain Rubber Commodities Purchased For Governmental Use.

(2) Maximum prices. The maximum price for any sale or delivery to which this paragraph applies of tire, tube and rim strip assemblies shall be the highest net price which the seller had in effect to the same purchaser during March, 1942, for original equipment sales involving tires and tubes of the same brand as those now being priced. If the seller had no price in effect to the same purchaser during March, 1942, for original equipment sales of the same brands, the maximum price shall be a price, in line with the maximum prices under this paragraph, specifically authorized by the Office of Price Administration, Washington, D. C., upon application in writing by the seller for such an authorization.

TABLE IA—MAXIMUM PRICES FOR SALES AND DELIVERIES OF CERTAIN BRANDS OF BALLOON AND LIGHTWEIGHT BICYCLE TIRES TO JOBBERS

Brand owner and brand	Sizes					All other sizes
	20 x 2.125	24 x 2.125	26 x 1.25	26 x 1.375 and 26 x 1.25-1.375	26 x 2.125	
American Tire Factories, Inc.: American Clipper.....					\$2.40	
American Roadster.....					2.40	
Atlas Supply Co.: Atlas.....		\$2.67			2.73	
Fisk Bicycle Tires—Division of U. S. Rubber Co.: Fisk Victor.....	\$2.29	2.34	\$2.40	\$2.45	2.40	2.40
Fisk Airflight.....	2.67	2.67			2.73	2.73
Gillette Bicycle Tires—Division of U. S. Rubber Co.: Gillette Bear.....	2.29	2.34	2.40	2.45	2.40	2.40
Gillette Extra Heavy Duty.....	3.11					
Gillette Lightweight.....						
Gillette Special Service.....		2.84			2.89	
The Goodyear Tire & Rubber Co., Inc.: G-3 All Weather.....	2.29	2.84	2.40	2.45	2.40	2.40
DeLuxe All Weather Lightweight.....	2.67	2.67			2.73	2.73
The Mansfield Tire & Rubber Co.: Black Beauty.....		2.67	2.45	2.50	2.45	2.45
Mansfield Giant Lynx Mansfield Lightweight.....						2.73
Mansfield Rubber Co.: Pennsylvania.....		2.73			2.78	2.78
Pennsylvania Lightweight Pennsylvania Olympic.....		2.40		2.52	2.45	2.45

TABLE IIIA—MAXIMUM PRICES¹ FOR SALES AND DELIVERIES OF CERTAIN BRANDS OF BALLOON AND LIGHTWEIGHT BICYCLE TIRES TO JOBBERS—Continued

Brand owner and brand	Sizes				All other sizes
	20 x 2.125	24 x 2.125	26 x 1.25, 26 x 1.375 and 26 x 1.25-1.375	26 x 2.125	
Pennsylvania Rubber Co., Inc.: Pennsylvania Pennsylvania Heavy Duty Thorn-Proof The Pharis Tire and Rubber Co.: Pharis	\$1.17	\$1.25 2.35	\$1.25	\$1.28 2.35	\$2.10
Raleigh Cycle Distributors: Dunlop					
United States Rubber Co.: U. S. Red Fox (and U. S. Red Fox E. A. 3-foreign) U. S. Motor Bike U. S. Royal Master Thorn-Resisting	1.17	1.23	1.23	1.23	1.17 1.54

¹ Paragraph (a) (5) in Appendix A requires the deduction of certain discounts from these prices.
[Table IIIA amended by Am. 1, 8 F.R. 12444, effective 9-13-43 and Am. 2, 8 F.R. 15605, effective 11-20-43]

TABLE IIIA—MAXIMUM PRICES¹ FOR SALES AND DELIVERIES OF CERTAIN BRANDS OF SINGLE-TUBE BICYCLE TIRES TO JOBBERS

Size	Ply	Maximum price per pair
12 x 1.375	2	\$2.82
14 x 1.375	2	4.89
16 x 1.375	2	2.97
18 x 1.375	2	3.04
20 x 1.50	2	2.89
24 x 1.50	2	2.97
26 x 1.50	2	3.04
26 x 1.50	3	3.58
28 x 1.00 (Fabric)	2	3.35
28 x 1.25 (Fabric)	2	3.20
28 x 1.25 (Fabric)	2	3.12
28 x 1.50	2	3.12
28 x 1.50	3	3.65

¹ Paragraph (a) (5) in Appendix A requires the deduction of certain discounts from these prices.

[Table IIIA amended by Am. 2, 8 F.R. 15605, effective 11-20-43]

APPENDIX B—MAXIMUM PRICES FOR SALES AND DELIVERIES TO WHOLESALERS AND TO RETAILERS OF BRANDS OF FIRESTONE, GOODRICH, SEIBERLING, TRU-TEST AND WESTERN TIRE AUTO STORES

(a) Applicability of this appendix. This appendix applies to all brands of bicycle tires

Manufacturer	Brand of tire	Sizes		Brand of tube	Sizes
		26 x 1.375 and 26 x 1.25-1.375	26 x 2.125		
The Firestone Tire & Rubber Co. The Firestone Tire & Rubber Co. The B. F. Goodrich Co. The B. F. Goodrich Co. Seiberling Rubber Co. Seiberling	High Speed, Champion, Silvertown, Standard, Seiberling, Safety	\$3.20 3.44	\$3.13 3.30 3.37 3.28 3.71	Firestone Champion, Goo-rich, Seiberling	\$1.50 1.68 1.64

The price set forth in this table is the maximum price in only those cases where there is no discount required under subparagraph (4). In no case shall the maximum price to a retailer or wholesaler be more than 6% set forth in this table.

(2) Single-tube tires. The maximum price for any sale or delivery to a retailer or wholesaler of single-tube bicycle tires of any brand of The Firestone Tire and Rubber Co., The B. F. Goodrich Co., or Seiberling Rubber Co. shall be calculated by deducting the percentage discount required by subparagraph (4) from the price set forth in the following table:

Size	Ply	Price per pair
26 x 1.50	2	\$4.05
26 x 1.50	3	4.77
28 x 1.50	2	4.16
28 x 1.50	3	4.87

The price set forth in this table is the maximum price in only those cases where there is no discount required under subparagraph (4). In no case shall the maximum price to a retailer or wholesaler be more than the price set forth in this table.

(3) Rim strips. The maximum price for any sale or delivery to a retailer or wholesaler of any rim strips of The Firestone Tire and Rubber Co., the B. F. Goodrich Co. or Seiberling Rubber Co. shall be calculated by deducting the percentage discount required by subparagraph (4) from a price of 6% cents each. The price of 6% cents each is the maximum price in only those cases where there is no

discount required under subparagraph (4). In no case shall the maximum price to a retailer or wholesaler be more than 6% cents each.
(4) Discounts to retailers and wholesalers. The percentage discount required by this subparagraph and to be used in calculating maximum prices under this paragraph applies to any seller of bicycle tires or tubes or of rim strips of The Firestone Tire and Rubber Co., The B. F. Goodrich Co. or Seiberling Rubber Co., including those manufacturers themselves. The discount which must be deducted is the same percentage discount which the seller had in effect for the tire, tube or rim strip to purchasers of the same class on March 16, 1942, from the list price which he had in effect to retailers on that date. If the seller had net prices in effect to purchasers of the same class on March 16, 1942, instead of percentage discounts, the percentage discount to be deducted shall be calculated for the tire, tube or rim strip by expressing the net price in effect on March 16, 1942, to purchasers of the same class as a percentage of the list price which was in effect to retailers on that date. If there was no such discount or lower net price in effect on March 16, 1942, no discount is required here.

(c) Brands of Tru-Test and Western Tire Auto Stores—(1) Balloon and lightweight tires and tube. The maximum price for any sale or delivery to a retailer or wholesaler of balloon or lightweight bicycle tires or tubes of the brands listed in the table in this subparagraph shall be calculated by deducting the percentage discount required by subparagraph (4) from the price set forth in the following table:

Brand owner	Brand of tire	Sizes		Brand of tube	Sizes
		24 x 2.125	26 x 2.125		
Tru-Test Western Tire Auto Stores	Tru-Test De-luxe Western Flash	\$4.00	\$4.80 4.20	Tru-Test Western Flash	\$2.60 2.30

(2) *Single-tube tires.* The maximum price for any sale or delivery to a retailer or wholesaler of single-tube bicycle tires of any brand of Tru-Test or Western Tire Auto Stores shall be calculated by deducting the percentage discount required by subparagraph (4) from the price set forth in the following table:

Size	Ply	Price per pair
26 x 1.50	2	\$6.08
26 x 1.50	3	7.16
28 x 1.50	2	6.24
28 x 1.50	3	7.30

(3) *Rim strips.* The maximum price for any sale or delivery to a retailer or wholesaler of any rim strips of Tru-Test or Western Tire Auto Stores shall be calculated by deducting the percentage discount required by subparagraph (4) from a price of 10 cents each.

(4) *Discounts to retailers and wholesalers.* The percentage discount required by this subparagraph and to be used in calculating maximum prices under this paragraph applies to any seller of bicycle tires or tubes or of rim strips of Tru-Test or Western Tire Auto Stores, including those brand owners themselves. The discount which must be deducted is the same percentage discount which the seller had in effect for the tire, tube or rim strip to purchasers of the same class on March 16, 1942, from the retail list price which was in effect on that date. If the seller had net prices in effect to purchasers of the same class on March 16, 1942, instead of percentage discounts, the percentage discount to be deducted shall be calculated for the tire, tube or rim strip by expressing the net price in effect on March 16, 1942, to purchasers of the same class as a percentage of the retail list price which was in effect on that date.

(d) *Brands not otherwise covered.* The maximum price for any sale or delivery to a retailer or wholesaler of any bicycle tires or tubes which are not covered by any other provision of this appendix but which are of brands of one of the five brand owners covered by this appendix shall be whichever of the following two items is less:

(1) the price which the seller had in effect on the same brand and size of tire or tube to purchasers of the same class on October 15, 1941, increased by 14.3 percent for tires and by 11.8 percent for tubes, or

(2) the brand owner's list price on the same brand and size of tire or tube which was in effect to purchasers of the same class on October 15, 1941, increased by 14.3 percent for tires and by 11.8 percent for tubes.

APPENDIX C—MAXIMUM PRICES FOR SALES AND DELIVERIES TO RETAILERS

(a) *Applicability of this appendix.*—(1) *Brands covered.* The maximum prices to retailers fixed by this appendix apply to brands of the brand owners listed in Table IC or Table IIC. The Firestone Tire and Rubber Co., Tru-Test Marketing and Merchandising Corp., and Western Tire Auto Stores are not listed in those tables but are covered by Appendix B.

(2) *Definition of retailer.* The maximum prices fixed by this appendix apply to sales and deliveries to retailers. "Retailer" as used in this regulation means any seller of bicycle tires or tubes of the class to which the brand owner offered bicycle tires or tubes at dealer prices (prices for sales to retailers) during October, 1941, or of the class existing during October, 1941, which the brand owner has set up as being those who should properly be charged dealer prices. In determining whether or not a seller is in such a class, the criteria to be applied are those which the brand owner had in effect during October, 1941, for determining which buyers should be offered bicycle tires or tubes at dealer prices.

(b) *Balloon and lightweight tires and tubes of the brands listed in Table IC or Table IIC.* The maximum price for any sale or delivery

to a retailer of balloon or lightweight bicycle tires of the brands listed in Table IC shall be calculated by deducting the percentage discount required by paragraph (f) from the price set forth in Table IC. The maximum price for any sale or delivery to a retailer of balloon or lightweight bicycle tubes of the brands listed in Table IIC shall be calculated by deducting the percentage discount required by paragraph (f) from the price set forth in Table IIC.

(c) *Single-tube tires.* The maximum price for any sale or delivery to a retailer of single-tube bicycle tires of any brand of one of the brand owners listed in Table IC or Table IIC (whether the brand is listed in the tables or not) shall be calculated by deducting the percentage discount required by paragraph (f) from the price set forth in Table IIC.

(d) *Rim strips.* The maximum price for any sale or delivery to a retailer of any rim strips of one of the brand owners listed in Table IC or Table IIC shall be 6½ cents each less the percentage discount required by paragraph (f).

(e) *Brands not otherwise covered.* The maximum price for any sale or delivery to a retailer of any bicycle tires or tubes which are not covered by Appendix B and which are not covered by any other provision of this Appendix C shall be whichever of the following two prices is less:

(1) The price which the seller had in effect on the same brand and size of tire or tube to purchasers of the same class on October 15, 1941, increased by 14.3 percent for tires and by 11.8 percent for tubes, or

(2) The brand owner's list price which was in effect to purchasers of the same class on October 15, 1941, increased by 14.3 percent for tires and by 11.8 percent for tubes.

(f) *Discounts to retailers.* The discount which must be deducted is the cash and quantity discount that the seller had in effect for the tire, tube or rim strip to purchasers of the same class on March 16, 1942. If there was no such cash or quantity discount in effect on March 16, 1942, no discount is required here.

(g) *Factory seconds.* The maximum price for any sale or delivery to a retailer of factory second bicycle tires or tubes shall be the price listed in the following table. "Factory second" means any bicycle tire or tube with the brand name buffed off or otherwise removed.

Type of tire or tube (any size):	Maximum price per pair
Balloon tire ¹	\$2.40
Lightweight tire ²	2.45
Single-tube tire	3.12
Any tube	1.23

¹ A balloon tire is any tire of one of the following sizes: 20 x 2.125, 24 x 2.125, 26 x 2.125, or 26 x 2.25.

² A lightweight tire is any tire of one of the following sizes: 26 x 1.25, 26 x 1.375, 26 x 1.25-1.375, 27 x 1.50.

