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

With respect to violations, rights accrued, liabilities incurred, or appeals taken under Food Distribution Order No. 75-1, prior to the effective date of this amendment, all provisions of this order in effect prior to this amendment shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; FDO 75, 8 F.R. 11119)

Issued this 31st day of August 1943.

ROY F. HENDRICKSON,
Director of Food Distribution.

[F. R. Doc. 43-14324; Filed, September 1, 1943; 11:56 a. m.]

[FDO 75-1, Partial Suspension]

PART 1410—LIVESTOCK AND MEATS
PARTIAL SUSPENSION OF REGULATIONS AFFECTING SLAUGHTERERS

Pursuant to the authority vested in me under the provisions of Food Distribution Order No. 75 (8 F.R. 11119), *It is hereby ordered*, As follows:

The provisions of § 1410.17 paragraphs (b), (g), (h), (i), (j), (k) and (l) of Director Food Distribution Order No. 75-1 (8 F.R. 11327), issued on August 12, 1943, are temporarily suspended.

This order shall become effective at 12:01 a. m., e. w. t., September 1, 1943 and shall continue in effect until 12:01 a. m., e. w. t., November 1, 1943, unless otherwise ordered by the Director.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under Director Food Distribution Order No. 75-1, prior to the effective date of this order, all provisions of Director Food Distribution Order No. 75-1 in effect prior to this order shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; FDO 75, 8 F.R. 11119)

Issued this 1st day of September 1943.

ROY F. HENDRICKSON,
Director of Food Distribution.

[F. R. Doc. 43-14385; Filed, September 2, 1943; 11:23 a. m.]

[FDO 18-3, Amdt. 2]

PART 1415—IMPORTED FOODS

TEA QUOTAS, PACKAGING RESTRICTIONS, REPORTS, AND RECORDS FOR PACKERS AND WHOLESALERS

Director Food Distribution Order No. 18-3, § 1415.6, issued by the Acting Director of Food Distribution, War Food Administration, on June 17, 1943 (8 F.R. 8389), as amended, is further amended as follows:

1. By deleting the figure "50" from (b) (1) and inserting in lieu thereof the figure "60".

2. By deleting the figure "50" from (b) (2) and inserting in lieu thereof the figure "60".

3. By deleting the provisions of (b) (5).

4. By designating (b) (6) as (b) (5).

5. By adding to (d) the following:

(3) During the first calendar month of the quota period commencing October 1, 1943, and the first calendar month of each quota period thereafter, any person may utilize the unused portion of his quota for the immediately preceding quota period. During the last calendar month of any quota period, any person may utilize any portion of his quota for the next subsequent quota period: *Provided*, That if the quota for such subsequent quota period is reduced by the Director after such anticipatory utilization has been made, the amount of tea used in excess of such reduced quota shall be charged against the quota for the next subsequent quota period: *Provided further*, That no person shall use, during the month of October 1943, or any subsequent calendar month, any portion of his unused quota for the quota period commencing July 1, 1943, which was carried over from the quota period commencing April 1, 1943.

The provisions hereof shall become effective at 12:01 a. m., e. w. t., September 4, 1943. With respect to violations of said Director Food Distribution Order No. 18-3, as heretofore amended, rights accrued or liabilities incurred prior to the effective time of its amendment, said Director Food Distribution Order No. 18-3, as heretofore amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; FDO 18, 8 F.R. 1778, 8388)

Issued this 1st day of September 1943.

ROY F. HENDRICKSON,
Director of Food Distribution.

[F. R. Doc. 43-14384; Filed, September 2, 1943
11:24 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter III—Claims and Accounts

PART 36—CLAIMS AGAINST THE UNITED STATES

BURIAL EXPENSES

Sections 36.50, 36.51 and 36.52 are amended and § 36.53 is added as follows:

Sec.

36.50 For whom authorized.

36.51 Expenses allowable.

36.52 Burial services how obtained.

36.53 Shipment after temporary interment.

AUTHORITY: §§ 36.50 to 36.53 issued under 52 Stat. 398; 10 U.S.C. 916-916d. (See also act 15 June 1936 (49 Stat. 1507; 10 U.S.C. 455a, 455b, 455c, and 455d; 32 U.S.C. 164a, 164b, and 164c); act 8 July 1940 (54 Stat.

743) and Executive Order 8557, 30 September 1940 (Bull. 30, W.D. 1020); act 14 May 1942 (56 Stat. 281); act 1 July 1943, Public Law 110, 78th Congress).

These regulations are also contained in Army Regulations 30-1030, 11 August 1943, the particular paragraphs being shown in brackets at end of sections.

§ 36.50 *For whom authorized*—(a) *Regular Army and Army of the United States.*

(1) Officers.¹

(2) Army nurses.²

(3) Warrant officers.²

(4) Cadets, United States Military Academy.²

(5) Women's Army Auxiliary Corps personnel.²

(6) Enlisted men.²

(7) Contract surgeons.²

(8) Retired officers or enlisted men who die while on active duty by proper assignment.

(9) Accepted applicants for enlistment.

(10) Garrison prisoners, or general prisoners whose discharge has been suspended.

(11) Enlisted men who are discharged in a hospital in the United States and continue as inmates of the hospital to date of death.

(b) *The following components other than the Regular Army.* (1) Officers, warrant officers, and enlisted men of the National Guard:

(i) Who die while en route to or from or during their attendance at encampments, maneuvers, or other exercises, or at service schools, authorized under the provisions of sections 94, 97, and 99 of the National Defense Act.

(ii) Who die after the period of authorized attendance at encampments, maneuvers, or other exercises, or at service schools, while undergoing hospitalization for a disease or injury contracted or incurred in line of duty while en route to or from or during their attendance at encampments, maneuvers, or other exercises, or at service schools, authorized under the provisions of sections 94, 97, or 99 of the National Defense Act.

(iii) Who die as a result of personal injury (as distinguished from disease) in line of duty while participating in aerial flights in Government-owned aircraft, prescribed under the provisions of section 92 of the National Defense Act, or who die while undergoing hospitalization for such injury.

(2) Members of the Officers' Reserve Corps and of the Enlisted Reserve Corps on active duty under proper orders in time of peace:

(i) Who die while on active duty.

(ii) Who die after relief from active duty while undergoing hospitalization for disease or injury contracted or incurred in line of duty while on active duty.

(iii) Who die as a result of personal injury (as distinguished from disease) in line of duty while voluntarily participating when not on active duty in aerial flights in Government-owned aircraft by proper authority as an incident to their

¹ On the active list.

military training, or who die while undergoing hospitalization for such injury.

(3) Members of the National Guard of the United States on active duty under proper orders in time of peace:

(i) Who die while on active duty.

(ii) Who die after relief from active duty while undergoing hospitalization for disease or injury contracted or incurred in line of duty while on active duty.

(4) Members of the Reserve Officers' Training Corps and members of the Citizens' Military Training Camps:

(i) Who die while en route to or from or during their attendance at camps of instruction held under the provisions of sections 47a and 47d of the National Defense Act: *Provided*, That, in the case of death while en route to or from camp, no undue delay or circumstances are involved in the travel and that the travel is performed over the usually traveled routes.

(ii) Who die subsequent to arrival at their homes while undergoing hospitalization for disease or injury contracted or incurred in line of duty while en route to or from or during their attendance at camps of instruction held under the provisions of sections 47a and 47d of the National Defense Act.

(c) *Civilian employees.* (1) * * * civilian employees of the Army or of the War Department who have been ordered by competent authority away from their homes in the United States to foreign countries, Hawaii, the Philippine Islands, Alaska, Puerto Rico, or the Canal Zone, and who die while on duty in such places or while performing authorized travel thereto or therefrom. * * * Act 17 May 1938 (52 Stat. 393; 10 U.S.C. 916b).

(2) * * * civilian employees of the Army or of the War Department who die on Army transports or while accompanying troops in the field, or who, while on Army transports or while accompanying troops in the field, incur injury or contract disease resulting directly in death away from their homes; * * * Act 17 May 1938 (52 Stat. 393; 10 U.S.C. 916b).

(3) Any civilian employee (temporary or permanent) of the United States Government who dies as a result of injuries received in the performance of his official duty * * * See sec. 11, act 7 September 1916 (39 Stat. 745); sec. 4, act 12 February 1927 (44 Stat. 1037; 5 U.S.C. 761).

(4) Civilian employees of the War Department who die while traveling on official business within the continental limits of the United States. See act 8 July 1940 (54 Stat. 743); E.O. 8557, 30 September 1940.