[Paragraph (g) added by Am. 2, 8 F.R. 15605, effective 11-20-43]

[Footnote 1 amended by Am. 7, 10 F.R. 2016, effective 2-23-45]

TABLE IC—MAXIMUM PRICES FOR SALES AND DELIVERIES OF BALLOON AND LIGHTWEIGHT BICYCLE TIRES TO RETAILERS
[Maximum price per pair]

Brand owner and brand	Sizes					All other Sizes
	20 x 2.125	24 x 2.125	26 x 1.25	26 x 1.375 and 26 x 1.25-1.375	26 x 2.125	
American Tire Factories, Inc.:						
American Clipper						\$3.20
American Roadster						3.20
Arnold, Schwinn and Co., Inc., Whirlwind				\$3.20		3.20
Atlas Supply Co., Atlas		\$3.26				3.36
Belknap Hardware and Manufacturing Co., Belknap-Louisville		3.40				3.61
The W. Bingham Co., Speed-King						3.28
Chicago Cycle Supply Co.:						
Chicayo Bulldog		3.07				3.13
Chicayo Super Service						3.76
Coast to Coast Stores:						
Safelex						3.04
Super Safelex						3.68
Columbus Cycle and Sporting Goods Co.:						
Super Roadmaster						3.30
Super Value	\$2.95	2.95				2.95
Fisk Bicycle Tires—Division of U. S. Rubber Co.:						
Fisk Victor	3.05					3.20
Fisk Airlight		3.50	\$3.20	3.27		3.64
Gamble-Skogmo, Inc.:						
Crest Standard				3.16		3.06
Super Crest						3.62
Gillette Bicycle Tires—Division of U. S. Rubber Co.:						
Gillette Bear	3.05	3.12				3.20
Gillette Extra Heavy Duty	4.15					
Gillette Lightweight			3.20	3.27		
Gillette Special Service		3.79				3.85
The Goodyear Tire and Rubber Co., Inc.:						
G-3 All-Weather	3.05	3.12				3.20
Deluxe All-Weather		3.56				3.64
Lightweight			3.20	3.27		
Hibbard, Spencer, Bartlett and Co.:						
Hibbard Champion						2.81
Hibbard Tru-Value Deluxe						3.67
Louisville Cycle and Supply Co., Loeyco Speedway	2.72	2.78				2.85
*The Mansfield Tire and Rubber Co.:						
Black Beauty						3.24
Mansfield Giant Lynx D. T.		3.56				3.64
Mansfield Lightweight D. T.			3.26	3.31		
Pennsylvania Rubber Co., Inc.:						
Pennsylvania		3.61				3.68
Pennsylvania Olympic		3.18				3.24
Pennsylvania Lightweight				3.31		
*The Pharis Tire and Rubber Co.:						
Rib Gripper DeLux, Lightweight			3.20	3.27		3.64
Roadgripper	3.05	3.12	3.20	3.27		3.20
Roadgripper Dart	3.05	3.12				3.20
Roadgripper DeLux	3.49	3.56				3.64
Roadgripper Motor Bike	4.19					4.33
Roadgripper Victory	3.05	3.12				3.20
Columbia	3.05	3.12		3.27		3.20
Columbia DeLux	3.49	3.56				3.64
Columbia Motor Bike	4.19					4.33

See footnote at end of table.

TABLE IIC—MAXIMUM PRICES FOR SALES AND DELIVERIES OF BALLOON AND LIGHTWEIGHT BICYCLE TUBES TO RETAILERS—Continued
[Maximum price per pair]

Brand owner and brand	Sizes				All other sizes
	20 x 2.125	24 x 2.125	26 x 1.25 and 26 x 1.375	26 x 2.125	
Continental Rubber Works:					
Vitalis		\$1.69			\$1.69
Fisk Bicycle Tires—Division of U. S. Rubber Co.:					
Fisk Airflight	\$1.56	1.64	\$1.64		1.64
Gamble-Skogmo, Inc.:					
Super Crest			1.59		1.63
Gillette Bicycle Tires—Division of U. S. Rubber Co.:					
Gillette Ambassador	1.56	1.64	1.64		1.64
The Goodyear Tire & Rubber Co., Inc.:					
Goodyear	1.56	1.64	1.64		1.64
Hibbard, Spenser, Bartlett & Co.:					
Hibbard Champion					1.64
Hibbard Iron-Value DeLuxe					1.67
Louisville Cycle & Supply Co.:					
Lucy's Slipway					1.28
The Mansfield Rubber Co.:					
Mansfield Super	1.66		1.66		1.70
Pennsylvania Rubber Co., Inc.:					
Pennsylvania Heavy Duty Thorn-Proof	1.66		1.66		1.70
The Pharis Tire and Rubber Co.:					
Pharis	1.56	1.64	1.64		1.64
Raleigh Cycle Distributors:					
Dunlop			2.80		\$2.80
Simplex Manufacturing Co.:					
Simplex					1.64
United States Rubber Co.:					
U. S. Red Fox (and U. S. Red Fox E. A. 3-Foreign)	1.50	1.64	1.64		1.56
U. S. Motor Bike					1.79
U. S. Royal Master Thorn-Resisting					3.15
Western Auto Supply Co. (Kansas City):					
Day's DeLuxe	1.40	1.40	1.40		1.44
Western Auto Supply Co. (Los Angeles):					
Blue Ribbon	1.18				1.20
Jumbo					1.42

Paragraph (f) in appendix C requires the deduction of certain discounts from these prices.

TABLE IIC amended by Am. 1, 8 F.R. 19444, effective 9-13-43 and Am. 2, 8 F.R. 15605, effective 11-20-43; Am. 4, 9 F.R. 5980, effective 6-6-44; Am. 5, 9 F.R. 8253, effective 7-25-44; and Am. 7, 10 F.R. 2016, effective 2-23-45]

TABLE III C—MAXIMUM PRICES FOR SALES AND DELIVERIES OF SINGLE-TUBE BICYCLE TIRES TO RETAILERS

Brand owner and brand	Size	Ply	Maximum price per pair
	12 x 1.375	3	\$3.76
	14 x 1.375	3	3.85
	14 x 1.375	3	3.96
	15 x 1.375	3	4.05
	16 x 1.375	3	3.83
	16 x 1.50	3	3.96
	24 x 1.50	3	4.05
	26 x 1.50	3	4.77
	28 x 1.50 (Fabric)	3	4.47
	28 x 1.25 (Fabric)	3	4.27
	28 x 1.25 (Fabric)	3	4.37
	28 x 1.50	3	4.16
	28 x 1.50	3	4.87

Paragraph (f) in Appendix C requires the deduction of certain discounts from these prices.

TABLE III C amended by Am. 2]

TABLE IC—MAXIMUM PRICES FOR SALES AND DELIVERIES OF BALLOON AND LIGHTWEIGHT BICYCLE TIRES TO RETAILERS—Continued
[Maximum price per pair]

Brand owner and brand	Sizes				All other sizes
	20 x 2.125	24 x 2.125	26 x 1.25 and 26 x 1.375	26 x 2.125	
*The Pharis Tire and Rubber Co.—Continued:					
Greyhound	\$3.05	\$3.12	\$3.27	\$3.20	
Greyhound DeLuxe	3.49	3.56		3.64	
Greyhound Motor Bike	4.19			4.33	
Lightning				3.20	
Lightning DeLuxe				3.64	
Lightning Motor Bike				4.33	
Progressive Cycle and Auto Supply Co., Inc.:					
Cornet				3.31	
Raleigh Cycle Distributors:					
Dunlop Champion			4.40		\$3.32
Dunlop Road Racing High Pressure					6.50
Dunlop Triple Ribmo					4.00
Dunlop War Grade					4.33
Simplex Manufacturing Co., Simplex:					
U. S. Chain 400	3.05	\$3.12		3.20	
U. S. Chain 500	3.05	3.12		3.20	
U. S. Chain 42			3.27		3.27
U. S. Chain 83			3.20		3.27
U. S. Royal Master	3.49	3.56	3.27	3.64	
U. S. Royal Master (and U. S. Royal Master E. A. 3-Foreign)	4.15				6.75
U. S. Master Heavy Duty					
U. S. Motor Bike					2.80
Vulco Manufacturing Co. Victory					3.64
Red Line Champion DeLuxe					4.33
Red Line Champion Motorbike					
Western Auto Supply Co. (Kansas City):					
Day's DeLuxe	3.04			3.04	
Davis DeLuxe Safety Grip				3.14	
Davis Safety Grip			3.11		
Western Auto Supply Co. (Los Angeles):					
Western Giant Condor			3.07		3.47
Western Giant Traveller					3.00

Paragraph (f) in Appendix C requires the deduction of certain discounts from these prices.

* Amended by Am. 8, effective 4-23-45.

TABLE IC amended by Am. 1, 8 F.R. 19444, effective 9-13-43; Am. 2, 8 F.R. 15605, effective 11-20-43; Am. 4, 9 F.R. 5980, effective 6-6-44; Am. 5, 9 F.R. 8253, effective 7-25-44; and Am. 7, 10 F.R. 2016, effective 2-23-45]

TABLE IIC—MAXIMUM PRICES FOR SALES AND DELIVERIES OF BALLOON AND LIGHTWEIGHT BICYCLE TUBES TO RETAILERS

Brand owner and brand	Sizes				All other sizes
	20 x 2.125	24 x 2.125	26 x 1.25 and 26 x 1.375	26 x 2.125	
Arnold, Schwinn and Co., Inc.:					
Schwinn			\$1.64		
Atlas Supply Co.:					
Atlas		\$1.57		\$1.57	
Bellmap Hardware and Manufacturing Co.:					
Bellmap		1.67		1.67	
Cardale Tire and Rubber Co.:					
Cardale Standard		1.64		1.64	
Cardale Extra Heavy		2.55		2.55	
Chicago Cycle Supply Co.:					
Chicago Red Skin		1.33		1.33	
Coast to Coast Stores:					
Safe-Flex					1.64
Columbus Cycle & Sporting Goods Co.:					
Readmaster	\$1.47			1.47	

Paragraph (f) in Appendix C requires the deduction of certain discounts from these prices.

of the brands listed in Table IID shall be the price set forth in Table IID.

(c) *Single-tube tires.* The maximum price for any sale or delivery at retail of single-tube bicycle tires of any brand of one of the brand owners listed in Table ID or Table IID (whether the brand is listed in the tables or not) shall be the price set forth in Table IID.

(d) *Rim strips.* The maximum price for any sale or delivery at retail of any rim strips of one of the brand owners listed in Table ID or Table IID shall be 10 cents each.

(e) *Brands not otherwise covered.* The maximum price for any sale or delivery at retail of any bicycle tires or tubes which are not covered by any other provision of this appendix shall be whichever of the following two prices is less:

(1) The retail price which the seller had in effect on the same brand and size of tire or tube on October 15, 1941, increased by 14.3 percent for tires and by 11.8 percent for tubes, or

(2) The brand owner's retail list price on the same brand and size of tire or tube which was in effect on October 15, 1941, increased by 14.3 percent for tires and by 11.8 percent for tubes.

(f) *Mounting charges.* The maximum price for mounting a tire, tube and rim strip on the wheel of a bicycle in connection with the sale or delivery of the tire, tube and rim strip shall be 25¢ for a front wheel and 50¢ for a rear wheel. If the rear wheel is equipped with any special attachments or if the bicycle is of foreign manufacture, the maximum price for mounting a tire, tube and rim strip on the rear wheel shall be determined in accordance with the pricing provisions of Maximum Price Regulation No. 165, as Amended—Services. The mounting charge may be added to the maximum price for the tire, tube or rim strip wherever the mounting service is performed by the seller in connection with the sale or delivery of such article.

(g) *Factory seconds.* The maximum price for any sale or delivery at retail of factory second bicycle tires or tubes shall be the price listed in the following table. "Factory second" means any bicycle tire or tube with the brand name buffed off or otherwise removed.

Type of tire or tube (any size):	Maximum price for each
Balloon tire ¹	\$1.80
Lightweight tire ²	1.84
Single-tube tire.....	2.34
Any tube.....	.92

¹ A balloon tire is any tire of one of the following sizes: 20 x 2.125, 24 x 2.125, 26 x 1.25, or 26 x 2.25.

² A lightweight tire is any tire of one of the following sizes: 26 x 1.25, 26 x 1.375, 26 x 1.25-1.375, 27 x 1.50.

[Paragraph (g) added by Am. 2, 8 F.R. 15605, effective 11-20-43]

[Footnote 1 amended by Am. 7, 10 F.R. 2016, effective 2-23-45]

TABLE ID—MAXIMUM PRICES FOR SALES AND DELIVERIES AT RETAIL OF BALLOON AND LIGHTWEIGHT BICYCLE TIRES

[Maximum price for each tire]

Brand owner and brand	Sizes					All other sizes
	20 x 2.125	24 x 2.125	26 x 1.25	26 x 1.375 and 26 x 1.25-1.375	26 x 2.125	
American Tire Factories, Inc.:						
American Clipper.....						\$2.40
American Roadster.....						2.40
Arnold, Schwinn and Co., Inc.:				\$2.40		
Schwinn Whirlwind.....						
Atlas Supply Co.:						
Atlas.....		\$2.35				2.45
Belknap Hardware and Manufacturing Co.:						
Belknap-Louisville.....		2.60				2.65
The W. Bingham Co.:						
Speed King.....						2.40
Chicago Cycle Supply Co.:						
Chicco Bulldog.....		2.30				2.35
Chicco Super Service.....						2.85
Coast to Coast Stores:						
Safe-Flex.....						2.30
Super Safe-Flex.....						2.75
Columbus Cycle & Sporting Goods Co.:						
Super Roadmaster.....						2.45
Super Value.....	\$2.20	2.20				2.20
The Firestone Tire & Rubber Co.:						
High Speed.....						2.35
Champion.....					2.40	2.55
Fisk Bicycle Tires—Division of U. S. Rubber Co.:						
Fisk Victor.....	2.30	2.35				2.40
Fisk Airflight.....		2.70	\$2.40		2.45	2.75
Gamble-Skogmo, Inc.:						
Crest Standard.....					2.10	1.95
Super Crest.....						2.50
Gillette Bicycle Tires—Division of U. S. Rubber Co.:						
Gillette Bear.....	2.30	2.35				2.40
Gillette Extra Heavy Duty.....	3.10					
Gillette Lightweight.....			2.40		2.45	
Gillette Special Service.....		2.85				2.90
The B. F. Goodrich Co.:						
Standard.....					2.40	2.35
Silvertown.....						2.75
The Goodyear Tire & Rubber Co., Inc.:						
G-3 All Weather.....	2.30	2.35				2.40
DeLuxe All-Weather.....		2.70				2.75
Lightweight.....			2.40		2.45	
Hibbard, Spencer, Bartlett & Co.:						
Hibbard Champion.....						2.10
Hibbard Tru-Value Deluxe.....						2.75
Louisville Cycle & Supply Co.:						
Locyco Speedway.....	2.05	2.10				2.15
The Mansfield Tire & Rubber Co.:						
Black Beauty.....						2.40
Mansfield Giant Lynx D. T.....		2.70				2.75
Mansfield Lightweight D. T.....			2.40		2.45	
Montgomery Ward & Co.:						
Riverside Mate (retail stores).....		2.05				2.05
Riverside Mate (mail order).....		1.80				1.80
Riversid DeLuxe (retail store).....		2.45				2.45
Lite Wate (retail stores).....					2.10	
Lite Wate (mail order).....					1.85	
Pennsylvania Rubber Co., Inc.:						
Pennsylvania.....		2.70				2.75
Pennsylvania Lightweight.....					2.45	
Pennsylvania Olympic.....		2.35				2.40
The Pep Boys (Philadelphia):						
Beljord Super Service.....						1.70
Cornell Clipper.....					1.80	1.95
The Pep Boys (California):						
Beljord Super Service.....						1.95
*The Pharis Tire and Rubber Co.:						
Rib Gripper DeLuxe, Lightweight.....			2.40	2.45		2.75
Roadgripper.....	2.30	2.35	2.40	2.45		2.40
Roadgripper Dart.....	2.30	2.35				2.40
Roadgripper DeLuxe.....	2.65	2.70				2.75
Roadgripper Motor Bike.....	3.15					3.25
Roadgripper Victory.....	2.30	2.35				2.40
Columbia.....	2.30	2.35		2.45		2.40
Columbia DeLuxe.....	2.65	2.70				2.75
Columbia Motor Bike.....	3.15					3.25
Greyhound.....	2.30	2.35		2.45		2.40
Greyhound DeLuxe.....	2.65	2.70				2.75
Greyhound Motor Bike.....	3.15					3.25
Lightning.....						2.40
Lightning DeLuxe.....						2.75
Lightning Motor Bike.....						3.25

See footnote at end of table.