(5) Civilian employees of the War Department, other than those enumerated above, who die while traveling on official business outside the continental limits of the United States or while on assignment to a post outside the United States, including American citizens hired locally, whose homes in fact are in the continental United States. See act 8 July 1940 (54 Stat. 743); E.O. 8557; 30 September 1940.

(6) Where it is necessary for sanitary reasons to remove the remains of an employee from the grounds on which other employees are located and payment of funeral and burial expenses cannot be effected under the provisions of subparagraphs (1), (2), (3), (4), and (5) above, or where local municipal authorities will not assume custody of the body, the reasonable expenses of a decent burial may be authorized as an incident to the work on which the decedent was engaged. See 11 Comp. Dec. 789.

(d) Military prisoners who die at a military post. [Par. 2]

§ 36.51 *Expenses allowable*—(a) *For personnel of the Army of the United States and Regular Army* (§ 36.50 (a)) and civilian employees of the War Department described in § 36.50 (c) (1) and (2).

(1) *Burial expenses proper*. Expenses incident to initial preparation of remains, restricted to:

(i) Undertaker's services, including embalming and other preservative methods.

(ii) Cost of casket.

(iii) Cost of outside box, when required.

(iv) Hire of hearse.

(2) *Transportation*. Authorized transportation necessary to ship the remains to the place designated by legal next of kin, or in the absence of instructions from such next of kin, to the nearest national or post cemetery, either prior to or after temporary interment.

(3) *Flag*. An interment flag is authorized to be furnished to drape the casket containing the remains of each officer or enlisted man who dies while on the active list. The flag may be retained by the legal next of kin after the funeral. No flag is authorized to be furnished for a civilian employee.

(4) *Clothing*. The clothing of the deceased will be used to clothe the remains, if available, and in a clean and good condition. If such clothing is not available, new clothing may be issued to enlisted men as set forth in Army Regulations. In the case of officers who are not entitled to issue clothing, and in any case of an enlisted man where neither his own clothing nor issue clothing is available, necessary clothing may be purchased chargeable to funds available for the disposition of remains. See 21 Comp. Gen. 673.

(5) *Recovery of bodies*. Necessary expenses to recover bodies.

(6) *Interment expenses*. (i) Necessary expenses, not to exceed \$50, incident to interment, such expenses to include the following only:

(a) Hearse hire for remains, including removal of remains from railroad station at destination to first place of delivery.

(b) Transportation for immediate relatives to the cemetery.

(c) Ministerial services, exclusive of church services.

(d) Cost of grave site in private cemetery.

(e) Opening and closing of grave in private cemetery, including use of equipment, and services incident thereto.

(f) Necessary undertaking services incident to subparagraphs (1), (2), and (5) above.

(ii) When remains are shipped to the home of the deceased or to a national cemetery, at the request of the relatives, such relatives will engage the services of an undertaker to receive the remains and inter them. The \$50 maximum for interment expenses may not be exceeded and payment may be made only for the items allowable by the War Department as set forth in subparagraph (6) (i) above; any expenses over and above this amount or for items not allowable by the War Department must be paid by the relatives who incurred the expenses. A true itemized invoice in quadruplicate covering interment expenses should be submitted by the undertaker rendering the services to the supply officer of the post, camp, or station from which shipment was made. If the entire bill is unpaid a certificate to that effect signed by the undertaker must be placed on the bill; if a portion of the bill has been paid, the amount or amounts paid and by whom should be shown, and the amount remaining due and unpaid should be shown and certified to by the undertaker. The supply officer concerned, upon receiving the invoice properly accomplished, will then evaluate it in accordance with subdivision (1) of this subparagraph (6), and place it in line for payment by the disbursing officer designated to make payments for the station concerned. In the event that any unpaid bill exceeds the maximum of \$50 referred to in subdivision (1) above, or any items on such bill are not properly payable by the Government, the bill will be paid in the amount allowable under subdivision (1) above, and the remainder of the bill must then be paid by the relatives or other persons who incurred the expenses.

(iii) When remains are shipped to a national cemetery for interment, in the absence of instructions from relatives, the supply officer at the station from which the remains are shipped will arrange by direct negotiation with an undertaker at destination, or will direct the escort accompanying the remains to destination, to make necessary arrangements to have the remains met at the railroad station and transported to the cemetery. In such cases the undertaker rendering the services will submit his invoice to the shipping officer who will prepare a receiving report covering the services rendered and forward it, with the bill and voucher for the services concerned, to the disbursing officer designated to pay the account.

(7) *Cremation*. Remains may be cremated upon written request of legal next of kin only, either at place of death, or after arrival at destination. In addition to the cost of cremation a reasonable amount for a suitable urn for the ashes is authorized.

(b) *For components other than the Regular Army* (§ 36.50 (b)). (1) Recovery of body.

(2) Preparation for burial.

(3) Clothing.

(4) Cremation, in lieu of interment, including a suitable urn, at a reasonable cost.

(5) Interment, not to exceed \$50, such expenses to include the following only:

(i) Hearse hire for remains, including removal of remains from railroad station at destination to first place of delivery.

(ii) Transportation for immediate relatives to the cemetery.

(iii) Ministerial services, exclusive of church services.

(iv) Cost of grave site in private cemetery.

(v) Opening and closing of grave in private cemetery, including use of equipment and services incident thereto.

(vi) Necessary undertaking services incident to (i), (ii) and (v) above.

(6) Transportation of remains, including round trip transportation and subsistence of an escort, to decedent's home or the place where he received orders for the period of training upon which engaged at the time of his death, or to such other place as his relatives may designate provided the distance to such other place is not greater than the distance to his home.

(c) *For civilian employees described in paragraph (c) (3) of § 36.50*. This subject is within the jurisdiction of the Employees' Compensation Commission.

(d) *For civilian employees described in paragraph (c) (4) of § 36.50*. (1) Preparation of remains, the cost not exceeding \$100, to include:

(i) Embalming.

(ii) Cremation.

(iii) Necessary clothing.

(iv) Casket.

(2) Transportation of the remains to the home or official station of the decedent or to such other place as may be designated as the appropriate place of interment: *Provided*, That in no case will the expenses payable be greater than the amount which would have been payable had the place of interment been the home or official station, whichever shall be more distant, to include—

(i) Costs of removal of the remains from the place where death occurred to an undertaking establishment.

(ii) Procurement of burial and shipping permits.

(iii) Furnishing an outside case for shipment (including, when necessary, the sealing of such shipping case). No allowance for outside case will be made if conveyance is by hearse.

(iv) Removal to a common carrier.

(v) Transporting body by common carrier. Instead of conveyance by common carrier, removal of the remains overland by hearse (including ferry charges, bridge tolls, and similar items) may be allowed: *Provided*, That the total charges for transportation shall not exceed the total costs of transportation had conveyance been made by common carrier.

(vi) One removal at the place of interment from the common carrier to an undertaking establishment or other place of immediate delivery.

(vii) Transportation expenses of an escort for the remains will not be allowed. However, this will not be con-

strued to prohibit the use by an escort of one of the two tickets required to ship the remains as baggage by railroad.

(e) *For civilian employees described in paragraph (c) (5) of § 36.50.* (1) Preparation of remains, to include all the ordinary costs of—

- (i) Embalming.
- (ii) Cremation.
- (iii) Necessary clothing.
- (iv) Casket or container suitable for shipment to the place of interment.
- (v) Any expenses necessarily incurred in complying with local laws and laws at the port of entry in the United States relative to the preparation of dead bodies for transportation and burial.

(2) Transportation of the remains to the home or official station of the decedent or to such other place as may be designated as the appropriate place of interment, provided that in no case will the expenses payable be greater than the amount which would have been payable had the place of interment been the home or official station, whichever shall be more distant, to include:

(i) Removal of the remains from place where death occurred to an undertaking establishment.

(ii) Removal from the undertaking establishment to a common carrier.

(iii) Transportation by common carrier to the place of interment. The remains may be transported by means other than by common carrier, provided that when conveyance by common carrier is available there will be allowed toward the expense of such other transportation an amount not in excess of the sum allowable had the remains been transported by common carrier.

(iv) One removal at the place of interment from the common carrier.

(v) Transportation expenses of an escort for the remains will not be allowed. However, this will not be construed to prohibit the use by an escort of one of the two tickets required to ship the remains as baggage by railroad.

(3) In addition to preparation and transportation of the remains of these civilian employees, the costs of transportation of dependents of the decedent and of the household effects and other personal property of the decedent and his dependents to his former home or to another place in the United States not more distant than the former home of the decedent are authorized. (See §§ 93.1-93.7 for transportation of dependents and § 93.8 for transportation of household effects and personal effects.)

(f) *For military prisoners.* Expenses are limited to preparation of remains and interment at place of death. No transportation at Government expense is authorized. [Par. 3]

§ 36.52 *Burial services, how obtained—(a) Within continental limits of United States—(1) Under contract.* Burial services proper, as set forth in paragraph (a) (1) of § 36.51, will be obtained by negotiation in accordance with current Procurement Regulations, under contracts entered into with local undertakers in the vicinity of military installations. These contracts will be accomplished on Uniform Burial Service Contract forms in accordance with instruc-

tions promulgated by The Quartermaster General. Prior to becoming effective burial service contracts will require the approval of the commanding general of the service command in which the contracting officer is stationed. This information (that contracts will not be effective until approved) will be communicated to the contractor during negotiations. In delegating authority to a member of his staff to approve contracts for burial services, the commanding general of the service command, other qualifications being equal, should select, if available, a quartermaster officer who has had experience in this field. The specifications which form a part of the contract forms will be strictly adhered to and no deviations will be made without first obtaining approval from The Quartermaster General.

(2) *Where no contract is in effect.* In every case where there is no burial service contract in effect at place of death under which the remains may be prepared, the military authorities nearest to the place of death should be notified to take charge and such military authorities will obtain through negotiations the services of a reputable undertaker, make necessary arrangements for the required embalming, preservation, casket, and outside box, and hearse service. The costs in such cases will vary, depending upon circumstances and cause of death, condition of remains, local facilities, etc. However, costs should be kept to the minimum obtainable under the standard set forth in the Uniform Burial Service Contract forms to insure the arrival of the remains at destination in as good a condition as is possible under the circumstances.

(3) *Where arrangements are made by relatives or others and no military authorities are handling case.* (i) If the relatives or other persons arranging for burial services do not pay the undertaker concerned, the undertaker should render an itemized invoice in quadruplicate to The Quartermaster General with the following certificate on each copy thereof:

I certify that the above bill is correct and just; that payment therefor has not been received; that all statutory requirements as to United States production and labor standards, and all conditions of purchase applicable to the transaction have been complied with; and that State or local sales taxes are not included in the amounts billed.

This certificate must be signed by the undertaker.

(ii) If relatives or others arranging for burial services pay the undertaker, reimbursement may be made as set forth in (iii) below only upon receipt by The Quartermaster General of written request for reimbursement from the person paying same, accompanied by an itemized receipted bill in quadruplicate.

(iii) In connection with (i) and (ii) above, The Quartermaster General, upon receipt of itemized invoice, will determine the amount to be allowed based upon all factors entering into the case and forward the claim to the General Accounting Office for settlement.

(iv) In addition to expenses for preparation of remains as set forth above,

there may be allowed expenses for transportation, flag (in the case of military personnel only), clothing, recovery of bodies, cremation, and interment expenses as set forth in § 36.51.

(b) *Reimbursement—(1) Statutory authority.* (i) In any case where funeral expenses authorized in § 36.51 are borne by individuals, reimbursement to such individuals may be made of the amount allowed by the Government for such services, but no reimbursement will be made of any expenses incurred prior to the enactment of the act of 17 May 1938, which would not have been a proper charge against the Government prior to the date of approval thereof.

(ii) When the expenses of the recovery, preparation, and disposition of remains of officers, warrant officers and enlisted men of the National Guard; members of the Officers' Reserve Corps and of the Enlisted Reserve Corps; members of the National Guard of the United States; members of the Reserve Officers' Training Corps and members of the Citizens' Military Training Camps, or any part thereof, are paid by individuals, such individuals may be reimbursed therefor at an amount not exceeding that allowed by the Government for such services.

(2) *Limitation.* Except in the case of the civilian employees enumerated in paragraph (c) (3), (4), and (5) of § 36.50, if at the time and place of death a properly approved contract was in force, the amount to be allowed for burial expenses proper will be limited to the sum that such contract would have allowed for a similar case. However, if no such contract was in effect at the time and place of death, determination as to the amount to be allowed will be made by The Quartermaster General. It is not compulsory for relatives to utilize the services of the contract undertaker where a contract is in effect, but the War Department may allow for reimbursement on the items covered by the contract only the amount the department would have paid thereunder for such items. [Par. 4]

§ 36.53 *Shipment after temporary interment.* (a) When it is impracticable to ship the remains at the time of death, or if it is impossible to communicate with the emergency addressee before interment, the remains may be subsequently disinterred and shipped home at Government expense at the request of the emergency addressee.

(b) If the emergency addressee states that shipment home is not desired and the remains are interred at Government expense, subsequent disinterment or shipment of the remains will not be made at Government expense.

(c) When remains are interred at place of death during hostilities they subsequently may be disinterred and shipped home at Government expense. [Par. 5]

[SEAL]

J. A. ULIO,
Major General,
The Adjutant General.

TITLE 20—EMPLOYEES' BENEFITS

Chapter III—Social Security Board,
Federal Security AgencyPART 403—FEDERAL OLD-AGE AND
SURVIVORS INSURANCE

HEARINGS ON NEW ISSUES

This regulation amends Regulations No. 3¹ (Part 403, Title 20, Code of Federal Regulations, 1940 Supp.), by amending §§ 403.709 (e) and 403.709 (h) of Regulations No. 3, as amended, as follows:

1. Section 403.709 (e) is amended so as to read:

(e) *Time and place of hearing, and hearings on new issues.* The referee shall fix a time and place for the hearing. Written notice of the time and place of hearing, unless waived by a party, shall be mailed not less than 10 days prior to such time, to the parties at their last known addresses or given to them by personal service. Written notice of the objections of any party to the time and place fixed for a hearing shall be filed with the referee at the earliest opportunity of the objecting party. The notice shall state the reasons for the party's objections and his desires as to the time and place for hearing.

At any time after a request for a hearing has been made as provided in this section, but prior to the mailing of notice of the decision, the referee may in his discretion, either on the application of a party or on his own motion, in addition to the matters brought before him by the request for hearing, raise an issue on any other matter (whether similar or different in nature) designated in § 403.706 (a) which may affect the rights of any party to the matter pending before him, even though the Bureau has not made an initial or reconsidered determination with respect to such new issue; *Provided, however,* That notice of the time and place of the hearing on such new issue shall, unless waived, be given to the parties within the time and in the manner specified in the first subparagraph of this paragraph. Upon the giving of such notice, the matter shall, except as otherwise provided, proceed to hearing and be treated in the same manner as a matter on which an initial or reconsidered determination has been made by the Bureau and a hearing requested with respect thereto by a party entitled to such hearing.

The referee may change the time and place for the hearing, either upon his own motion or for good cause shown by a party. The referee may adjourn or postpone the hearing, or reopen the hearing for the receipt of additional evidence at any time prior to the mailing of notice of the decision in the case. Reasonable notice shall be given to the parties of any change in the time or place of hearing or of an adjournment or a reopening of the hearing.

¹ 5 F.R. 1849. For a chronological description of the statutory basis for the old-age and survivors insurance system under title II of the Social Security Act, as amended, and the regulations which have been issued thereunder, see § 403.1 of Regulations No. 3 of the Social Security Board. (§ 403.1, Title 20, Code of Federal Regulations, 1940 Supp.)

2. Section 403.709 (h) is amended so as to read:

(h) *Joint hearings and consolidated issues.* When two or more hearings are to be held, and the same or substantially similar evidence is relevant and material to the matters in issue at each such hearing, the referee may fix the same time and place for each hearing and conduct all such hearings jointly. Where joint hearings are held, a single record of the proceedings shall be made and the evidence introduced in one case may be considered as introduced in the others, but a separate decision shall be made in each case.

When one or more new issues are raised by the referee pursuant to paragraph (e) of this section, such new issues may, in the discretion of the referee, be consolidated for hearing and decision with other issues pending before him upon the same application, whether or not the same or substantially similar evidence is relevant and material to the matters in issue, and a single decision may be made upon all such issues.

(Sec. 205 (a), 53 Stat. 1368, sec. 1102, 49 Stat. 647; 42 U.S.C. sec. 405 (a), 1302)

In pursuance of sections 205 (a) and 1102 of the Social Security Act, as amended, the foregoing regulation adopted by the Board is hereby prescribed this 26th day of August 1943.

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

Approved: September 1, 1943.