TABLE IID—MAXIMUM PRICES FOR SALES AND DELIVERIES AT RETAIL OF BALLOON AND LIGHTWEIGHT BICYCLE TIRES—Continued

Brand owner and brand	Sizes				All other sizes
	20 x 2.125	24 x 2.125	26 x 1.375 and 26 x 1.25-1.375	26 x 2.125	
Progressive Cycle & Automobile Supply Co., Inc.				\$2.40	
Comet			\$3.30		
Raleigh Cycle Distributors:					
Dunlop Champion					\$2.65
Dunlop Racing High Pressure					4.95
Dunlop Triple Rhine					3.00
Dunlop War Grade					
Seas Roebuck & Co.:					
Allstate Crusader (retail stores)	\$1.70	\$1.70		1.75	
Allstate Crusader (mail order)	1.70	1.70		1.75	
Allstate (retail stores)	2.05	2.05		2.15	
Allstate (mail order)	2.05	2.05		2.15	
Allstate Lightweight (retail stores)			1.80		
Allstate Lightweight (mail order)			1.80		
Seiberling Rubber Co.:					
Seiberling					
Seiberling Safety					
Simplex Manufacturing Co.:					
Simplex					
Tru-Test Marketing and Merchandising Corp.:					
Tru-Test DeLuxe					
United States Rubber Co.:					
U. S. Chain 400	2.30	2.35		2.40	
U. S. Chain 500	2.30	2.35		2.40	
U. S. Chain 42			2.40		2.45
U. S. Chain 82			2.40		2.45
U. S. Royal Touring			2.40		2.45
U. S. Royal Master (and U. S. Royal Master E. A. 3- Foreign)	2.65	2.70	2.45	2.75	
U. S. Royal Master Heavy Duty	3.10				
U. S. Motor Bike					5.10
Vulco Manufacturing Co.:					
Red Line Champion Victory				2.10	
Red Line Champion DeLuxe				2.75	
Red Line Champion Motor Bike				3.25	
Western Auto Supply Co. (Kansas City):					
Davis DeLuxe Safety Grip	2.05			2.05	
Davis Safety Grip				2.35	
Western Auto Supply Co. (Los Angeles):					
Western Giant Double Duty			1.85		
Western Giant Traveler				1.80	
Western Tire Auto Stores:					
Western Flash	2.00			2.10	

1 The postage may be added to the price on mail order sales.

* Amended by Am. 8, effective 4-23-45.

[Table ID amended by Am. 2, 8 F.R. 15605, effective 11-20-43; Am. 4, 9 F.R. 5980, effective 6-6-44; Am. 5, 9 F.R. 8253, effective 7-25-44; and Am. 7, 10 F.R. 2016, effective 2-23-45]

TABLE IID—MAXIMUM PRICES FOR SALES AND DELIVERIES AT RETAIL OF BALLOON AND LIGHTWEIGHT BICYCLE TIRES

Brand owner and brand	Sizes				All other sizes
	20 x 2.125	24 x 2.125	26 x 1.375 and 26 x 1.25-1.375	26 x 2.125	
Arnold, Schwinn and Co., Schwinn					
Atlas Supply Co., Atlas					
Baknap Hardware and Manufacturing Co., Baknap					
Carlisle Tire and Rubber Co.:					
Carlisle Standard					
Carlisle Extra Heavy					
Chicago Cycle Supply Co., Chicoyo Red Skin					
Coast to Coast Stores, Safe-Flex					
Columbus Cycle Co., Roadmaster					
Continental Rubber Works, Vitalic					
The Firestone Tire and Rubber Co., Champion					
Fisk Bicycle Tires—Division of U. S. Rubber Co., Fisk Airfligh					
Gamble-Skorno, Inc., Super Crest					
Gillette Bicycle Tires—Division of U. S. Rubber Co., Gillette Ambassador					
The B. F. Goodrich Co., Goodrich					
The Goodyear Tire and Rubber Co., Inc., Good-year					
Hibbard, Spencer, Bartlett and Co.:					
Hibbard Champion					
Hibbard Tru-Value De Luxe					
Louisville Cycle and Supply Co., Loycoo Speed-way					
The Mansfield Tire and Rubber Co., Mansfield Superior					
Montgomery Ward and Co.:					
Riverside (retail stores)					
Riverside (mail order)					
Lite W ate (retail stores)					
Lite W ate (mail order)					
Pennsylvania Rubber Co., Inc.:					
Pennsylvania Heavy Duty Thorn-Proof					
The Pep Boys (Philadelphia):					
Belmond					
Corner					
The Pep Boys (California):					
Reinold					
The Pep Boys Rubber Co. Pharis					
Raleigh Cycle Distributors, Dunlop					
Seas Roebuck and Co.:					
Allstate (retail stores)					
Allstate (mail order)					
Seiberling Rubber Co., Seiberling					
Simplex Manufacturing Co., Simplex					
Tru-Test Marketing and Merchandising Corp.:					
Tru-Test					
United States Rubber Co.:					
Red Fox (and U. S. Red Fox E. A. 3- Foreign)					
Motor Bike					
U. S. Royal Master Thorn Resisting					
Western Auto Supply Co. (Kansas City), Davis DeLuxe					
Western Auto Supply Co. (Los Angeles):					
Western Giant Double Duty					
Western Giant Traveler					
Western Tire Auto Stores:					
Western Flash					

1 The postage may be added to the price on mail order sales.

[Table IID amended by Am. 1, 8 F.R. 12444, effective 9-13-43; Am. 2, 8 F.R. 15605, effective 11-20-43 and Am. 4, 9 F.R. 5980, effective 6-6-44]

TABLE IIID—MAXIMUM PRICES FOR SALES AND DELIVERIES AT RETAIL OF SINGLE-TUBE BICYCLE TIRES

Size	Ply	Maximum price for each tire
12 x 1.375.....	2	\$2.80
14 x 1.375.....	2	2.90
16 x 1.375.....	2	2.95
18 x 1.375.....	2	3.05
20 x 1.50.....	2	2.90
24 x 1.50.....	2	2.95
26 x 1.50.....	2	3.05
26 x 1.50.....	3	3.60
28 x 1.00 (Fabric).....	2	3.35
28 x 1.125 (Fabric).....	2	3.20
28 x 1.25 (Fabric).....	2	3.20
28 x 1.50.....	2	3.10
28 x 1.50.....	3	3.65

[Table IIID amended by Am. 2, 8 F.R. 10419, effective 7-29-43]

Effective date. This regulation shall become effective in the District of Columbia and the 48 states July 29, 1943. This regulation shall become effective in the territories and possessions of the United States September 6, 1943. [Maximum Price Regulation 435 originally issued July 23, 1943]

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

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

Issued this 18th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6196; Filed, Apr. 18, 1945; 11:26 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS
[MPR 378, Amdt. 8]

MIXED FEEDS FOR ANIMALS AND POULTRY

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

Maximum Price Regulation 378 is amended in the following respects:

1. Section 6 (a) (1) is amended to read as follows:

(1) As to any ingredient used for which a maximum price is established by any regulation issued by the Office of Price Administration, other than the General Maximum Price Regulation as amended, he shall include the cost of such an ingredient at the maximum price thereof per ton in carload quantities his supplier could lawfully have charged him delivered to his plant as if purchased at the time of the calculation, except that where in his purchase a rate point is selected as the destination to secure favorable transit rates and balances, said maximum price shall be the maximum price delivered at said rate point.

2. Section 7 (a) (1) is amended to read as follows:

(1) As to any ingredient used for which a maximum price is established

by any regulation issued by the Office of Price Administration, other than the General Maximum Price Regulation as amended, he shall include the cost of such an ingredient at the maximum price thereof for the quantity normally purchased by him his supplier could lawfully have charged him delivered to his plant as if purchased at the time of the calculation except that where in his purchase a rate point is selected as the destination to secure favorable transit rates and balances, said maximum price shall be the maximum price delivered at said rate point.

This amendment shall become effective April 23, 1945.

Issued this 18th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6197; Filed, Apr. 18, 1945; 11:26 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[RMPR 471, Amdt. 5]

LEGUME AND GRASS SEEDS

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

Revised Maximum Price Regulation 471 is amended in the following respects:

1. Paragraph (e) of section 6 is redesignated paragraph (g) and amended; and paragraphs (e) and (f) are added, to read as follows:

(e) Any person making sales of processed legume and grass seeds as a commercial processor under this regulation, who did not file with his district office a Statement of Qualifications for Commercial Processors (OPA Form 634-2049) on or before the effective date of this amendment, shall submit such statement to the regional office of the Office of Price Administration, having jurisdiction over the area in which his principal place of business is located, for permission to make sales of processed legume and grass seeds as a commercial processor and will receive a written notice whether or not he is permitted to make such sales as a commercial processor.

(f) Any regional office of the Office of Price Administration is hereby authorized to notify any seller of processed legume and grass seeds whose principal place of business is located in his region whether or not he is permitted to sell as a commercial processor, upon the receipt of and on the basis of a Statement of Qualifications for Commercial Processors (OPA Form 634-2049) filed with a district office prior to, or with a regional office subsequent to, the effective date of this amendment. No person who has not filed a Statement of Quali-

fications for Commercial Processors (OPA Form 634-2049) and been authorized under this section, may take mark-ups as a qualified commercial processor of legume and grass seeds.

(g) Upon demand every seller of legume and grass seeds shall submit such records as are provided for in this section to the Office of Price Administration; and keep such further records as the Office of Price Administration may from time to time require subject to the approval of the Bureau of the Budget in accordance with the Reports Act of 1942.

2. Section 8 (a) (17) is amended to read as follows:

(17) "Commercial processor" means, with respect to a particular lot of legume and grass seeds, a person who performs the following functions, in a seed processing plant equipped with specialized seed processing machinery in addition to fanning and screening mills, which plant he maintains and operates:

(i) Blends and bulks thresher-run seeds and rough cleaned seeds;

(ii) Refines and purifies thresher-run seed and rough cleaned seed through the use of specialized processing machinery designed to remove weed seeds and noxious weed seeds;

(iii) Blends and bulks processed legume and grass seeds into lots of uniform quality;

(iv) Tests or has tested such seeds to determine uniformity of quality and to determine purity, germination, weed seed content and rate of occurrence of noxious weed seeds; and

(v) Sells such seeds properly labelled in compliance with the applicable seed laws.

This amendment shall become effective April 17, 1945.

Issued this 17th day of April 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: April 13, 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45-6163; Filed, Apr. 17, 1945; 4:01 p. m.]

TITLE 42—PUBLIC HEALTH

**Chapter I—Public Health Service,
Federal Security Agency**

**PART 11—FOREIGN QUARANTINE
INSPECTION UPON ENTRY**

Sections 11.62 and 11.64 are hereby amended to read as set forth below:

§ 11.62 *Certain vessels prior to entry.* Vessels arriving at ports of the United States under the following conditions shall be inspected by a quarantine officer prior to entry:

(a) All vessels from foreign ports except those covered by paragraph (b). Vessels from a foreign port shall be in-

spected only at first port of call in the continental United States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands.

(b) Vessels operating exclusively between a port or ports in the continental United States, Alaska, Hawaii, Puerto Rico, the Virgin Islands, and ports in Canada, Newfoundland, the Islands of St. Pierre and Miquelon, the West Coast of Lower California, the Republic of Cuba, the Bahama Islands, the Canal Zone, and the Bermuda Islands, are exempt from quarantine inspection upon arrival in ports of the continental United States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands: *Provided*, That all such vessels enumerated above may be subjected to inspection to determine rat infestation and when found rat infested, to deratization measures: *Provided further*, That during the prevalence of any of the quarantinable diseases at any of the aforementioned ports of departure or call, such vessels shall be subject to quarantine inspection upon arrival at any port in the continental United States, Alaska, Hawaii, Puerto Rico or the Virgin Islands.

(c) Any vessel with sickness on board.

(d) Vessels from domestic ports where cholera, plague or yellow fever prevails, or where smallpox or typhus prevails in epidemic form.

§ 11.64 *Extent and method.* In making the inspection of a vessel due consideration shall be given before granting pratique to the actual conditions which exist on board at the time of arrival; also to the medical history of the voyage, the sanitary particulars of the passengers and crew, the status of the port of departure and ports of call with respect to the presence of quarantinable diseases therein and the conduct of the vessel while in such ports. The deratization certificate, the clinical record of all cases treated during the voyage and when necessary, the passenger and the crew lists, cargo manifests and the ship's log, shall be examined. The passengers, crew, and all other persons on board shall be mustered, examined, and compared with their respective lists and any discrepancies found shall be investigated: *Provided*, That on regular line vessels, when classified as "uninfected," which carry a medical officer, the muster and inspection of passengers and crews may be limited in the discretion of the quarantine officer to the examination of persons who have received medical treatment during the voyage for sickness accompanied by fever or skin eruption, and such other persons as it may be desirable to examine.

Dated: April 16, 1945.

[SEAL] THOMAS PARRAN,
Surgeon General.

Approved:

WATSON B. MILLER,
Acting Federal Security
Administrator.

[F. R. Doc. 45-6170; Filed, Apr. 18, 1945;
10:28 a. m.]

No. 78—3

Notices

DEPARTMENT OF THE INTERIOR.

Office of the Secretary.

[Order SFA T-3]

PHILADELPHIA AND READING COAL AND IRON Co.

TERMINATION OF POSSESSION

I have been advised that the productive efficiency of the mines, collieries and preparation facilities of the Philadelphia and Reading Coal and Iron Company in the State of Pennsylvania has been restored to that prevailing prior to the interruption of production which occasioned the taking of Government possession of such mines, collieries and facilities.

Upon the basis of such advice, and after consideration of all of the circumstances, I find that such Government possession is no longer required and, in accordance with Executive Order No. 9469 (9 F.R. 10343) and the War Labor Disputes Act (57 Stat. 163), should be terminated.

Accordingly, I order and direct that possession by the Government of each and all of the mines, collieries and preparation facilities of the Philadelphia and Reading Coal and Iron Company in the State of Pennsylvania, including any and all real and personal property and other assets used in connection with the operation thereof be, and it is hereby terminated, and that there be displayed conspicuously at those mining properties copies of a poster to be supplied by the Solid Fuels Administration for War and reading as follows:

NOTICE

Government possession of this coal mine, and of all property and assets used in connection with the operation thereof, has been terminated by order of the Secretary of the Interior.

Nothing contained herein shall be deemed to preclude the Government from requiring the submission of information relating to operations during the period of Government possession, 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. 9469, pursuant to which Government possession was taken, may be concluded in an orderly manner.

Dated: April 16, 1945.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 45-6188; Filed, Apr. 18, 1945;
10:52 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. SA-102]

ACCIDENT OCCURRING NEAR MORGANTOWN,
W. VA.

NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States

Registry NC 25692, which occurred near Morgantown, West Virginia, on April 14, 1945.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding, that hearing is hereby assigned to be held on Saturday, April 21, 1945 at 9:30 a. m. (e. w. t.) in Room 222, Federal Building, Morgantown, West Virginia.

Dated at Washington, D. C., April 17, 1945.

JOHN M. CHAMBERLAIN,
Acting Director, Safety Bureau.

[F. R. Doc. 45-6189; Filed, Apr. 18, 1945;
10:56 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4934]

CELANESE CORPORATION OF AMERICA

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 16th day of April, A. D. 1945.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That James A. Purcell, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, May 16, 1945, at ten o'clock in the forenoon of that day (Eastern Standard Time), in Room 505, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-6194; Filed, Apr. 18, 1945;
11:15 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 4805]

MARIE PRELL

In re: Estate of Marie Prell, deceased; File D-28-8524; E. T. sec. 10066.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9085, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Edith Betty Kaiser in and to the estate of Marie Prell, deceased,

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

National and Last Known Address

Edith Betty Kaiser, Germany.

That such property is in the process of administration by Louis Neuberger, as Executor, acting under the judicial supervision of the Essex County Orphans' Court, Newark, New Jersey;

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

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

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

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

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

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

Executed at Washington, D. C., on April 10, 1945.

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

[F. R. Doc. 45-6174; Filed, Apr. 18, 1945;
10:48 a. m.]

[Vesting Order 4806]

JULIANNA SAWIENSKE

In re: Estate of Julianna Sawienske, deceased; file D-65-189; E. T. sec. 11970.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Augusta Peschal, Edward Heimlich, Elvina Heimlich and Rudolph Heimlich, and each of them, in and to the Estate of Julianna Sawienske, deceased,

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

Nationals and Last Known Address

Augusta Peschal, Germany.
Edward Heimlich, Germany.
Elvina Heimlich, Germany.
Rudolph Heimlich, Germany.

That such property is in the process of administration by Julia Ratter, as Administratrix of the Estate of Julianna Sawienske, acting under the judicial supervision of the Circuit Court of the State of Oregon, for Multnomah County;

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 April 10, 1945.

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

[F. R. Doc. 45-6175; Filed, Apr. 18, 1945;
10:48 a. m.]

[Vesting Order 4807]

GERTRUD C. SCHMIDT

In re: Trust under the will of Gertrud C. Schmidt, File D-66-1833; E. T. sec. 10844;

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of the Deutsche Bank in and to the trust under the will of Gertrud C. Schmidt,

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

National and Last Known Address

Deutsche Bank, Germany.

That such property is in the process of administration by The Bryn Mawr Trust Company, as trustee, acting under the judicial supervision of the Orphans' Court of Montgomery County, Norristown, Pennsylvania;

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

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

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

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

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

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

Executed at Washington, D. C., on April 10, 1945.

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

[F. R. Doc. 45-6176; Filed, Apr. 18, 1945;
10:48 a. m.]

[Vesting Order 4808]

SUMIO UESUGI

In re: Estate of Sumio Uesugi, deceased; file D-39-17374; E. T. sec. 9320.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Tama Uesugi in and to the Estate of Sumio Uesugi, deceased, is property payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Tama Uesugi, Japan.

That such property is in the process of administration by James F. Egan, as administrator, acting under the judicial supervision of the Surrogate's Court of New York County, State of New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (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 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 April 10, 1945.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-6177; Filed, Apr. 18, 1945; 10:48 a. m.]

[Vesting Order 4809]

EDWARD VON ALBERTI

In re: Estate of Edward von Alberti, deceased; File No. 017-16992.

Under the authority of the Trading with the Enemy Act, as amended, and

Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Arthur von Alberti, Elsie Seyferth, Paula Grau, Bertha Kuhlberger, Marie von Alberti and Emilie Raldl, and each of them, in and to the estate of Edward von Alberti, deceased,

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

Nationals and Last Known Address

Arthur von Alberti, Germany.

Elsie Seyferth, Germany.

Paula Grau, Germany.

Bertha Kuhlberger, Germany (Austria).

Marie von Alberti, Germany.

Emilie Raldl, Germany (Austria).

That such property is in the process of administration by James F. Egan, as administrator of the estate of Edward von Alberti, acting under the judicial supervision of the Surrogate's Court of 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 April 10, 1945.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-6178; Filed, Apr. 18, 1945; 10:48 a. m.]

[Vesting Order 4810]

MABEL PAINE VON SCHLOTHEIM

In re: Estate of Mabel Paine von Schlotheim, deceased; File D-28-8146; E. T. sec. 9060.

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

That the property described as follows: (a) All right, title, interest and claim of any kind or character whatsoever of Mira von Colomb, Helene Thesing, and each of them, in and to the Estate of Mabel Paine von Schlotheim, deceased,

(b) All right, title, interest and claim of any kind or character whatsoever of Freiherr von Schlotheim Familien Stiftung in and to the Trust created under the Will of Mabel Paine von Schlotheim, deceased,

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

Nationals and Last Known Address

Mira von Colomb, Germany.

Helene Thesing, Germany.

Freiherr von Schlotheim Familien Stiftung, Germany.

That such property is in the process of administration by J. Howard Eager and Bankers Trust Company, Executors and Trustees, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

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

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

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

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

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

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

Executed at Washington, D. C., on April 10, 1945.

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

[F. R. Doc. 45-6179; Filed, Apr. 18, 1945;
10:49 a. m.]

[Vesting Order 4811]

GEORGE WEICKERT

In re: Estate of George Weickert, deceased; File D-28-9394; E. T. sec. 12502, Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of heirs, next of kin and distributees, names unknown, of George Weickert, deceased, and each of them, in and to the Estate of George Weickert, deceased,

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

Nationals and Last Known Address

Heirs, next of kin and distributees, names unknown, of George Weickert, deceased, Germany.

That such property is in the process of administration by John B. Huff, as Administrator of the Estate of George Weickert, acting under the judicial supervision of the Probate Court, Goodnews Bay Precinct, Fourth Judicial Division, Territory of Alaska;

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 April 10, 1945.

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

[F. R. Doc. 45-6180; Filed, Apr. 18, 1945;
10:49 a. m.]

[Vesting Order 4812]

EMMA WENDEL

In re: Estate of Emma Wendel, deceased; File D-28-8857; E. T. sec. 10942.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Ida Peters in and to the estate of Emma Wendel, deceased,

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

National and Last Known Address

Ida Peters, Germany.

That such property is in the process of administration by Peter Wambold and Frank Henry Wambold, as Executors, acting under the judicial supervision of the Surrogate's Court of Kings County, New York;

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

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

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

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

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

admission of the existence, validity or right to allowance of any such claim.

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

Executed at Washington, D. C., on April 10, 1945.

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

[F. R. Doc. 45-6181; Filed, Apr. 18, 1945;
10:49 a. m.]

[Vesting Order 4813]

NELLIE C. WILLIAMS

In re: Trust under the will of Nellie C. Williams, deceased; File No. D-28-9065; E. T. sec. 11589.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Marta Uhlig in and to the Trust under the Will of Nellie C. Williams, deceased,

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

National and Last Known Address

Marta Uhlig, Germany.

That such property is in the process of administration by the Mercantile Trust Company of Baltimore, as Executor and Trustee, acting under the judicial supervision of the Surrogate's Court, County and State of New York;

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

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

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

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request

for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

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

Executed at Washington, D. C., on April 10, 1945.

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

[F. R. Doc. 45-6182; Filed, Apr. 18, 1945;
10:49 a. m.]

[Vesting Order 4814]

LEONARD WOLLERSHEIM

In re: Estate of Leonard Wollersheim, also known as Leo Wollersheim, deceased; File D-28-7706; E. T. sec. 8225.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Maria Spenner, Anna Joisten, Anna Klara Thiemann, Willi Wollersheim, Karl Wollersheim, Joh Wollersheim, Heinrich Wollersheim, Maria Kaster, Sophie Korfggen (Koerfggen), Josepha Wollersheim, Margaretha Wollersheim, Gertrud Kromack (Kromark), Anna Schoenen, nee Wollersheim, Gertrud Wollersheim, Katharina Kramer (Katharine Kraemer), Margaretha (Margarete) Gruemmer, Josef Krings, Sophie Krings, Maria Van der Meulen (Von Der Meulen), Catharina Windeck, Arno Klein, Andreas Trimborn, Peter Trimborn, Wilhelm Trimborn, Elisabeth (Elisabeth) Beyl, Maria Mirbach, Katharina Fuss, Marianne Rick, and Anna Schneider, and each of them, in and to the estate of Leonard Wollersheim, also known as Leo Wollersheim, deceased,

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

Nationals and Last Known Address

Maria Spenner, Germany.
Anna Joisten, Germany.
Anna Klara Thiemann, Germany.
Willi Wollersheim, Germany.
Karl Wollersheim, Germany.
Joh Wollersheim, Germany.
Heinrich Wollersheim, Germany.
Maria Kaster, Germany.
Sophie Korfggen (Koerfggen), Germany.
Josepha Wollersheim, Germany.
Margaretha Wollersheim, Germany.
Gertrud Kromack (Kromark), Germany.
Anna Schoenen, nee Wollersheim, Germany.
Gertrud Wollersheim, Germany.
Katharina Kramer (Katherine Kraemer), Germany.
Margaretha (Margarete) Gruemmer, Germany.
Josef Krings, Germany.
Sophie Krings, Germany.
Maria Van der Meulen (Von Der Meulen), Germany.
Catharina Windeck, Germany.
Arno Klein, Germany.
Andreas Trimborn, Germany.
Peter Trimborn, Germany.
Wilhelm Trimborn, Germany.
Elisabeth (Elisabeth) Beyl, Germany.
Maria Mirbach, Germany.
Katharina Fuss, Germany.

Marianne Rick, Germany.
Anna Schneider, Germany.

That such property is in the process of administration by Leo J. Kieselbach, Barnesville, Minnesota, as Executor of the estate of Leonard Wollersheim, also known as Leo Wollersheim, deceased, acting under the judicial supervision of the Probate Court of Clay County, Minnesota;

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

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

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

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

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

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

Executed at Washington, D. C., on April 10, 1945.

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

[F. R. Doc. 45-6183; Filed, Apr. 18, 1945;
10:50 a. m.]

[Vesting Order 4815]

MARY ZUERCHER

In re: Estate of Mary Zuercher, deceased; File D-28-9590; E. T. sec. 13221.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of the heirs-at-law and next-of-kin, names unknown, of Mary Zuercher, deceased, and each of them, in and to the Estate of Mary Zuercher, deceased,

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

Nationals and Last Known Address

Heirs-at-law and next-of-kin, names unknown, of Mary Zuercher, deceased, Germany.

That such property is in the process of administration by Joseph Edward Murray, as administrator, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

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 April 10, 1945.

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

[F. R. Doc. 45-6184; Filed, Apr. 18, 1945;
10:50 a. m.]

[Vesting Order 4821]

MINNIE KOENIG

In re: Estate of Minnie Koenig, deceased; File D-28-8813; E. T. sec. 10812.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Lina Bahsler Lobe, also known as Linna B. Lobe and as Lena Maria Bertha Bassler Lobe, Elsa Lobe, Hedwig Lobe, Clara Lobe, Wanda Lobe, Max Lobe,

Richard Lobe, Albert Lobe, Lina Bahsler Siebert, Ernst Bahsler and Max Bahsler, and each of them, in and to the Estate of Minnie Koenig, deceased, and in and to the Trust created under the will of Minnie Koenig, deceased.

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

Nationals and Last Known Address

Lina Bahsler Lobe, also known as Linna B. Lobe and as Lena Maria Bertha Bassler Lobe, Germany.

Elsa Lobe, Germany.
Hedwig Lobe, Germany.
Clara Lobe, Germany.
Wanda Lobe, Germany.
Max Lobe, Germany.
Richard Lobe, Germany.
Albert Lobe, Germany.
Lina Bahsler Siebert, Germany.
Ernst Bahsler, Germany.
Max Bahsler, Germany.

That such property is in the process of administration by The Farmers and Merchants National Bank of Los Angeles, as Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

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 AFC-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 April 14, 1945.

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

[F. R. Doc. 45-6185; Filed, Apr. 18, 1945; 10:50 a. m.]

[Vesting Order 4822]

KRESZENZ ZURCHER

In re: Estate of Kreszenz Zurcher, deceased; File D-28-9196; E. T. sec. 11942.

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

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Margaret Tress, Agatha Fischer, Magdalena Fischer, Joseph Tress and children, names unknown, of Teresa Ogerdorffer, deceased, and each of them, in and to the Estate of Kreszenz Zurcher, deceased,

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

Nationals and Last Known Address

Margaret Tress, Germany.
Agatha Fischer, Germany.
Magdalena Fischer, Germany.
Joseph Tress, Germany.
Children, names unknown, of Teresa Ogerdorffer, deceased, Germany.

That such property is in the process of administration by N. E. Wretman, as Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Santa Clara;

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 April 14, 1945.

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

[F. R. Doc. 45-6186; Filed, Apr. 18, 1945; 10:50 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 6A-103]

WICHITA, KANS., AREA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, as amended (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to conserve and providently utilize vital transportation equipment, materials, and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers shall file forthwith a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or appropriate supplements to filed tariffs or schedules, setting forth any changes in rates, charges, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs, schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to

¹ Filed as part of the original document.

require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper, or to exempt or release any participant in the plan from the requirements of any order of the Office of Defense Transportation now or hereafter in effect. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be available for examination and inspection at all reasonable times by any accredited representative of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective April 23, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 18th day of April 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

General Transfer Co., Wichita, Kans.
Red Ball Transfer Co., Wichita, Kans.
Ferguson Transfer Co., Wichita, Kans.
Palmer Transfer Co., Wichita, Kans.
Gibson Transfer Co., Wichita, Kans.
Yellow Transfer Co., Wichita, Kans.

[F. R. Doc. 45-6157; Filed, Apr. 17, 1945;
3:28 p. m.]

[Supp. Order ODT 6A-108]

HARRISBURG, PA., AREA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, as amended (8 F. R. 8757, 14582; 9 F. R. 2794), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to conserve and providently utilize vital transportation equipment, materials, and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers shall file forthwith a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or appropriate supplements to filed tariffs or schedules, setting forth any changes in rates, charges, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs, schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability

¹ Filed as part of the original document.

to any shipper, or to exempt or release any participant in the plan from the requirements of any order of the Office of Defense Transportation now or hereafter in effect. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be available for examination and inspection at all reasonable times by any accredited representative of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective April 23, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 18th day of April 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

York Motor Express Co., York, Pa.
Motor Freight Express, York, Pa.
R. G. Mowrey, doing business as West Shore Express, New Cumberland, Pa.

[F. R. Doc. 45-6156; Filed, Apr. 17, 1945;
3:28 p. m.]