PAUL V. McNUTT,
Federal Security Administrator.

[F. R. Doc. 43-14347; Filed, September 2, 1943;
11:12 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division

PART 633—MINIMUM WAGE RATE AND REG-
ULATIONS APPLICABLE TO THE EMPLOY-
MENT OF HOME WORKERS IN THE EM-
BROIDERIES INDUSTRY

In the matter of the recommendation of Industry Committee No. 45 for a minimum wage rate in the Embroideries Industry.

Whereas on June 6, 1942, by Administrative Order No. 145, the Administrator, acting pursuant to sections 5 and 8 of the Fair Labor Standards Act of 1938, appointed Industry Committee No. 45 for the Embroideries Industry, and directed the Committee to recommend minimum wage rates for the Embroideries Industry in accordance with section 8 of the Act; and

Whereas the Committee included four disinterested persons representing the public, a like number of persons representing employers in the Embroideries Industry, and a like number representing employees in the Industry, and each group was appointed with due regard to the geographical regions in which the Embroideries Industry is carried on; and

Whereas Industry Committee No. 45, on June 30, 1942, after investigation of conditions in the Industry, filed with the

Administrator a report containing its recommendations for a minimum wage rate of 40 cents an hour in the Embroideries Industry; and

Whereas after notice published in the FEDERAL REGISTER on September 16, 1942, Major Robert N. Campbell, the Presiding Officer designated by the Administrator, held a public hearing commencing on November 2, 1942 and continuing through November 13, 1942, at New York, New York, upon the Committee's recommendation and upon the question of what, if any, prohibition, restriction or regulation of home work is necessary to carry out the purposes of the wage order for the Embroideries Industry, to prevent the circumvention or evasion thereof and to safeguard the minimum wage rate established therein, in the event an order is issued approving the recommendations of the Committee, at which all interested persons were given an opportunity to be heard; and

Whereas the complete record of the proceeding before the Presiding Officer was transmitted to the Administrator; and

Whereas pursuant to notice published in the FEDERAL REGISTER on December 29, 1942, all persons who appeared at the hearing were given leave to file briefs on or before January 19, 1943; and

Whereas pursuant to notice published in the FEDERAL REGISTER on December 29, 1942, oral argument by persons who appeared at the hearing was heard by the Administrator on January 26, 1943; and

Whereas the Administrator, upon reviewing all the evidence adduced in this proceeding and giving consideration to the provisions of the Act with special reference to sections 5 and 8, has concluded that the Industry Committee's recommendation for a minimum wage rate for the Embroideries Industry, as defined in Administrative Order No. 145, is made in accordance with law, is supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered by the Industry Committee, will carry out the purposes of section 8 of the Act, and that it is necessary to include terms and conditions in the wage order for this Industry with respect to industrial home work to carry out the purpose of such order, to prevent the circumvention or evasion thereof and to safeguard the minimum wage rate established therein; and

Whereas the Administrator has set forth his decision in an opinion entitled Findings and Opinion of the Administrator in the Matter of the Recommendation of Industry Committee No. 45 for a Minimum Wage Rate in the Embroideries Industry and Industrial Home Work in the Embroideries Industry dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York;

Now, therefore, *it is ordered, That:*

Sec.

633.1 Approval of recommendation of industry committee.

633.2 Wage rate.

- Sec.
633.3 Restriction of home work.
633.4 Posting of notices.
633.5 Definition of the embroideries industry.
633.6 Scope of the definition.

AUTHORITY: §§ 633.1 to 633.7, inclusive, issued under sec. 8, 52 Stat. 1060, 1064; 29 U. S. C., sec. 208.

§ 633.1 *Approval of recommendation of industry committee.* The Committee's recommendation is hereby approved.

§ 633.2 *Wage rate.* Wages at a rate of not less than 40 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the Embroideries Industry who is engaged in commerce or in the production of goods for commerce.

§ 633.3 *Restriction of home work.* No work in the Embroideries Industry, as defined herein, shall be done in or about a home, apartment, tenement, or room in a residential establishment after November 15, 1943, except by such persons as have obtained special home work certificates issued pursuant to applicable regulations of the Wage and Hour Division, authorizing industrial home work by a worker who—

(a) (1) Is unable to adjust to factory work because of age or physical or mental disability; or

(2) Is unable to leave home because his presence is required to care for an invalid in the home; and

(b) (1) Was engaged in industrial home work in the Industry, as defined, prior to November 2, 1942 (except that if this requirement shall result in unusual hardship to the individual home worker it shall not be applied); or

(2) Is at any time engaged in such industrial home work under the supervision of a State Vocational Rehabilitation Agency or of a Sheltered Work Shop, as defined in § 525.1, Part 525, Chapter V, Title 29, Code of Federal Regulations.

§ 633.4 *Posting of notices.* Every employer employing any employees engaged in commerce or in the production of goods for commerce in the Embroideries Industry shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor.

§ 633.5 *Definition of the Embroideries Industry.* The Embroideries Industry, to which this order shall apply, is hereby defined as follows:

The production of all kinds of hand and machine-made embroideries and ornamental stitchings, including, but not by way of limitation, tucking, shirring, smocking, hemstitching, hand rolling, fagoting, Bonnaaz embroidery, appliqueing, crochet beading, hand drawing, machine drawing, rhinestone trimming, sequin trimming, spangle trimming, eyelets, passementerie, pleating, the application of rhinestones and nailheads,

stamping and perforating of designs, Schiffli embroidery and laces, burnt-out laces and velvets, Swiss hand-machine embroidery, thread splitting, embroidery thread cutting, scallop cutting, lace cutting, lace making-up, making-up of embroidered yard goods, straight cutting of embroidery and cutting out of embroidery, embroidery trimmings, bindings (not made in textile establishments), pipings and emblems: *Provided, however,* That (1) the foregoing when produced or performed by a manufacturer of a garment, fabric or other article for use on such garment, fabric or other article, and (2) the manufacture of covered buttons and buckles, shall not be included.

§ 633.6 *Scope of the definition.* The definition of the Embroideries Industry covers all occupations in the industry which are necessary to the production of the articles specified in the definition, including clerical, maintenance, shipping and selling occupations: *Provided, however,* That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

§ 633.7 *Effective date.* This wage order shall become effective September 20, 1943.

Signed at New York, New York, this 21st day of August, 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-14321; Filed, September 1, 1943; 9:15 a. m.]

PART 633—MINIMUM WAGE RATE AND REGULATIONS APPLICABLE TO THE EMPLOYMENT OF HOME WORKERS IN THE EMBROIDERIES INDUSTRY

The following regulations, §§ 633.101 to 633.112 applicable to the employment of industrial home workers in the Embroideries Industry are hereby issued pursuant to sections 8 (f) and 11 (c) of the Fair Labor Standards Act of 1938, and § 633.3 of the regulations of the Wage and Hour Division. These regulations shall become effective November 15, 1943, and shall be in force and effect until repealed or modified by regulations hereafter made and published.

Whereas section 8 (f) of the Fair Labor Standards Act of 1938 provides as follows:

Orders issued under this section shall * * * contain such terms and conditions as the Administrator finds necessary to carry out the purposes of such orders, to prevent the circumvention or evasion thereof, and to safeguard the minimum wage rates established therein. * * *

and whereas § 633.3 of the wage order for the Embroideries Industry issued pursuant to section 8 (f) of the Act provides as follows:

No work in the Embroideries Industry, as defined herein, shall be done in or about a

home, apartment, tenement, or room in a residential establishment after November 15, 1943, except by such persons as have obtained special home work certificates issued pursuant to applicable regulations of the Wage and Hour Division, authorizing industrial home work by a worker who—

(a) (1) Is unable to adjust to factory work because of age or physical or mental disability; or

(2) Is unable to leave home because his presence is required to care for an invalid in the home; and

(b) (1) Was engaged in industrial home work in the Industry, as defined, prior to November 2, 1942 (except that if this requirement shall result in unusual hardship to the individual home worker it shall not be applied); or

(2) Is at any time engaged in such industrial home work under the supervision of a State Vocational Rehabilitation Agency or of a Sheltered Work Shop, as defined in § 525.1, Part 525, Chapter V, Title 29, Code of Federal Regulations.

and

Whereas section 11 (c) of the Act provides as follows:

Every employer subject to any provision of this Act or of any order issued under this Act shall make, keep, and preserve such records of the persons employed by him and of the wages, hours, and other conditions and practices of employment maintained by him, and shall preserve such records for such periods of time, and shall make such reports therefrom to the Administrator as he shall prescribe by regulation or order as necessary or appropriate for the enforcement of the provisions of this Act or the regulations or orders thereunder.

Now, therefore, the following regulations are hereby issued. These regulations shall become effective on November 15, 1943, and shall be in force and effect until repealed or modified by regulations hereafter made and published.

- Sec.
633.101 Definitions.
633.102 Application on official forms.
633.103 Terms and conditions for the issuance of certificates.
633.104 Investigation may be ordered to determine whether the facts justify the issuance of certificate.
633.105 Termination of certificates.
633.106 Revocation and cancellation.
633.107 Preservation of certificate.
633.108 Records and reports.
633.109 Wage rates.
633.110 Delegation of authority to grant, deny or cancel a certificate.
633.111 Petition for review.
633.112 Petition for amendment of regulations.

AUTHORITY: §§ 633.101 to 633.112, inclusive, issued under secs. 8, 11, 52 Stat. 1064, 1068; 29 U.S.C. 208f, 211c; § 633.3 supra.

§ 633.101 *Definitions.* As used in these regulations, the term "industrial home work" means the production by any person in or about a home, apartment, tenement, or room in a residential establishment, for an employer, of goods from material furnished directly by or indirectly for such employer.

"The Embroideries industry" as used herein means:

The production of all kinds of hand and machine-made embroideries and ornamental stitchings, including, but not by way of limitation, tucking, shirring, smocking, hemstitching, hand rolling,

fagoting, Bonnaz embroidery, appliqueing, crochet beading, hand drawing, machine drawing, rhinestone trimming, sequin trimming, spangle trimming, eyelets, passementerie, pleating, the application of rhinestones and nailheads, stamping and perforating of designs, Schiffli embroidery and laces, burnt-out laces and velvets, Swiss hand-machine embroidery, thread splitting, embroidery thread cutting, scallop cutting, lace cutting, lace making-up, making-up of embroidered yard goods, straight cutting of embroidery and cutting out of embroidery, embroidery trimmings, bindings (not made in textile establishments), pipings and emblems: *Provided, however,* That (a) the foregoing when produced or performed by a manufacturer of a garment, fabric or other article for use on such garment, fabric or other article, and (b) the manufacture of covered buttons and buckles, shall not be included.

§ 633.102 *Application on official forms.* Certificates authorizing the employment of industrial home workers in the Embroideries Industry may be issued upon the following terms and conditions upon application therefor on forms provided by the Wage and Hour Division. Such forms shall be signed by both the home worker and the employer.

§ 633.103 *Terms and conditions for the issuance of certificates.* If the application is in proper form and sets forth facts showing that the worker—

(a) (1) Is unable to adjust to factory work because of age or physical or mental disability; or

(2) Is unable to leave home because his presence is required to care for an invalid in the home; and

(b) (1) Was engaged in industrial home work in the Industry, as defined, prior to November 2, 1942 (except that if this requirement shall result in unusual hardship to the individual home worker it shall not be applied); or

(2) Is at any time engaged in such industrial home work under the supervision of a State Vocational Rehabilitation Agency or of a Sheltered Work Shop, as defined in § 525.1, Part 525, Chapter V, Title 29, Code of Federal Regulations, a certificate may be issued authorizing the applicant employer to employ the worker in industrial home work in the Embroideries Industry.

No home worker shall perform industrial home work for more than one employer in the Embroideries Industry, but home work employment in another industry shall not be a bar to the issuance of a certificate for the Embroideries Industry.

§ 633.104 *Investigation may be ordered to determine whether the facts justify the issuance of certificate.* An investigation may be ordered in any case to obtain additional data or facts. A medical examination of the worker or invalid may be ordered or a certification of facts concerning eligibility for the certificate by designated officers of the State or Federal Government may be required.

§ 633.105 *Termination of certificates.* Certificates shall be valid under the terms

set forth in the certificate for a period of not more than 12 months from the date of issuance or such shorter period as may be fixed in the certificate. Application for renewal of any certificate shall be filed in the same manner as an original application under these regulations.

§ 633.106 *Revocation and cancellation.* Any certificate may be revoked for cause at any time. Violation of any provision of the Fair Labor Standards Act shall be sufficient grounds for revocation of all certificates issued to an employer, in which event no certificates shall be issued to the offending employer for a period of one year. In any proceedings for the revocation or cancellation of a certificate, interested parties shall be provided an opportunity to be heard.

§ 633.107 *Preservation of certificate.* A copy of the certificate shall be sent to the home worker, who shall keep such certificate on the premises on which the work is performed.

A copy of the certificate shall be sent to the employer, who shall keep this copy on file in the same place at which the worker's employment records are maintained.

§ 633.108 *Records and reports.* The issuance of a certificate shall not relieve the employer of the duty of maintaining the records required by Regulations, Part 516, and failure to keep such records shall be sufficient cause for the cancellation of certificates issued to such an employer.

Each employer of industrial home workers in the Embroideries Industry shall submit to the regional office of the Wage and Hour Division for the region in which his place of business is located on April 1 and October 1 of each year, the home work handbooks of each employee employed by him during the preceding six month period in industrial home work in the Embroideries Industry. This report shall also include a list of the names, addresses, and certificate numbers of home workers for whom home work certificates have been obtained, but who were not employed in industrial home work in the Embroideries Industry during such period.

§ 633.109 *Wage rates.* Wages at a rate of not less than 40 cents per hour shall be paid by every employer to each of his home work employees except as subminimum employment of specific handicapped workers has been provided for by special certificates issued by the Wage and Hour Division pursuant to regulations, Parts 524 and 525. All hours worked in excess of 40 in any workweek shall be compensated for at one and one-half times the regular rate of pay.

§ 633.110 *Delegation of authority to grant, deny or cancel a certificate.* The Administrator may from time to time designate and appoint members of his staff or State agencies as his authorized representatives with full power and authority to grant, deny, or cancel home work certificates.

§ 633.111 *Petition for review.* Any person aggrieved by the action of an authorized representative of the Administrator in granting or denying a certificate may, within 15 days thereafter or within such additional time as the Administrator for cause shown may allow, file with the Administrator a petition for review of the action of such representative praying for such relief as is desired. Such petition for review, if duly filed, will be acted upon by the Administrator or an authorized representative of the Administrator who took no part in the proceeding being reviewed. All interested parties will be afforded an opportunity to present their views in support of or in opposition to the matters prayed for in the petition.

§ 633.112 *Petition for amendment of regulations.* Any person wishing a revision of any of the terms of the foregoing regulations may submit in writing to the Administrator a petition setting forth the changes desired and reasons for proposing them. If upon inspection of the petition the Administrator believes that reasonable cause for amendment of the rules and regulations is set forth, the Administrator will either schedule a hearing with due notice to interested persons or will make other provisions to afford interested persons opportunity to present their views in support of or in opposition to the proposed changes.

Signed at New York, New York, this 21st day of August 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-14320; Filed, September 1, 1943; 9:15 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service

Subchapter A—Bureau of Accounts

PART 203—SPECIAL DEPOSITS OF PUBLIC MONEYS UNDER THE ACT OF CONGRESS APPROVED SEPTEMBER 24, 1917, AS AMENDED

BANKS AND TRUST COMPANIES AS DEPOSITARIES OF PUBLIC MONEYS

AUGUST 31, 1943.

Section 203.1 *Banks and trust companies desiring to act as depositaries of public moneys* of Title 31 of the Code of Federal Regulations (8 F.R. 5141), appearing also as the first numbered paragraph of Treasury Department Circular No. 92 (Revised), dated April 14, 1943, is hereby amended to read as follows:

§ 203.1 *Banks and trust companies desiring to act as depositaries of public moneys.* Any incorporated bank or trust company in one of the States of the United States, the District of Columbia, the Territories of Alaska and Hawaii, Puerto Rico, the Virgin Islands, or the Panama Canal Zone, desiring to partici-

pate in deposits of public moneys, as authorized by the Act of Congress approved September 24, 1917, as amended (Second Liberty Bond Act, As Amended), hereinafter referred to as the Act, should make application to the Federal Reserve Bank of its district. For the purposes of this part, banks and trust companies located in the Territories of Alaska and Hawaii will be considered as being located in the San Francisco Federal Reserve district, and banks and trust companies located in Puerto Rico, the Virgin Islands, and the Panama Canal Zone will be considered as being located in the New York Federal Reserve district.

[SEAL] D. W. BELL,
Acting Secretary of the Treasury.

[F. R. Doc. 43-14331; Filed, September 1, 1943; 4:16 p. m.]