[Supp. Order ODT 6A-110]

CHARLOTTE, N. C., AREA

COORDINATED OPERATIONS OF CERTAIN
CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, as amended (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to conserve and providently utilize vital transportation equipment, materials, and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers shall file forthwith a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or appropriate supplements to filed tariffs or schedules, setting forth any changes in rates, charges, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs, schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper, or to exempt or release any participant in the plan from the requirements of any order of the Office of Defense Transportation now or hereafter in effect. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority

of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be available for examination and inspection at all reasonable times by any accredited representative of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective April 23, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 18th day of April 1945.

GUY A. RICHARDSON,

Director,

Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

Olando Hudson and Frances Hudson, co-partners, doing business as Palmetto Motor Express Lines, Hartsville, S. C.

Rutherford Freight Lines, Inc., Bristol, Va.-Tenn.

[F. R. Doc. 45-6158; Filed, Apr. 17, 1945; 3:28 p. m.]

[Supp. Order ODT 6A-113]

JACKSON, MISS., AREA

COORDINATED OPERATIONS OF CERTAIN
CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense

Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, as amended (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers shall file forthwith a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or appropriate supplements to filed tariffs or schedules, setting forth any changes in rates, charges, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs, schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper, or to exempt or release any participant in the plan from the requirements of any order of the Office of Defense Transportation now or hereafter in effect. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this

¹ Filed as part of the original document.

order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be available for examination and inspection at all reasonable times by any accredited representative of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective April 23, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 18th day of April 1945.

GUY A. RICHARDSON,
Director,
Highway Transport Department,
Office of Defense Transportation.

APPENDIX 1

E. R. Lovell, doing business as Jackson Transfer Co., Jackson, Miss.

G. L. Matthews, Jackson, Miss.

Lawrence White, doing business as Reliable Transfer Co., Jackson, Miss.

[F. R. Doc. 45-6159; Filed, Apr. 17, 1945; 3:29 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[Administrative Notice 15]

CERTIFIED AND WAR APPROVED SEED POTATOES OF THE 1945 CROP

NOTICE TO GROWERS OF PROPOSED MAXIMUM PRICES

Pursuant to the provisions of the Emergency Price Control Act of 1942, as amended, the Price Administrator hereby gives notice to growers that he proposes to establish the same maximum prices

No. 78—4

for certified and war approved seed potatoes of the 1945 crop as those now in effect for the 1944 crop under the provisions of Revised Maximum Price Regulation 492 as amended.

The delivery periods set forth in RMPR 492 for determining the price shall be the same except that they shall be for 1945-1946 and the other price differentials set forth in RMPR 492 will be the same, except that they will apply to the 1945 crop instead of the 1944 crop.

Issued this 17th day of April 1945.

CHESTER BOWLES,
Administrator.

Approved: April 16, 1945.

GROVER B. HILL,
First Assistant War Food
Administrator.

[F. R. Doc. 45-6161; Filed, Apr. 17, 1945; 4:01 p. m.]

[Administrative Notice 16]

ONION SETS OF THE 1945 CROP

NOTICE TO GROWERS OF PROPOSED MAXIMUM PRICES

Pursuant to the provisions of the Emergency Price Control Act of 1942, as amended, the Price Administrator hereby gives notice to growers that he proposes to establish the same maximum prices for onion sets of the 1945 crop as those now in effect for the 1944 crop under the provisions of Second Revised Maximum Price Regulation 371, as amended.

The delivery periods set forth in Second Revised Maximum Price Regulation 371 for determining the price shall be the same except that they shall be for 1945-1946 and the other price differentials set forth in Second Revised Maximum Price Regulation 371 will be the same, except that they will apply to the 1945 crop instead of the 1944 crop.

Issued this 17th day of April 1945.

CHESTER BOWLES,
Administrator.

Approved: April 16, 1945.

GROVER B. HILL,
First Assistant War Food
Administrator.

[F. R. Doc. 45-6162; Filed, Apr. 17, 1945; 4:01 p. m.]

[Supp. Order 94, Order 50]

UNITED STATES TREASURY DEPARTMENT,
PROCUREMENT DIVISION

SPECIAL MAXIMUM PRICES FOR TWO-WHEELED
HAND PUSH CARTS

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, it is ordered:

(a) *What this order does.* This order establishes maximum prices for sales at wholesale and retail of certain new two-wheel hand push carts hereinafter described, which have been or may be pur-

chased from the United States Treasury Department, Procurement Division.

(b) *Maximum prices.* Maximum prices per new push cart described herein shall be:

Description of push cart. Two wheel hand push cart, wooden body 4'8" x 2'6" x 1'1 1/2" made of 1/2" stock, metal wheels 4' diameter with 1" diameter axle, wooden handle braced T shape with 4" iron ring at top center of T, color green, weight approximately 200 lbs.

(1) For all sales by wholesalers to retailers, \$17.00 plus any amount in excess of \$12.00 actually paid by the wholesaler to Treasury.

(2) For all sales at retail by retailers who purchase direct from Treasury, \$21.00 plus any amount in excess of \$12.00 actually paid to Treasury.

(3) For all sales at retail by retailers who purchase from a wholesaler, \$26.00 plus any amount in excess of \$12.00 actually paid by the wholesaler to Treasury.

(c) *Discounts.* Every seller shall continue to maintain his customary discounts for cash.

(d) *Notification.* Any person who sells the push cart described in paragraph (b) to a retailer shall furnish the retailer with an invoice of sale setting forth the provisions of paragraph (b) (2) or (b) (3), whichever is applicable, and stating that the retailer is required by this order to attach to each cart before sale a tag or label stating the appropriate retail ceiling price. In the case of wholesalers such invoice shall state separately the amount in excess of \$12.00 actually paid the Treasury.

(e) *Tagging.* Any person who sells the push carts described in paragraph (b) at retail shall attach to each cart before sale a tag or label which plainly states the appropriate retail ceiling price.

(f) *Filing of invoices.* Any reseller who charges any amount in excess of the specified prices (i. e. \$17, \$21 or \$26, whichever is applicable) as provided in paragraph (b) shall within five days after the first sale file a copy of his supplier's invoice with the Regional Office of the Office of Price Administration for the Region in which the reseller is located.

(g) *Definitions.* (1) "Retailer" means any person whose sales to purchasers for use constitute a substantial part of his total sales.

(2) "Wholesaler" means any person other than a manufacturer who distributes or sells push carts to resellers.

(h) *Revocation and amendment.* This order may be revoked or amended at any time.

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

This order shall become effective April 19, 1945.

Issued this 18th day of April 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-6198; Filed, Apr. 18, 1945; 11:26 a. m.]

[Order 41 Under 3 (e)]

SEEMAN BROS., INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to § 1499.3 (e) (3), it is ordered:

(a) The maximum delivered prices for sales of "Air-Wick," packaged by Seeman Brothers, Inc., New York, New York, in a quart size bottle, shall be:

To distributors	To ultimate consumers
\$18.00 per dozen	\$2.50 per bottle

(b) No extra charge may be made for containers.

(c) Prior to making any delivery of the aforesaid commodity, Seeman Brothers, Inc., shall mark or cause to be marked on each bottle of "Air-Wick" or on the carton containing same the following notation:

Retail ceiling price \$2.50.

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

This order shall become effective April 19, 1945.

Issued this 18th day of April 1945.

CHESTER BOWLES,
Administrator.[F. R. Doc. 45-6199; Filed, Apr. 18, 1945;
11:26 a. m.]

[RPS 40, Order 18]

SARGENT AND Co.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1346.6a (a) of Revised Price Schedule No. 40, it is ordered:

(a) (1) *Maximum net prices for Sargent and Company.* The maximum net prices for sales by Sargent and Company of New Haven, Connecticut, of padlock Model No. 754, shall be:

On sales to jobbers, \$12.25 per dozen.
On sales to retailers, \$15.75 per dozen.

(2) Cash discounts, services and transportation charges. The maximum net prices established in paragraph (a) (1) shall be subject to the extension of cash discounts, the rendition of services and the absorption of transportation charges at least as favorable to purchasers of the same class as those which Sargent and Company extended, rendered or absorbed or would have extended, rendered, or absorbed during the period October 1 to 15, 1941.

(b) (1) *Maximum net prices for jobbers.* The maximum net prices for sales by any jobber or padlock Model No. 754 manufactured by Sargent and Company of New Haven, Connecticut, shall be \$15.75 per dozen.

Any jobber selling such padlock to purchasers other than for resale shall determine his maximum price in accordance with paragraph (c) (1).

(2) *Cash discounts, services and transportation charges.* The maximum net

price established in paragraph (b) (1) shall be subject to the extension of cash discounts, the rendition of services, and the absorption of transportation charges at least as favorable to purchasers of the same class as those which each jobber extended, rendered or absorbed or would have extended, rendered, or absorbed during the period October 1 to 15, 1941.

(c) (1) *Maximum net prices for retailers.* The maximum net price for sales by any retailer of padlock Model No. 754 manufactured by Sargent and Company of New Haven, Connecticut, shall be \$1.90 per padlock.

(2) *Retailer's price differentials.* The maximum net price established in paragraph (c) (1) shall be subject to the most favorable price differentials, discounts and allowances which the retailer granted or would have granted for quantity purchases or on any other basis to purchasers of the same class during March 1942.

(d) *Notification.* Each seller other than a retailer for whom a maximum price is established under this order, shall, at the time the first invoice is issued, notify in writing each purchaser of such seller's maximum price established under this order as well as the maximum price of each such purchaser on resale.

(e) *Tagging.* Sargent and Company shall print in a conspicuous place on the box in which each padlock Model No. 754 is sold or on a tag to be attached to each such padlock the following:

Maximum Retail Price—\$1.90 each

(f) All prayers in the application of Sargent and Company not granted in this order are denied.

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

This order shall become effective April 19, 1945.

Issued this 18th day of April 1945.

CHESTER BOWLES,
Administrator.[F. R. Doc. 45-6200; Filed, Apr. 18, 1945;
11:28 a. m.]

[RMFR 136, Order 427]

WICO ELECTRIC Co.

APPROVAL OF MAXIMUM PRICES

Order No. 427 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. Wico Electric Company. Docket No. 6083-136.25a-272.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 (b) of Revised Maximum Price Regulation 136, it is ordered:

(a) The maximum prices of Wico Electric Company, Springfield, Massachusetts, for its sales of parts for all of its magnetos as presently modified shall be determined by increasing the maximum net prices in effect just prior to January 14, 1945 (which was the effective date of Order No. L-2 under Maxi-

mum Price Regulation 136, as amended) to the class of purchasers receiving the greatest discount, by 5.58%. Maximum list prices for the foregoing parts shall be calculated by dividing such increased net price to the class of purchasers receiving the greatest discount by four-tenths (.4). All list prices may be rounded off to the nearest five cents.

The maximum prices of Wico Electric Company for the sale of the foregoing magneto replacement parts to its various classes of purchasers shall be the maximum list prices as determined above less all discounts and allowances which Wico Electric Company had in effect just prior to January 14, 1945, to its various classes of purchasers.

(b) (1) The maximum prices of Wico Electric Company for its Class A magnetos shall be determined in the manner provided in paragraph (a) hereof, except that the amount of the increase to be applied shall be 4.42%.

(2) The maximum prices of the Series JEM magnetos shall be the maximum prices which were in effect therefor just prior to January 14, 1945.

(3) All list prices of magnetos may be rounded off to the nearest ten cents.

(c) The maximum prices of resellers of the magnetos and parts affected by this order shall be determined by increasing or decreasing the maximum prices which such resellers had in effect just prior to the issuance of this order by the percentage amount by which his costs thereof have been increased or decreased pursuant to this order.

(d) Wico Electric Company shall give written notice to its purchasers who buy the subject magnetos and magneto parts for resale of the percentage amounts by which the subject magnetos and parts were increased or decreased in price, and which such resellers can apply to determine their maximum prices for resale. A copy of each such notice shall be filed with the Machinery Branch, Office of Price Administration, Washington 25, D. C., within thirty days after the effective date of this order or within five days after such notification has been sent to a purchaser.

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

This order shall become effective April 19, 1945.

Issued this 18th day of April 1945.

CHESTER BOWLES,
Administrator.[F. R. Doc. 45-6202; Filed, Apr. 18, 1945;
11:28 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 812-31]

HUDSON TRADING & INVESTING CORP.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 16th day of April, A. D. 1945.

An application having been filed by Hudson Trading & Investing Corporation, an unregistered investment company, for an order under section 6 (c) of the Investment Company Act of 1940 extending its temporary exemption from all of the provisions of such act,

It is ordered, That a hearing on the matter of the application of the above named applicant under the applicable provisions of said act and the rules of the Commission for exemption from all of the provisions of the Investment Company Act of 1940 be held on April 26, 1945, at 10:00 o'clock, eastern war time, in the forenoon of that date in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pa.

It is further ordered, That Henry C. Lank or any other officer or officers of the Commission designated for that purpose, shall preside at the hearing on such application. The officer so designated to preside at any such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to the above named applicant and to any other person or persons concerned or to any person or persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-6149; Filed, Apr. 17, 1945;
2:41 p. m.]

[File No. 70-1061]

SOUTHWESTERN PUBLIC SERVICE CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 14th day of April, A. D. 1945.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Southwestern Public Service Company ("Southwestern").

All interested persons are referred to the said filings, which are on file in the office of this Commission, for a statement of the transactions therein proposed, which may be summarized as follows:

As a further step in compliance with the order of the Commission dated July 8, 1942, directing Southwestern to take certain specified action to comply with the provisions of section 11 (b), Southwestern proposes to divest itself of all interest in, and all ownership and control of, the physical properties and other assets of Southwestern located in east-central Texas used in the manufacture and distribution of electricity and ice.

Southwestern proposes to sell its east-central Texas properties to Southwestern Electric Service Company ("Electric"), which is to be a new Texas corporation organized by Southwestern for the purpose of acquiring these properties. Southwestern represents that Electric will join with it as a party to the instant filings immediately after organization. The base consideration for the sale of these properties together with all assets and liabilities relating thereto (other than cash) is to be approximately \$4,308,000 subject to adjustment for change in net current position between January 31, 1945, and the date of closing.

Electric is to secure funds for the purchase of the east-central Texas properties and for working capital by the issuance and sale of \$2,375,000 principal amount of thirty-year first mortgage bonds, 8,500 shares of cumulative preferred stock, par value \$100 per share, and 128,935 shares of common stock, par value \$1 per share. Electric is to issue transferable bearer subscription rights valid for fifteen days to the holders of the common stock of Southwestern permitting such stockholders to purchase at the price of \$8.50 per share one share of common stock of Electric for each five shares of common stock of Southwestern held. It is further proposed that the entire issue of Electric's common be underwritten and the unsubscribed stock be sold to underwriters at a maximum price of \$8.50 per share and offered to the public at an estimated price of \$9.00 per share. In the event that underwriters offer the unsubscribed stock to the public at a price higher than \$9.00 per share, Electric is to receive not less than 75% of such excess in price.

Southwestern requests the Commission to find that the issuance and sale of all the securities proposed to be issued by Electric is not subject to the requirements of Rule U-50 or in the alternative to grant an exception therefrom with respect to the proposed issuance and sale of such securities.