TITLE 32—NATIONAL DEFENSE
Chapter VI—Selective Service System
[No. 203]

REPORT OF OBLIGATIONS

ORDER PRESCRIBING FORMS

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, I hereby prescribe the following change in DSS forms:

1. Revision of DSS Form 260, entitled "Report of Obligations," effective immediately upon the filing hereof with the Division of the Federal Register. The supply of forms on hand will be used until exhausted.
2. Revision of DSS Form 260A, entitled "Report of Obligations," effective immediately upon the filing hereof with the Division of the Federal Register. The supply of forms on hand will be used until exhausted.
3. Revision of DSS Form 260AA, entitled "Report of Obligations," effective immediately upon the filing hereof with the Division of the Federal Register. The supply of forms on hand will be used until exhausted.
4. Revision of DSS Form 260B, entitled "Report of Obligations," effective immediately upon the filing hereof with the Division of the Federal Register. The supply of forms on hand will be used until exhausted.
5. Revision of DSS Form 260C, entitled "Report of Obligations," effective immediately upon the filing hereof with the Division of the Federal Register. The supply of forms on hand will be used until exhausted.
6. Revision of DSS Form 260D, entitled "Report of Obligations," effective immediately upon the filing hereof with the Division of the Federal Register. The supply of forms on hand will be used until exhausted.
7. Revision of DSS Form 260E, entitled "Report of Obligations," effective immediately upon the filing hereof with the Division of the Federal Register. The supply of forms on hand will be used until exhausted.
8. Revision of DSS Form 260F, entitled "Report of Obligations," effective immediately upon the filing hereof with the Division of the Federal Register. The supply of forms on hand will be used until exhausted.

¹ Forms filed as part of the original document.

9. Discontinuance of DSS Form 260G, entitled "Report of Obligations," effective immediately upon the filing hereof with the Division of the Federal Register.

The foregoing changes shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

AUGUST 31, 1943.

[F. R. Doc. 43-14330; Filed, September 1, 1943; 2:49 p. m.]

Chapter VIII—Office of Economic Warfare

Subchapter B—Export Control
[Amendment 93]

PART 801—GENERAL REGULATIONS

"GENERAL LICENSE GROUP" DEFINED

Paragraph (a) of § 801.2 *Prohibited exportations* is hereby amended to read as follows:

(a) The column headed "General License Group" has reference to the destinations to which commodities may be exported pursuant to the general license granted by § 802.7 of this subchapter.

(1) When a letter appears in said column it refers to the destinations included in a country group designated in § 802.3 of this subchapter.

(2) When a number appears in said column it refers to a destination to which a number has been assigned in § 802.2 of this subchapter.

(3) When a letter appears in said column followed by a minus sign (—) and a number, it refers to all destinations included in the designated country group except the destination assigned said number.

(Sec. 6, 54 Stat. 714; Public Law 75, 77th Cong.; Public Law 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 47, 8 F.R. 8529; Executive Order No. 9361 and Order No. 1, 8 F.R. 9938)

Dated: August 31, 1943.

C. VICTOR BARRY,
Chief of Office,
Office of Exports.

[F. R. Doc. 43-14344; Filed, September 2, 1943; 9:33 a. m.]

[Amendment 97]

PART 801—GENERAL REGULATIONS

CHANGES IN GENERAL LICENSE GROUP DESIGNATIONS

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars: In the column headed "General License Group" the group designation assigned to the commodity listed below, at every place where said commodity appears in said section, is hereby amended to read as follows:

Commodity	Dept. of Commerce schedule No. B	General License Group
Abrasive manufactures: Grinding wheels (include pumice stones).....	5462.00	K-17
Natural abrasives, bones, whetstones, etc., n. e. s. (include inferior & diatomaceous earth, flint, rottenstone, tripoli & garnet).....	5462.05	K-17
Art works: Paintings, etchings, engravings, statuary, & antiques (include valuable manuscripts).....	6610.00	K-17
Buttons: Buttons & parts of other material (include metal).....	9712.00	K-17
Button parts, backs, blanks & molds (specify type of article).....	9712.00	K-17
Clay and clay products: Electric porcelain for less than 6,000 volts.....	5335.00	K-17
Electric porcelain for 6,000 volts and over.....	5337.00	K-17
Cotton manufactures: Bed sheets & pillow cases.....	3175.00	K-17
Bedspreads, coverlets, chenilles, & tufted.....	3175.00	K-17
Blankets.....	3171.00	K-17
Boys' clothing, of woven fabrics, n. e. s. (include bathrobes, covercoats, suits & slacks, & boys' play suits, overalls, etc.).....	3159.05	K-17
Broadcloth, carded, bleached.....	3045.00	K-17
Broadcloth, dyed in the piece.....	3049.10	K-17
Broadcloth, printed.....	3049.20	K-17
Chambays, chevilles, & chistings.....	3009.00	K-17
China cloth & gauze, bleached or dyed (full piece).....	3030.00	K-17
Children's outerwear, not knit.....	3127.00	K-17
Cloth, gray, cotton, n. e. s.....	3039.00	K-17
Clothing, men's of woven fabrics, n. e. s.....	3120.05	K-17
Combed & carded goods, n. e. s.....	3074.00	K-17
Curtains & draperies (include cotton bath curtains).....	3151.00	K-17
Dezains.....	3037.00	K-17
Dresses & ensembles, women's (include cyclis, velveteen & lace).....	3122.00	K-17
Fabrics, colored yarn, n. e. s. (include seersucker & tickings, n. e. s.).....	3091.00	K-17
Fabrics, cotton & rayon mixture.....	3079.00	K-17
Fabrics, cotton & wool mixture.....	3070.00	K-17
Fabrics, knit in the piece.....	3050.00	K-17
Gloves, dress & all other (woven or knit) (include children's mittens).....	3091.20	K-17
Gloves, mitts & gauntlets, work of fabric.....	3091.10	K-17
Handkerchiefs.....	3090.00	K-17
Hosiery, children's.....	3094.00	K-17
Hosiery, men's.....	3095.00	K-17
Hosiery, women's.....	3093.00	K-17
Hocco (handkerchiefs, n. e. s. (include napery, cotton fiber coverings, & furniture slip covers).....	3159.00	K-17
Jackets & windbreakers, boys.....	3113.05	K-17
Jackets & windbreakers, men's.....	3113.05	K-17
Knit apparel, men's, n. e. s.....	3059.05	K-17
Knit apparel, n. e. s. (except men's).....	3059.15	K-17
Leaves, carded, linter, & articles thereof, n. e. s.....	3155.00	K-17
Merguettees, combed.....	3073.00	K-17
Nightwear, boys', woven.....	3115.05	K-17
Nightwear, knit, women's & children's (include balbriggan pajamas & "Dentons").....	3095.00	K-17
Nightwear, men's, woven.....	3115.05	K-17
Overalls, breeches, etc., n. e. s.....	3114.00	K-17
File fabrics, other (include velveteens, corduroys, & terry fabrics).....	3055.00	K-17
Flores, combed.....	3070.00	K-17
Flores.....	3037.00	K-17
Fritsch, bleached.....	3031.10	K-17
Fritsch, dyed in the piece.....	3032.10	K-17
Fritsch, printed.....	3032.20	K-17
Fritsch, yarn fabric construction, unbleached (gray), n. e. s.....	3037.00	K-17
Quilts, comfortables, & quilted bedspreads.....	3173.00	K-17
Remnants of fabric, n. e. s., sold by the yard (include mill ends & short pieces of less than 10 yds.).....	3059.50	K-17
Shirts, boys, n. e. s. (except knits).....	3117.20	K-17
Shirts, men's, not knit, n. e. s.....	3117.25	K-17
Shirts, work.....	3117.10	K-17
Suitings, tail-coats, cottonades.....	3055.00	K-17
Sweaters, heavy pullovers & sweat-shirts, boys.....	3059.19	K-17
Sweaters, heavy pullovers & sweat-shirts, men's.....	3059.15	K-17
Sweaters, charity, & mufflers, women's & children's.....	3059.50	K-17
Table damask in the piece.....	3032.00	K-17
Tarotry & other upholstery & drapery materials, jacquard & debby-woven.....	3034.00	K-17

Commodity	Dept. of Commerce schedule B No.	General license group
Cotton manufactures—Continued.		
Thread, crocheted, darned & embroidered	3016.00	K-17
Tobacco & cheese cloth, unbleached	3036.00	K-17
Towels & toweling, huck, damask & plain	3188.00	K-17
Towels, wash cloths, & bath mats, terry-woven	3187.00	K-17
Underwear, boys', knit	3096.98	K-17
Underwear, boys', woven fabrics	3116.93	K-17
Underwear, men's, knit	3096.05	K-17
Underwear, men's, not knit	3116.15	K-17
Underwear, women's & children's knit	3097.00	K-17
Underwear & nightwear, women's & children's, not knit (include diapers)	3124.00	K-17
Volles, organdies, lawn, batiste, combed	3067.00	K-17
Women's & children's apparel of woven fabrics, n. e. s. (include blouses, shirts, bathrobes, uniforms, washable apparel, n. e. s.)	3129.00	K-17
Manufactures, n. e. s.	3199.00	K-17
Glass:		
Electric insulators, glass	5292.00	K-17
Rolled glass (include standard & wire)	5218.00	K-17
Glass, n. e. s. (include flat glass specialties, mirrors, & glass bricks)	5220.98	K-17
Glassware, n. e. s. (include glass wool)	5299.00	K-17
Jewelry:		
Articles of other materials (synthetic resins, cellulose compounds, etc.) (include cigarette cases, pocket cigar & cigarette lighters, compacts, powder & vanity cases)	9629.00	K-17
Jewelry, men's, of other materials (synthetic resins, cellulose compounds, etc.) (include rings, collar & cuff buttons, studs, tie-clips & holders, watch chains, watch bracelets & stockpins)	9627.00	K-17
Jewelry, women's of other materials (synthetic resins, cellulose compounds, etc.) (include rings, bracelets, bar pins, brooches, necklaces & earrings)	9628.00	K-17
Leather manufactures, n. e. s. (include watch straps)	0699.00	K-17
Miscellaneous:		
Beads & articles	9840.05	K-17
Photographic & projection goods:		
Motion-picture films, exposed negative features, 16 mm.	9121.30	K-17
Motion-picture films, exposed negative short subjects, 16 mm.	9121.60	K-17
Motion-picture film, exposed negative, 8 mm.	9121.90	K-17
Motion-picture film, exposed, negative newsreels	9121.70	K-17
Motion-picture film, exposed, negative, sound track	9121.71	K-17
Motion-picture film, exposed, negative, trailers, inserts & replacements	9122.01	K-17
Motion-picture film, exposed, positive, features, 16 mm.	9121.80	K-17
Motion-picture film, exposed, positive, 8 mm.	9121.81	K-17
Motion-picture film, exposed, positive, newsreels	9123.30	K-17
Motion-picture film, exposed, positive, short subjects (less than 4000 lin. ft.)	9123.31	K-17
Motion-picture film, exposed, positive, short subjects (less than 1600 lin. ft.)	9123.90	K-17
Motion-picture film, exposed, positive, trailers, inserts, & replacements	9123.91	K-17
Teeth, artificial	9123.70	K-17
Textile products:		
Mattresses, cotton, moss & hair	9123.40	K-17
Wool-felt hats	9123.41	K-17
Other textile manufactures	9123.60	K-17
Toys, athletic & sporting goods:		
Amusement park & playground devices & parts (include bowling alleys, merry-go-rounds, slides, swings, trapeze, climbing ropes, saws, horizontal bars, & other athletic contrivances)	9124.00	K-17
Children's wheel goods & parts	9124.01	K-17
Fishing tackle & parts, n. e. s.	9123.80	K-17
Golf clubs	9123.81	K-17
Ice skates	9125.00	K-17
Reels, fishing	3970.93	K-17
Roller skates	3953.00	K-17
Athletic & sporting goods, n. e. s.	3999.00	K-17

Commodity	Dept. of Commerce schedule B No.	General license group
Wood manufactures:		
Flows & similar bent handles	4235.00	K-17
Wood manufactures, n. e. s.	4239.00	K-17
Woodenware	4233.00	K-17
Venetian Blinds	4231.00	K-17

Shipments of commodities which are on dock, on lighter, laden aboard the exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment, may be exported under the previous general license provisions. Shipments moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions. This amendment shall become effective September 1, 1943.

(Sec. 6, 54 Stat. 714; Public Law 75, 77th Cong.; Public Law 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of authority No. 47, 8 F.R. 8529, E.O. No. 9361, 8 F.R. 9861 and Order No. 1, 8 F.R. 9938)

C. VICTOR BARRY,
Chief of Office, Office of Exports.

AUGUST 31, 1943.

[F. R. Doc. 43-14343; Filed, September 2, 1943; 9:33 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

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

PART 1041—PRODUCTION, TRANSPORTATION, REFINING AND MARKETING OF PETROLEUM
[Preference Rating Order P-98-e]

§ 1041.6 Preference Rating Order P-98-e—(a) Purpose of this order; assignment of preference rating and allotment symbol. The purpose of this order is to make it easier to get materials for the maintenance and repair of petroleum equipment used by consumer accounts. Accordingly, a preference rating of AA-5 and the allotment symbol MRO-P-98-e may be used by consumer accounts and repairers to get material for the maintenance and repair of petroleum equipment. The way to use the rating and the allotment symbol is explained below.

(b) Who may use this order. This order may be used by any householder, farmer, industrial concern, institution, governmental agency or other person or organization, to get materials for the maintenance or repair of petroleum equipment which he uses in connection with his consumption of petroleum products. These persons and organizations

are called "consumer accounts" in this order. It may also be used by persons or organizations who maintain or repair petroleum equipment for consumer accounts. These persons and organizations are called "repairers" in this order. This order may not be used for the maintenance or repair of any equipment which is used in connection with the manufacture, distribution or sale of petroleum products, such as equipment in refineries, bulk plants or filling stations.

(c) Meaning of "petroleum equipment." The phrase "petroleum equipment" refers to equipment which is used for storing or dispensing the following:

- Gasoline, when used as a motor fuel
- Diesel oil, when used as a motor fuel
- Tractor fuel, when used as a motor fuel
- Lubricating oil, when used as a lubricant
- Lubricating grease, when used as a lubricant
- Liquefied petroleum gas (that is, butane, propane, propylene, butene, butylene, or any combination or dilution of them known as "liquefied petroleum gas"), for any use.

This equipment will include:

- Motor fuel and gasoline dispensing pumps
- Barrel and drum pumps
- Hand and pressure lubricating equipment
- Storage tanks, containers, and cylinders
- Housing, piping, valves and regulators used in storing or dispensing liquefied petroleum gas.

However, equipment such as gas ranges, stoves, radiators, automobiles, tractors, or other equipment in which the products mentioned above are burned or consumed cannot be said to be used for storing and dispensing. Hence, this equipment is not "petroleum equipment" and cannot be maintained or repaired under this order.

(d) Meaning of "maintenance and repair". The words "maintenance and repair" mean keeping equipment in a sound working condition or fixing equipment if it has broken down. However, maintenance and repair does not include the restoration or replacement of any complete motor fuel or gasoline dispensing pump, complete pressure lubricating system, complete storage tank, having a capacity of more than 65 gallons, used for storing motor fuel or lubricants, or any complete storage tank or cylinder, regardless of the capacity, used for storing liquefied petroleum gas.

(e) How to use this order. To use the preference rating and allotment symbol authorized above, a consumer account or repairer must take certain steps as follows:

(1) He must give his supplier a written purchase order for the materials he wants to buy. Any kind of written order will do, if it names the supplier, lists each item being bought and the price, and states when the supplier is to deliver it. The supplier will often help the buyer make out the purchase order, fill in the price, etc.

(2) The consumer account or repairer must put on the purchase order a statement similar to the following one, and sign the statement:

Preference Rating AA-5—Allotment Symbol MRO-P-98-e. I certify to the War Production Board, subject to criminal penalties

for misrepresentation, that I am entitled to use this rating and symbol under Order P-98-e.

(Signature of consumer account or repairer)

If he wishes, the consumer account or repairer, instead of using this statement, may use the certificate given in CMP Regulation No. 7 or that given in Preference Rating Order P-98-b, as amended.

(3) The consumer account or repairer must make a copy of each purchase order and keep it for at least two years. When requested, these copies must be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(4) If the total cost of the items on the purchase order is \$100 or more, the consumer account or repairer must make still another copy of the purchase order. He must send this copy promptly to the District Office of the Petroleum Administration for War for the District where the materials will be used. So that the copy may be identified he should place the symbol Ref: P-98-e on the envelope. A list of the District Offices is contained in List A of the order.