Pursuant to the provisions of Southwestern's Indenture securing its First Mortgage Bonds, \$4,000,000 of the consideration to be received from the sale of the east-central Texas properties will be deposited with the Trustee under said Indenture to be held and disposed of by it under the terms and provisions of said Indenture.

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 in respect to such matters; and that said declaration or application (or both) shall not become effective or be granted except pursuant to further order of this Commission;

It is ordered, That a hearing on said declaration or application (or both) under the applicable provisions of said act and the rules of the Commission thereunder be held on April 26, 1945 at 11:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hear-

ing room clerk in Room 318 will advise as to the room in which such hearing will be held. All persons desiring to be heard or otherwise wishing to participate in the proceedings should notify the Commission in the manner provided by the rules of practice, Rule XVII, on or before April 24, 1945.

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings at such time. The officer so designated to preside at such hearing is hereby authorized to exercise all power granted to the Commission under section 18 (c) of said act and to the trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues, particular attention will be directed at such hearing to the following matters:

1. Whether the proposed disposition of the east-central Texas properties by Southwestern is in furtherance of, and not inconsistent with, the order of this Commission dated July 8, 1942, and is necessary to enable Southwestern to comply with the provisions of section 11 (b) of the act.

2. Whether the securities proposed to be issued by Electric are subject to the act and, if so, whether such securities meet the standards of section 7 (c) and 7 (d) of the act.

3. Whether the proposed sales of the securities by Electric are subject to the requirements of Rule U-50 and, if so, whether the requested exception from the competitive bidding requirements of Rule U-50 should be granted.

4. Whether the proposed acquisitions by Electric meet the requirements of the applicable provisions of the act, particularly section 10 thereof.

5. Whether the consideration to be received by Southwestern is fair and reasonable.

6. Whether the fees, commissions, or other remunerations to be paid are reasonable.

7. Whether it is necessary or appropriate to impose terms or conditions in the public interest or for the protection of investors or consumers, and, if so, what terms and conditions should be imposed.

8. Generally, whether the proposed transactions comply with the applicable provisions of the act and the rules, regulations, and orders promulgated thereunder.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this order by registered mail to Southwestern Public Service Company, to the Public Service Commission of New Mexico, to the Railroad Commission of Texas; 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] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-6150; Filed, Apr. 17, 1945;
2:41 p. m.]

[File No. 70-1045]

MAINE PUBLIC SERVICE CO. AND MAINE
AND NEW BRUNSWICK ELECTRICAL POWER
CO., LTD.

ORDER PERMITTING JOINT DECLARATION TO
BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 14th day of April, A. D., 1945.

Maine Public Service Company ("Maine"), a subsidiary of Consolidated Electric and Gas Company ("Consolidated"), a registered holding company, and Maine's subsidiary, Maine and New Brunswick Electrical Power Company, Ltd. ("New Brunswick"), having filed a joint declaration pursuant to the Public Utility Holding Company Act of 1935 and rules promulgated thereunder, particularly section 12 of the act and Rule U-42, regarding the payment to Maine by New Brunswick of \$100,000 in cash (United States currency) in reduction of the principal amount of New Brunswick's note indebtedness to Maine; the capitalization of New Brunswick at the present time consisting of 5,000 shares of common stock, par value \$100 per share, \$440,000 principal amount of note indebtedness, and \$39,000 principal amount of 6% Perpetual Debenture Stock, all of these securities, except \$7,900 principal amount of the 6% Perpetual Debenture Stock, being owed by Maine; and

Said joint declaration having been filed on March 8, 1945, amendments having been filed on March 22, 1945 and March 30, 1945, notice of filing having been given in the form and manner prescribed in Rule U-23 under the act, and the Commission not having received a request for a hearing with respect to said joint declaration within the time specified in said notice or otherwise and not having ordered a hearing thereon; and

The Commission deeming that no adverse findings under the applicable sections of the act and the rules promulgated thereunder are necessary herein and finding it appropriate in the public interest and the interest of investors and consumers to permit said joint declaration to become effective;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said act, and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid joint declaration be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-6151; Filed, Apr. 17, 1945;
2:41 p. m.]

[File No. 70-1066]

MANILA ELECTRIC CO., AND ASSOCIATED
ELECTRIC CO.

NOTICE REGARDING FILING OF APPLICATION-
DECLARATION

At a regular session of the Securities and Exchange Commission held at its

office in the City of Philadelphia, Pa., on the 16th day of April, 1945.

Notice is hereby given that a joint application-declaration has been filed with this Commission, pursuant to sections 9 (a), 10 and 12 (f) of the Public Utility Holding Company Act of 1935 and Rule U-43 promulgated thereunder, by Associated Electric Company, a registered holding company, and its subsidiary, Manila Electric Company; and

Notice is further given that any interested person may, not later than April 25, 1945, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such application-declaration, as filed or as amended, may be granted and permitted to become effective, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said application-declaration which is on file in the offices of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Manila Electric Company proposes to transfer to Associated Electric Company, and the latter proposes to acquire, 4,640 shares of the common stock of Atlantic Utility Service Corporation, an affiliated company, formerly a service company and now in process of liquidation. In consideration for such transfer, Associated Electric Company will agree to credit to its open account with Manila Electric Company a sum equivalent to all dividends or other distributions which Associated Electric Company may receive on such 4,640 shares of stock.

The applicants-declarants have requested that the Commission act upon such application-declaration not later than April 25, 1945.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-6152; Filed, Apr. 17, 1945;
2:41 p. m.]

[File Nos. 51-120, 59-34, 59-56]

NEW ENGLAND GAS AND ELECTRIC ASSOCIATION, ET AL.

NOTICE OF FILING AND ORDER FOR HEARING ON
PLAN FILED AND ORDER FOR CONSOLIDATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of April, 1945.

In the matter of New England Gas and Electric Association, File No. 54-120; New England Gas and Electric Association, et al., File No. 59-34; New England Gas and Electric Association, File No. 59-56.

Notice is hereby given that New England Gas and Electric Association (Association), a registered holding company, has filed an application under section 11 (e) of the Public Utility Holding Company Act of 1935, and other applicable sections of the act and rules and regulations promulgated thereunder, for approval of a Plan of Recapitalization of the Association and of related and incidental transactions:

All interested persons are referred to the application, which is on file in the offices of the Commission, for a statement of the transactions proposed in the Plan of Recapitalization, which may be summarized as follows:

The Declaration of Trust of the Association will be amended to provide that the beneficial interest in the Association be represented by new common shares of no par value but having a stated value on the books of the Association of \$25 per share, each such share to have voting power. The plan provides that not more than 605,000 such new common shares will be issued to carry out the provisions of the plan.

The plan further provides that the holders of 5% debentures maturing in 1947, 1948, 1950, and 1962, and 6% debentures maturing in 2031, will receive the following for each \$1,000 principal amount of debentures presently held:

(a) \$700 principal amount of new 35-year collateral sinking fund bonds, bearing interest at a rate not exceeding 3 7/8%, to be issued under a collateral trust indenture providing for sinking fund payments sufficient to retire the entire issue by maturity, or, at the option of the Association, \$700.00 in cash; plus

(b) 9 shares of the new common of the Association having a total stated value of \$225; plus

(c) At the option of the Association, either:

(1) 1 1/5 shares of common stock of New Hampshire Gas and Electric Company, a subsidiary of the Association, which shall have acquired the assets or the outstanding debt and equity securities of The Derry Electric Company and The Lamprey River Improvement Company, and the common stocks, or the proceeds from the sale of the common stocks, of Kittery Electric Light Company, St. Croix Electric Company, and International Power Company, also subsidiaries of the Association; or

(2) \$100 in 3 7/8% 35-year collateral sinking fund bonds; or

(3) \$100 in cash; plus

(d) \$25.00 in cash.

The plan also provides that 287,541 new common shares will be assigned for distribution to the holders of the Association's \$5.50 dividend series first preferred shares. There are outstanding 95,847 such first preferred shares, of which 72,103 are held by the public, 17,744 by NY PA NJ Utilities Company, and 6,000 by Associated Utilities Corporation, both subsidiaries of the Trustees of Associated Gas and Electric Corporation. The distribution of new common shares to the present preferred shareholders will be on the basis of at least three shares for each preferred share held subject to increase as set forth below.

No participation is accorded under the plan to the \$7.00 dividend second preferred shares or the present common shares of the Association.

The plan further provides for the divestment by the Association of all properties located outside of Massachusetts either by distribution of securities as above set forth or by sale, and in the latter event, the consideration received will be used directly or indirectly in connection with the plan to reduce outstanding debt securities.

The Association states that the Plan of Recapitalization is based upon the supposition that certain claims asserted against the Association by the Trustees of Associated Gas and Electric Company and Associated Gas and Electric Corporation, which are pending before the Commission, will not be sustained when the Commission renders its decision with respect to such claims (New England Gas and Electric Association, et al., File No. 59-34) and that amendment or withdrawal of the plan would be necessary should the contentions by the Association not be sustained. The Association further states that it has in such proceedings presented evidence to the Commission regarding the relative rights of participation in the reorganization of its first preferred shares held by the public and by NY PA NJ Utilities Company and Associated Utilities Corporation, and that the distribution of new common shares to present first preferred shareholders would be increased as to public holders to the extent, if any, such companies were found by the Commission not entitled to participate in the reorganization on an equal basis with public holders.

The Association also has pending against NY PA NJ Utilities Company a court action to reach and apply in satisfaction of an asserted obligation of reimbursement the 17,744 first preferred shares held by such company. The Plan provides that if the Association is successful in this litigation, there will result a pro rata increased distribution of new common shares to other holders of first preferred shares. The Association states that no exchange or distribution of the 53,232 new common shares applicable to the 17,744 first preferred shares held by NY PA NJ Utilities Company will be made until there has been a final disposition of the pending litigation, and, until such exchange or distribution, the 53,232 shares of new common will be deemed treasury shares with no voting power for any purpose.

It appearing to the Commission that it is appropriate in the public interest and the interests of investors and consumers that a hearing be held with respect to the proposed Plan of Recapitalization and that the plan should not be effectuated except pursuant to further order of the Commission; and

The Commission having heretofore instituted proceedings under section 11 (b) (1) (File No. 59-56) and section 11 (b) (2) (File No. 59-34) of the act, with respect to the Association, and such proceedings having been consolidated; and

It appearing to the Commission that the matters involved in said consolidated

proceedings under sections 11 (b) (1) and 11 (b) (2) are related to, and that evidence offered therein may have a bearing upon, the matters to be considered in the proceeding with respect to the proposed Plan of Recapitalization, and that substantial savings of time and expense will result if all such proceedings are consolidated;

It is hereby ordered, That the proceeding with respect to the proposed Plan of Recapitalization (File No. 54-120) be, and hereby is, consolidated with the proceedings heretofore consolidated under sections 11 (b) (1) and 11 (b) (2) of the act (File Nos. 59-56 and 59-34, respectively): *Provided, however*, That, except pursuant to further order of the Commission, no evidence shall be adduced in the proceedings so consolidated with respect to the issues set forth in the Commission's order of February 17, 1943, as supplemented by its order of May 13, 1943, in the proceedings under section 11 (b) (2) (File No. 59-34).

It is further ordered, That a hearing in such consolidated proceedings under the applicable provisions of said act and the rules of the Commission thereunder be held on May 22, 1945, at 10:30 a. m., e. w. t., 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. All persons desiring to be heard or otherwise wishing to participate in said proceedings should notify the Commission in the manner provided by Rule XVII of the rules of practice on or before May 17, 1945.

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented in said consolidated proceedings, particular attention will be directed at the hearing to the following matters and questions, in addition to the issues and questions set forth in the Commission's orders of September 26, 1942 (Holding Company Act Release No. 3813) and September 30, 1941 (Holding Company Act Release No. 3035) under sections 11 (b) (1) and 11 (b) (2) of the act, respectively;

1. Whether the plan, as submitted or as it may be modified, is necessary to effectuate the provisions of section 11 (b) of the Act and is fair and equitable to the persons affected thereby.

2. Whether the cash and securities proposed to be given to debenture holders afford them the fair equivalent of their rights and claims or whether such consideration should be increased or decreased or otherwise altered.

3. Whether, and, if so, in what manner, the proposed plan should be modified to insure adequate protection of the

public interest and the interests of investors or consumers and compliance with all applicable provisions of the act and rules thereunder.

4. The propriety of the proposed accounting treatment on the books of the Association.

5. Whether the plan, as submitted or as it may be modified, makes appropriate provision for the payment of fees, expenses, and remuneration in connection with the plan, in what amounts such fees, expenses and remuneration should be paid, and the fair and equitable allocation thereof.

It is further ordered, That notice of this hearing be given to New England Gas and Electric Association and all other interested persons; said notice to be given by registered mail to New England Gas and Electric Association and to all other parties in the proceedings consolidated herein, and to all other interested persons by a general release of this Commission distributed to the press and mailed to persons on the mailing list for releases under the act, and by publication in the FEDERAL REGISTER.

It is further ordered, That New England Gas and Electric Association give notice of this hearing to each of the holders of its outstanding debentures, preferred and common shares (insofar as the identity of such security holders is available or known to the Association), by mailing to each such security holder, to his last known address, a copy of this notice and order and a copy of the plan of recapitalization at least 20 days prior to the date of this hearing.

It is further ordered, That jurisdiction be, and hereby is, reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters included in these proceedings or to consolidate with these proceedings other filings or matters pertaining thereto, or to take such other action as may appear necessary to an orderly, prompt and economical disposition of the issues and matters involved.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-6153; Filed, Apr. 17, 1945; 2:41 p. m.]

[File Nos. 70-1008, 59-11, 59-17, 54-25]

CITIES SERVICE POWER & LIGHT CO., ET AL.
NOTICE OF FILING AND NOTICE OF AND ORDER
FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of April, A. D. 1945.

In the matter of Cities Service Power & Light Company, St. Joseph Light & Power Company, File No. 70-1008; The United Light and Railways Company, Continental Gas & Electric Corporation, File Nos. 59-11, 59-17 and 54-25, Application No. 24.

Notice is hereby given that declarations and applications have been filed with this Commission pursuant to the

Public Utility Holding Company Act of 1935, regarding the proposed sale by Cities Service Power & Light Company ("Power & Light"), to Continental Gas & Electric Corporation ("Continental"), of Power & Light's entire common stock interest in St. Joseph Light & Power Company ("St. Joseph"), formerly St. Joseph Railway, Light, Heat & Power Company, and certain other related transactions. Power & Light, a registered holding company, is a subsidiary of Cities Service Company, also a registered holding company. Continental is a subsidiary of The United Light and Railways Company, which in turn is a subsidiary of The United Light and Power Company, all registered holding companies.

All interested persons are referred to the aforesaid applications and declarations, on file in the office of this Commission, for a statement of the transactions therein proposed, which may be summarized as follows:

As at December 31, 1944, St. Joseph had outstanding the following debt and securities, owned respectively by Power & Light and by others:

Debt	Principal amount	Held by—	
		Power and Light	Others
First mortgage bonds, 4½ percent series, due Dec. 1, 1947.....	\$4,921,000	-----	\$4,921,000
Purchase money obligations.....	4,000	-----	4,000
Serial income notes.....	1,515,000	\$1,515,000	-----
	6,440,000	1,515,000	4,925,000

AUTHORIZED OUTSTANDING

Capital stock:				
Preferred:				
5% cumulative, par value \$100.....	25,000	18,600	5,544	13,056
Common				
Par value \$100.....	35,000	35,000	35,000	-----

¹ Non-callable (except as provided by Section 13 (a) of the General and Business Corporation Act of Missouri). Dividends guaranteed by Cities Service Company, parent of Power & Light.

1. Power & Light proposes to surrender to St. Joseph as a contribution and a credit to the latter's paid-in surplus all of the presently outstanding common stock of St. Joseph.

2. Power & Light proposes to surrender to St. Joseph \$1,515,000 principal amount of Serial Notes and 5,544 shares of preferred stock of St. Joseph in exchange for 20,694 shares of new common stock of St. Joseph.

3. Power & Light proposes to sell to Continental, pursuant to an agreement dated November 6, 1944, for \$2,200,000 the 20,694 shares of new common stock of St. Joseph, acquired by Power & Light as set forth in paragraph 2.

4. Power & Light proposes, as provided in the aforesaid agreement, that St. Joseph will issue not more than 13,056 shares of new Class A 5% preferred stock, having no guaranty by Cities Service Company, and will acquire, and retire, not less than 12,000 shares of its presently outstanding preferred stock held by the public in exchange for shares of the new Class A preferred stock on a

share for share basis. To the extent that shares of the presently outstanding publicly held preferred stock are not acquired by such exchange, it is proposed that such shares will be redeemed by St. Joseph at the par value thereof plus accrued dividends, pursuant to section 13 (a) of the General and Business Corporation Act of Missouri.

5. Power & Light will purchase from St. Joseph and will sell to Continental for cash at par (\$100 per share) such additional shares of new common stock of St. Joseph (not exceeding 1,056 shares) as will provide the funds necessary to effect the redemption and retirement of the publicly held preferred stock of St. Joseph not exchanged for shares of new Class A 5% preferred stock, as described in paragraph 4.

6. Power & Light will apply the net proceeds from the sale to Continental of the 20,694 shares and any additional shares as provided in paragraph 5 above, of new common stock of St. Joseph to the prepayment of Bank Loan Notes, pursuant to a Custodian Agreement, dated March 15, 1944, made between Power & Light and The Chase National Bank of the City of New York.

7. Upon consummation of the foregoing transactions, Continental proposes to purchase 1,500 shares of new common stock from St. Joseph for \$150,000 cash and to make a cash capital contribution of \$1,000,000 to St. Joseph. Continental states in its application that as soon as practicable after the acquisition of St. Joseph, the proceeds from such sale of common stock and capital contribution, in the aggregate amount of \$1,150,000, will be applied by St. Joseph to the reduction of its bond indebtedness in connection with a complete refunding of its outstanding bonds or by redeeming a portion thereof.

8. To consummate the foregoing transactions Continental proposes to utilize the unexpended funds it received from the sale of its investment in Iowa-Nebraska Light and Power Company.

The applicants and declarants have designated sections 6 (a), 6 (b), 7, 9 (a), 10, 12 (c), 12 (d), 12 (e), 12 (f) of the act and Rules U-42, U-43, U-44, U-45, U-50, U-62 and U-65 as applicable to the proposed transactions.

It is requested that the Commission issue an appropriate order and findings in connection with the proposed transactions, conforming to the requirements of section 1808 of the Internal Revenue Code.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held with respect to said matters, and that said declarations and applications shall not be permitted to become effective or be granted except pursuant to further order of the Commission:

It is ordered, That a hearing on said matters under the applicable provisions of the Act and rules of the Commission thereunder be held on May 2, 1945, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, in such room as the hearing room clerk in Room 318 will at that

time advise. Any person proposing to be heard or otherwise participate in these proceedings shall file with the Secretary of the Commission on or before April 28, 1945 a written request relative thereto as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That Willis E. Monty, or any other officer or officers of this Commission designated by it for that purpose shall preside at the hearings on such matters. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 13 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues presented by said applications and declarations otherwise to be considered in these proceedings, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed acquisitions by Continental and Power & Light of the common stock of St. Joseph will serve the public interest by tending toward the economical and efficient development of an integrated public-utility system.

2. Whether any of the proposed acquisitions will be detrimental to the carrying out of the provisions of section 11 of the act.

3. Whether the proposed transactions are necessary to effectuate the provisions of section 11 (b) of the act and fair and equitable to the persons affected thereby.

4. Whether the consideration to be paid by Continental, directly or indirectly, and to be received by Power & Light for the securities of St. Joseph to be acquired from Power & Light by Continental is reasonable and fair and bears a fair relation to the sums invested in or the earning capacity of the utility assets underlying the securities to be acquired;

5. Whether competitive conditions have been maintained in connection with the proposed transactions.

6. Whether the proposed issue and sale of securities by St. Joseph is exempt from the requirements of section 7 of the act pursuant to section 6 (b) thereof, and if not, whether the proposed securities will be reasonably adapted to the security structure and earning power of St. Joseph and will otherwise comply with the standards of section 7 of the act;

7. Whether the fees and expenses in connection with the proposed transactions are reasonable.

8. Whether the proposed accounting entries to be recorded on the books of the respective applicants and declarants in connection with the proposed transactions are consistent with sound accounting principles and conform to the standards of the act.

9. Whether the proposed solicitation of preferred stockholders of St. Joseph meets the requirements of Rule U-62.

10. Whether it is necessary or appropriate in the public interest or for the protection of investors or consumers to impose terms or conditions in respect of the proposed transactions and, if so,

what terms and conditions should be imposed.

11. Generally, whether, in any respect, the proposed transactions are detrimental to the public interest or to the interest of investors or consumers or will tend to circumvent any provisions of the Act or the rules, regulations or orders promulgated thereunder.

It is further ordered, That notice of said hearing is hereby given to the applicants and declarants and all other persons; said notice to be given to the declarants and applicants and to the Missouri Public Service Commission by registered mail, and to all other persons by general release of this Commission, distributed to the press and mailed to the mailing list for releases issued under the act and by publication in the FEDERAL REGISTER.

It is further ordered, That St. Joseph shall mail to each of its preferred stockholders of record, at his last known address, a copy of this notice and order on or before April 19, 1945.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-6154; Filed, Apr. 17, 1945;
2:42 p. m.]

[File Nos. 54-78, 54-40, 59-40, 54-43, 59-49]

CONSOLIDATED ELECTRIC AND GAS CO., ET AL.

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 17th day of April, A. D., 1945.

In the matters of Consolidated Electric and Gas Company, File No. 54-78; Consolidated Electric and Gas Company, Applicant, File No. 54-40; Central Public Utility Corporation and Consolidated Electric and Gas Company, Respondents, File No. 59-40; Christopher H. Coughlin, W. T. Crawford and Rawleigh Warner, voting trustees under voting trust agreement dated August 1, 1932, relating to common stock of Central Public Utility Corporation, Applicants, File No. 54-43; Christopher H. Coughlin, W. T. Crawford and Rawleigh Warner, voting trustees under voting trust agreement dated August 1, 1932, relating to common stock of Central Public Utility Corporation, Respondents, File No. 59-49.

Consolidated Electric and Gas Company, a registered holding company, having filed an application, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, for approval of a plan for certain action designed to enable that company and certain of its subsidiary companies to comply with the provisions of section 11 (b) of said Act; the Commission having by order dated July 19, 1943 consolidated the proceedings upon said application (1) with certain proceedings theretofore instituted by the Commission pursuant to section 11 (b) of said act with respect to said Consolidated Electric and Gas Company and Central Public Utility Corporation, also a registered holding company, (2) with certain other proceedings instituted

by the Commission pursuant to said section 11 (b) with respect to Christopher H. Coughlin, W. T. Crawford, and Rawleigh Warner, voting trustees under a certain voting trust agreement dated August 1, 1932, relating to the common stock of said Central Public Utility Corporation (said trustees also being a registered holding company), (3) with proceedings upon an earlier application of said Consolidated Electric and Gas Company for approval of certain other action also designed to enable said Consolidated Electric and Gas Company to comply with said section 11 (b), and (4) with proceedings upon an application and declaration by said trustees, above named, regarding the disposition of the common stock of Central Public Utility Corporation held by said trustees; and the Commission having by said order of July 19, 1943 directed a hearing on said consolidated proceedings to be held at 10:00 a. m., e. w. t., on August 3, 1943, at the offices of the Commission in Philadelphia, Pennsylvania; and said hearing having been postponed by subsequent orders of the Commission until April 18, 1945;

Consolidated Electric and Gas Company having requested that the hearing so directed to be held in said consolidated proceedings be further postponed to a date not earlier than August 18, 1945, stating in such request, among other things, that during the period since the last postponement of these proceedings, the company has reduced its holdings of domestic public utility subsidiaries to eight in number; that the company since June 23, 1943, the date of the filing of its application for approval of the plan above first mentioned, has disposed of its interests in or the assets of twenty-two public utility subsidiary companies; that since December 31, 1943, Consolidated Electric and Gas Company has reduced the principal amount of its outstanding debt securities from \$31,433,500 to \$17,008,500 (this latter figure reflecting the retirement of certain bonds of Southern Cities Utilities Company, assumed by Consolidated, outstanding in the approximate aggregate amount of \$4,700,000, necessary orders of this Commission and the United States District Court for the District of Delaware having heretofore been issued regarding this retirement); that presently there are pending with this Commission proceedings concerned with the disposition of one of these eight domestic public utility subsidiaries; that Consolidated Electric and Gas Company is presently actively negotiating for the divestment of four of the remaining seven domestic utility subsidiaries and proposes, as soon as opportunity permits, to divest itself of all of its remaining domestic public utility subsidiaries; that Consolidated considers it is necessary that the said proposed sales together with an appropriate disposition of the proceeds derived from such sales be effected before Consolidated Electric and Gas Company can formulate and file a definitive plan and that it is advisable that such plan be filed before hearings be held in the above entitled matters; and

The Commission deeming it appropriate under the circumstances that the

hearing directed to be held herein on April 18, 1945 be further postponed;

It is ordered, That the hearing in this matter previously scheduled for April 18, 1945 at 10:00 a. m., e. w. t., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, be, and hereby is, postponed to August 18, 1945 at the same hour and place and before the same trial examiner as heretofore designated.

It is further ordered, That the time within which any person, other than parties to said proceeding, desiring to be heard or otherwise wishing to participate in said proceedings shall file his request or application therefore with the Secretary of the Commission as provided by Rule XVII of the Commission's rules of practice be, and the same hereby is, extended to August 10, 1945.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-6213; Filed, Apr. 18, 1945;
11:33 a. m.]

[File No. 70-1042]

SOUTHERN NATURAL GAS CO. AND SOUTHERN PRODUCTION CO., INC.

ORDER GRANTING AND PERMITTING JOINT APPLICATION-DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 17th day of April, A. D., 1945.

Southern Natural Gas Company ("Southern"), a registered holding company and subsidiary of Federal Water and Gas Corporation ("Federal"), a registered holding company, and Southern's subsidiary, Southern Production Company, Inc. ("Production"), having filed a joint application-declaration pursuant to the Public Utility Holding Company Act of 1935 and rules promulgated thereunder, particularly sections 6 (b) and 10 of the act and Rules U-43 and U-45, regarding the issuance and sale by Production to Southern for cash at the principal amount thereof and the acquisition by Southern of 2½% Serial Notes of Production in an aggregate amount not to exceed \$600,000 and in a minimum amount of not less than \$400,000; these Serial Notes maturing in amounts of \$100,000 beginning on the first day of the 13th month following the first month in which any of such notes are issued and at the rate of \$100,000 at the end of each 12 months' period thereafter until all of said notes are discharged; it being represented that these transactions are a part of Southern's general program for the acquisition and development of additional supplies of gas for its pipe line system; and

Said joint application-declaration having been filed on March 3, 1945 and an amendment thereto on April 5, 1945, notice of filing having been given in the form and manner prescribed in Rule U-23 under the act, and the Commission not having received a request for a hearing with respect to said joint applica-

tion-declaration within the time specified in said notice or otherwise and not having ordered a hearing thereon; and

The Commission finding that the applicable standards of the act and pertinent rules are satisfied, that no adverse findings are necessary herein, and that it is appropriate in the public interest and the interest of investors and consumers to grant and permit effectiveness to said joint application-declaration;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said act and rules promulgated thereunder, and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid joint application-declaration be, and the same hereby is, granted and permitted to become effective forthwith.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-6216; Filed, Apr. 18, 1945;
11:33 a. m.]

[File No. 70-1062]

WACHUSETT ELECTRIC CO., ET AL.

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 17th day of April 1945.

In the matter of Wachusett Electric Company, Leominster Electric Light and Power Company, Middlesex County Electric Company, and Massachusetts Utilities Associates, File No. 70-1062.

Notice is hereby given that joint applications and declarations have been filed with the Commission pursuant to the Public Utility Holding Company Act of 1935 by Massachusetts Utilities Associates ("MUA"), a non-registered subsidiary holding company of New England Power Association, a registered holding company, and by Wachusett Electric Company ("Wachusett"), Leominster Electric Light and Power Company ("Leominster") and Middlesex County Electric Company ("Middlesex"), subsidiary utility companies of MUA. All interested persons are referred to said document which is on file in the offices of this Commission for a statement of the transactions therein proposed which are summarized as follows:

1. Wachusett will issue 3,700 shares of additional capital stock with a par value of \$100 each for the sole purpose of acquiring all the outstanding capital stocks of Leominster and Middlesex as set forth below:

2. MUA, owning all the outstanding capital stocks of Wachusett, Leominster and Middlesex, will surrender to Wachusett all of the stocks of Leominster and Middlesex, consisting of 3,200 shares of capital stock (par value \$100 each) of Leominster and 2,000 shares of capital stock (par value \$25 each) of Middlesex, and Wachusett will acquire the stocks of Leominster and Middlesex, and will deliver to MUA, in exchange therefor, the 3,700 shares of additional capital stock of Wachusett on the basis of one share for each share of Leominster and one

share for each four shares of Middlesex. After the exchange has been effected, Wachusett will cancel all of the outstanding capital stocks of Leominster and Middlesex.

3. Leominster and Middlesex will then be merged into Wachusett pursuant to an agreement of merger and under and pursuant to the General Laws of the Commonwealth of Massachusetts. Wachusett will acquire all the assets and assume all the liabilities of Leominster and Middlesex.

4. MUA requests approval under Instruction 8 (c) of the Uniform System of Accounts for Public Utility Holding Companies to record upon its books the shares of capital stock of Wachusett (following the merger) at the same amount at which it presently carries the capital stocks of Leominster, Middlesex and Wachusett.

5. Applicants and declarants further request that the Commission find that the proposed transactions with respect to the issuance by Wachusett of additional shares of capital stock and the exchange thereof, for the outstanding capital stocks of Leominster and Middlesex, are necessary or appropriate to effectuate the provisions of section 11 (b) and that the order of this Commission approving the transactions conform with the requirements of section 1808 (f) of the Internal Revenue Code, as amended, and contain the recitals and specifications described therein.

The filing designates sections 6 (b), 9 (a), 10 and 12 (f) of the Act as being applicable to the proposed transactions.

The foregoing transactions with respect to the issuance of additional shares of capital stock by Wachusett and the exchange thereof for the outstanding capital stocks of Leominster and Middlesex, and the subsequent merger of Leominster and Middlesex into Wachusett, have been approved by the Massachusetts Department of Public Utilities by its order of February 15, 1945, the only state commission having jurisdiction over such transactions. Applicants - declarants state that application is being made to the Federal Power Commission under the Federal Power Act for any necessary approval of the proposed merger.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said applications and declarations and that said applications and declarations shall not be granted or permitted to become effective except pursuant to further order of this Commission:

It is ordered, That a hearing on said applications and declarations under the applicable provisions of the act and rules of the Commission thereunder be held on May 2, 1945 at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk will advise as to the room in which such hearing will be held. At such hearing cause shall be shown why such applications shall be granted and such declarations permitted to become effective.

It is further ordered, That William W. Swift, or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practices.

It is further ordered, That any person desiring to be heard in connection with these proceedings, or otherwise wishing to participate in these proceedings, shall file with the Secretary of the Commission on or before April 30, 1945, his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That, without limiting the scope of issues presented by said applications and declarations, particular attention be directed at said hearing to the following matters and questions:

1. Whether the proposed issue and exchange of additional shares of capital stock by Wachusett Electric Company are solely for the purpose of financing its business and whether it is appropriate in the public interest and in the interest of investors or consumers to impose any terms and conditions in connection therewith, and if so, what those terms and conditions should be.

2. Whether the proposed acquisitions by Wachusett Electric Company of the capital stocks of Leominster Electric Light and Power Company and Middlesex County Electric Company, and by Massachusetts Utilities Associates of the capital stock of Wachusett Electric Company, are in conformity with the applicable standards of section 10.

3. Whether the accounting entries to be made in connection with the proposed transactions are consistent with sound accounting principles and conform to the standards of the act.

4. Whether the action proposed to be taken by applicants-declarants with respect to the issuance by Wachusett Electric Company of additional shares of capital stock and the exchange thereof for the outstanding capital stocks of Leominster Electric Light and Power Company and Middlesex County Electric Company, is necessary or appropriate to effectuate the provisions of section 11 (b) and is fair and equitable to the persons affected thereby.

5. Generally, whether all action proposed complies with the requirements of the act and 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 Massachusetts Department of Public Utilities and on applicants-declarants herein; that notice of said hearings be given to all other persons by publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-6214; Filed, Apr. 18, 1945;
11:33 a. m.]

[File No. 70-1065]

THE POTOMAC EDISON CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 17th day of April, A. D., 1945.

Notice is hereby given that The Potomac Edison Company ("Potomac"), a registered holding company and a subsidiary of American Water Works and Electric Company, Incorporated, also a registered holding company, has made a filing with this Commission pursuant to the Public Utility Holding Company Act of 1935.

All interested persons are referred to said document which is on file in the office of this Commission for a statement of the transactions therein proposed which are summarized below:

The company proposes to offer to the holders of its outstanding 29,182½ shares of 7% and 34,602 shares of 6% Preferred Stock of the par value of \$100 per share the right to exchange the same, on a share for share basis, with a cash adjustment of accrued dividends in each case and with a further cash payment of \$5 per share in respect of each share of 7% Preferred Stock exchanged, for a new issue of Preferred Stock having a lower dividend rate and a par value of \$100 per share. The provisions of the new Preferred Stock, including the dividend rate thereof, will be supplied by amendment to this application and declaration.

The exchange offer is to be open for acceptance for a period of approximately three weeks, with the right on the part of the company to extend such period for an additional week. The exchange plan is to become automatically effective if 80% of the aggregate amount of outstanding Preferred Stock is deposited for exchange in accordance with the provisions of the plan; but the company proposes to reserve the right, in its sole discretion, to declare the exchange plan effective with exchanges aggregating less than 80% of such stock. Outstanding fractional certificates for 7% Preferred Stock will be accepted for exchange only in combinations equalling full shares.

In the event that the exchange plan becomes effective Potomac proposes, through the use of cash from the general funds of the company, to call all of the unexchanged 7% and 6% Preferred Stock for redemption and retirement at the respective redemption prices thereof, viz.: \$115 for the 7% Preferred Stock and \$110 for the 6% Preferred Stock, plus accrued dividends in each case. In the event that the plan does not become effective, all stock certificates deposited for exchange will be returned to the depositors within a reasonable time after the final termination of the exchange period.

Potomac proposes to engage the services of a securities dealer, selected by it, as Dealer-Manager to assist the company in carrying out the exchange plan and in the organization of a Dealer group to procure exchanges. It is proposed that all of the members in good standing of the National Association of Security

Dealers, Inc., located in the territory of the company's electric system and such other members in good standing of that Association outside such territory as the Dealer-Manager shall select will be invited to constitute such Dealer group to solicit exchanges. The Dealer-Manager may also be a dealer for such purpose. The name of the Dealer-Manager selected by the company, together with detailed information regarding the selection of the Dealer-Manager and the compensation to be paid to the Dealer-Manager and to Dealers, will be supplied by amendment to this application and declaration.

Potomac is to pay the fees and expenses of independent counsel whom it has designated, namely, Cahill, Gordon, Zachry & Reindel, of New York City.

The filing has designated sections 6 (b) or 6 (a) and 7, and 12 (c) of the act and Rules U-42 and U-50 of the Commission thereunder as being applicable to the proposed exchange plan. Potomac requests that it be exempted from the competitive bidding requirements of Rule U-50 in connection with the proposed exchange offer.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that said filing should not be granted or permitted to become effective except pursuant to further order of this Commission;

It is ordered, That a hearing on said matters under the applicable provisions of said act and rules of the Commission promulgated thereunder be held at 10:00 a. m., e. w. t., on the 30th day of April 1945, 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 is to be held. Any person desiring to be heard in connection with these proceedings or otherwise wishing to participate shall file with the Secretary of the Commission on or before April 28, 1945, his request or application therefor as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That Allen MacCullen or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matters. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues presented by such filing, particular attention be directed at such hearing to the following matters and questions:

(1) Whether the issue and exchange of the proposed new Preferred Stock are solely for the purpose of financing the business of Potomac and have been expressly authorized by the Public Service Commission of Maryland;

(2) Whether Potomac is entitled to an exemption from the provisions of section 6 (a) of the act or in the alternative

whether the proposed issue satisfies the requirements of sections 7 (c) and 7 (d) of the act;

(3) Whether the provisions of the exchange offer are detrimental to the public interest or the interest of investors or consumers;

(4) Whether the proposed redemption of a portion of the Preferred Stock outstanding requires adverse findings under section 12 (c) of the act;

(5) Whether the accounting entries to be made in connection with the proposed transactions are proper;

(6) Whether the fees, commission, or any other remuneration to be paid directly or indirectly in connection with the proposed issue and exchange are reasonable;

(7) Whether Potomac is entitled to an exemption from the competitive bidding requirements of Rule U-50 in connection with the proposed exchange offer;

(8) Whether it is necessary or appropriate in the public interest or for the protection of investors and consumers to impose terms or conditions in connection with the proposed transactions; and

(9) Whether the proposed transactions comply with all of the applicable provisions and requirements of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-6215; Filed, Apr. 18, 1945; 11:33 a. m.]

WAR MANPOWER COMMISSION.

[Amdt. 1]

MIDDLETOWN, CONN., AREA

EMPLOYMENT STABILIZATION PROGRAM

SECTION 1. *Use of priorities.* The Manpower Priorities shall be distributed to all authorized referral agencies. These agencies shall be governed by these priorities in referring workers to employers.

SEC. 2. *Standards governing referrals by the War Manpower Commission—(a). Order of referral.* (1) Based on occupational qualifications a worker possessing skills for which there is demand for the war effort shall be referred to job openings for which he is qualified in order of their relative importance as set forth in paragraph (2) hereof, and, to the extent consistent with current and anticipated manpower needs, in the following order:

(i) To job openings in occupations using his highest skill;

(ii) To job openings in occupations which require closely related skills;

(iii) To other types of job openings for which he may be qualified.

(2) Based on importance in connection with the war effort the order of referral to job openings shall be as follows:

(i) To establishments having manpower priorities, in the order of their relative priority;

(ii) To establishments in essential or locally needed activities, not on the priority list;

(iii) To establishments in less essential activities, and only if there are no job openings in a priority establishment or an essential or locally needed activity for which the worker is qualified and which the worker may not decline except as hereinafter provided.

(3) In any case in which there are two or more job openings of the same relative urgency for which the worker is equally qualified, he shall be entitled to a free choice of the job opening to which he wishes to be referred.

(b) *Refusal of referral without prejudice.* (1) A worker may refuse a referral to a job opening and continue to be eligible for further referral if:

(i) The referral is not to a job opening in an occupation which will use his highest skill, and such job openings are available, or may be expected to become available within a reasonable period of time, in other priority or essential or locally needed activities.

(ii) The referral is not a job opening in an occupation which will use a closely related skill, and such job openings are available, or may be expected to become available within a reasonable period of time, in other priority or essential or locally needed activities.

(iii) As a condition of accepting or continuing in the offered employment, he would be required to join, resign from or refrain from joining a labor organization.

(iv) The wages or working conditions of the job offered are below standards fixed by applicable law.

(v) The wage rate for the job offered is less than the minimum of an applicable bracket fixed by the War Labor Board for the occupation and locality, or is less than such amount as has been determined by the War Labor Board for the area or region, as necessary to avoid substandards of living.

(vi) He can show that acceptance of the job offered would involve for him an undue personal hardship.

(2) If a worker refuses referral or refuses to accept a job, which he may decline on one or more grounds set forth in paragraph (1), he shall be advised of his rights under the Manpower Program.

(c) *Unjustified refusal.* If a worker refuses a referral on grounds other than those listed in paragraph (1), he shall not be referred to another opening until the job he refused has been filled or withdrawn or another opening develops with equal or higher priority for which the applicant is qualified.

(d) *Reporting.* Referral agencies shall render such reports as to the number of referrals and hires made to priority establishments and referrals to non-priority establishments as may be required by the State or Area Manpower Director.

(1) *Use of other organizations as referral agencies; union hiring halls.* Under the controlled referral plan and the basic referral policies outlined above, unions which have hiring arrangements with essential or locally needed employers who have a substantial number of

workers at the time the controlled referral plan becomes effective may be granted the right to refer their own members to those employers in accordance with the following conditions:

(i) In their referral activities the unions shall observe all of the Area employment stabilization plan and all determinations with respect to manpower priorities.

(ii) The unions shall refer only those of their members who are entitled to referral under the program and in the order of priority set by the Area Manpower Director.

(iii) The union shall maintain records of its referrals and hires and shall permit review of these records by the WMC or shall supply information relating to its referral activities to the War Manpower Commission as may be required.

Approved by the Area Labor-Management War Manpower Committee on October 9, 1944.

WILLIAM J. CRONIN, Jr.,
Area Director.

Approved: March 21, 1945.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 45-6173; Filed, Apr. 18, 1945;
10:31 a. m.]

[Amdt. 1]

THOMPSONVILLE, CONN., AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the Thompsonville Area, effective June 5, 1944, is hereby amended in the following respects:

Section 16 of said program is hereby amended by inserting the following paragraph as the second paragraph of section 16, thereby making the present second paragraph the third paragraph thereof:

The Area Manpower Director may fix for all or any establishments in the Thompsonville Area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishment's actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the Area Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceiling or allowance currently applicable to it.

Dated: March 31, 1945.

WILLIAM J. CRONIN, Jr.,
Area Director, Hartford.

Approved:

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 45-6172; Filed, Apr. 18, 1945;
10:31 a. m.]

[Amdt. 1]

WILLIMANTIC, CONN., AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the Willimantic Area, effective May 31, 1944, is hereby amended in the following respects:

Section 16 of said program is hereby amended by inserting the following paragraph as the second paragraph of section 16, thereby making the present second paragraph the third paragraph thereof:

The Area Manpower Director may fix for all or any establishments in the Willimantic Area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishment's actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the Area Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceiling or allowance currently applicable to it.

Dated: March 31, 1945.

WILLIAM J. CRONIN, Jr.,
Area Director, Hartford.

Approved:

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 45-6171; Filed, Apr. 18, 1945;
10:31 a. m.]

WAR PRODUCTION BOARD.

[C-306]

SOVEREIGN BUILDERS SUPPLY CO.

CONSENT ORDER

Jack Schenk, of Cleveland, Ohio, is engaged in the contracting business under the name of Sovereign Builders Supply Company at 2336 Prospect Avenue. In April 1944, he entered into a contract with Susan Dana, to do construction work and remodeling of a residence and cafe building located at 3938 East 93rd Street, Cleveland, Ohio, and thereafter began and carried on such construction at an estimated cost substantially in excess of \$200.00 permitted by Conservation Order L-41, namely, \$7750, and without War Production Board authorization. This constituted a violation of Order L-41 as amended, April 19, 1944, paragraph (e). Jack Schenk admits the violation as charged and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Jack Schenk, d. b. a. Sovereign Builders Supply Company, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Neither Jack Schenk, whether doing business as Sovereign Builders Supply Company or otherwise, his successors or assigns, or any other person shall do any construction on the premises at 3938 East 93rd Street, Cleveland, Ohio, including completing or altering the structure or installing or connecting any equipment or fixtures, except as permitted in paragraph (b) of this consent order, unless hereafter specifically authorized in writing by the War Production Board.

(b) The prohibition against construction contained in paragraph (a) of this consent order does not apply to such maintenance and repair work as is permitted under Conservation Order L-41 as now in effect or as amended from time to time: *Provided, however,* That no maintenance or repair work may be done

which involves any alterations, structural, or otherwise, connecting plumbing fixtures, installing wiring or electrical fixtures or changes in types or kinds of materials.

(c) For a period of 90 days from the effective date of this consent order, Jack Schenk shall not apply or extend any preference ratings or use any CMP allotment symbols, regardless of the delivery date named on any purchase orders to which such ratings may be applied or extended, or on which CMP allotment symbols are used, unless hereafter specifically authorized in writing by the War Production Board.

(d) The restrictions and prohibitions contained herein shall apply to Jack Schenk, d. b. a. Sovereign Builders Supply Company, his successors or assigns,

or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(e) Nothing contained in this order shall be deemed to relieve Jack Schenk, d. b. a. Sovereign Builders Supply Company, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 17th day of April 1945.

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

[F. R. Doc. 45-6120; Filed, Apr. 17, 1945;
11:27 a. m.]