This additional copy is sent for the information of the Petroleum Administration for War so that it can know the need for material of this sort and is not sent to obtain approval of the purchase. Where the total cost of the purchase order is less than \$100 no copy need be sent.

(f) *When this order may not be used.* In certain instances, even if he has done everything required by the preceding paragraph, a consumer account or repairer must not use this order to get materials for maintenance or repair work:

(1) A consumer account must not use this order to get materials to keep on hand. He must not buy more than he needs to do a particular job.

(2) A repairer may use this order to get materials to keep on hand as inventory, but he must never buy more than he will need for the next 60 days. In deciding how much he will need for the next 60 days, he must take into account materials which he already has in his inventory as well as those which he is buying.

(3) A consumer account or repairer must not use this order to get materials which can be bought without the use of any preference rating or allotment symbol. Most used articles can be bought without a rating or symbol, and many kinds of new items as well.

(4) A consumer account or repairer must not use this order to get material which will be used to replace a part which is still serviceable.

(5) A consumer account or repairer must under no circumstances use this order to obtain materials for any purpose except the maintenance or repair of petroleum equipment.

(g) *Technical provisions.* The following are technical statements which are included so as to give full legal effect to the procedure established in this order:

(1) The allotment symbol MRO-93-e shall constitute an allotment symbol for the purpose of CMP Regulation No. 3.

(2) Any purchase order for controlled materials bearing the allotment symbol MRO-P-98-e and the statement of paragraph (e) shall constitute an authorized controlled materials order.

(3) If a consumer account or repairer obtains any repair parts or material in accordance with the procedures of this order, the provisions of paragraphs (s), (s-1), and (u) of CMP Regulation No. 1 and the provisions of CMP Regulation Nos. 2, 5 and 5A (and the limitations incorporated in any CMP Regulation which otherwise would subject a consumer account or repairer to the provisions of CMP Regulations 2, 5 and 5A) shall not apply to the transaction.

(h) *Use of other orders.* Certain consumer accounts, particularly industrial or commercial concerns, can use other regulations or orders of the War Production Board to get repair materials or parts. These consumer accounts have the choice of using this order or

any other regulation or order which they may be entitled to use.

(i) *Where to write concerning this order.* All letters, questions and appeals concerning this order, except delivery orders which must be filed with the District Offices should be addressed to: Petroleum Administration for War, Interior Building, Washington 25, D. C., Ref: P-98-e.

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

Issued this 2d day of September 1943.

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

SCHEDULE "A"—INSTRUCTIONS FOR DIRECTING COMMUNICATIONS TO DISTRICT OFFICES

District	Area comprised	How directed	Address
1	Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, District of Columbia.	Petroleum Administration for War, Ref: P-93-e.	1104 Chauncy Building, 122 East 42nd Street, New York, 17 New York.
2	Ohio, Kentucky, Tennessee, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Iowa, Missouri, Oklahoma, Kansas, Nebraska, South Dakota, North Dakota.	Petroleum Administration for War, Ref: P-93-e.	1230 Blum Building, 624 South Michigan Avenue, Chicago, 5 Illinois, or 410 Beacon Building, 436 South Boulder Avenue, Tulsa, Oklahoma.
3	Alabama, Mississippi, Louisiana, Arkansas, Texas, New Mexico.	Petroleum Administration for War, Ref: P-93-e.	215 Melville Esperson Building, Houston, 1 Texas.
4	Montana, Wyoming, Colorado, Utah, Idaho.	Petroleum Administration for War, Ref: P-93-e.	320 First National Bank Building, Denver, 2 Colorado.
5	Arizona, California, Nevada, Oregon, Washington, Territories of Alaska or Hawaii.	Petroleum Administration for War, Ref: P-93-e.	855 Subway Terminal Building, Los Angeles, 13 California.

[F. R. Doc. 43-14383; Filed, September 2, 1943; 11:45 a. m.]

PART 3102—NATIONAL EMERGENCY SPECIFICATIONS FOR STEEL PRODUCTS

[Schedule 4 as Amended Sept. 2, 1943, to Limitation Order L-211]

STRUCTURAL STEEL SHAPES

(a) *Definitions.* (1) "Structural steel shape" means any of the following steel flanged sections having at least one dimension of its cross section 3 inches or greater: beams, channels, joists, columns, stanchions, bearing piles, angles, bulb angles, zees, tees, or sill, side post, or side plate car sections. The term does not include special sections such as steel sheet piling and elevator guide rails.

(2) "Government order" means an order placed:

(i) By the Government of the United States or any department or agency thereof, or

(ii) By any other person covering material to be physically incorporated into material to be delivered to such government, department, or agency, or

(iii) By a warehouse which has been designated by such government, department, or agency as a source of supply for government orders, for delivery to a stock maintained for that purpose.

(b) *Restrictions in sizes and shapes.* No person shall produce, fabricate, or deliver any structural steel shape except in a size and shape set forth in Table I of this schedule.

(c) *Restrictions on specifications—(1) Government orders.* No person shall produce, fabricate, or deliver on a Government order any structural steel shape which does not conform to a specification set forth in List 1 or List 2 of this schedule.

(2) *Other orders.* No person shall produce, fabricate, or deliver on any order other than a government order any structural steel shape which does not conform to a specification set forth in List 1 of this schedule.

(d) *Acceptance of delivery.* No person shall accept delivery of any struc-

tural steel shape which he knows or has reason to believe was produced, fabricated or delivered in violation of the provisions of paragraphs (b) or (c).

(e) *General exceptions.* The provisions of paragraphs (b), (c) and (d) shall not apply to structural steel shapes:

(1) Which have been produced or fabricated before February 25, 1943, or which before that date were processed in such manner and to such extent that processing to conform to those provisions would be impracticable, or

(2) When production, fabrication, delivery or acceptance is specifically permitted in writing by the War Production Board. In the case of alloy structural steel shapes, such permission may be granted with respect to chemical compositions by the approval of a melting, production, or delivery schedule.

(3) Of other sizes and shapes or other specifications which are produced, fabricated, delivered or accepted upon certification by the Army, Navy, or Maritime Commission to the producer, fabricator or supplier and to the War Production Board that such other sizes or shapes or such other specifications are necessary to insure the military characteristics of the item for which such structural steel shapes are required. Such certification shall specify the contract involved and the justification for the exception.

(f) *Exceptions on specifications.* The provisions of paragraphs (c) and (d) shall not prevent:

(1) Waiver by the purchaser or procuring agency of any of the inspection or test requirements of the specifications, or

(2) Delivery or acceptance of structural steel shapes which because of errors in manufacture do not conform to the requirements of paragraph (c), if those requirements are waived by the purchaser or procuring agency, or

(3) Delivery or acceptance, on an order for stock steel shapes, of shapes resulting from an overrun in the production of carbon steel structural shapes to specifications set forth in List 1 or List 2 of this schedule.

(g) *Records.* Each person owning or possessing structural steel shapes excepted by the provisions of paragraph (e) or (f) shall retain records of such material available for inspection by duly authorized representatives of the War Production Board. In addition, each person accepting an order for structural steel shapes excepted by the provisions of paragraph (e) (3) shall furnish details of such order to the War Production Board within ten days after acceptance. The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 2d day of September 1943.

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

TABLE 1—PERMISSIBLE SIZES AND SHAPES OF STRUCTURAL STEEL SHAPES

WIDE FLANGE SECTIONS					
Nominal dimensions, inches	Weight, lbs. per foot				
	300	280	260	240	230
36 x 16½	300	280	260	240	230
36 x 12	194	182	170	160	150
33 x 15¼	220	200	—	—	—
33 x 11½	152	141	132	125	—
30 x 15	210	190	172	—	—
30 x 10½	124	116	108	—	—
27 x 14	163	145	—	—	—
27 x 10	106	98	91	—	—
24 x 14	150	130	—	—	—
24 x 12	120	100	—	—	—
24 x 9	87	80	74	—	—
21 x 13	132	112	—	—	—
21 x 9	98	82	—	—	—
21 x 8¼	73	68	63	59	—
18 x 11¾	114	105	96	—	—
18 x 8¾	85	77	70	64	—
18 x 7½	55	47	—	—	—
16 x 11½	96	88	—	—	—
16 x 8½	78	71	64	58	—
16 x 7	50	45	40	36	—
14 x 16	426	398	370	342	320
	314	287	264	246	228
	211	193	176	158	142
14 x 14½	136	119	103	95	87
14 x 12	84	78	—	—	—
14 x 10	74	68	61	—	—
14 x 8	53	48	43	—	—
14 x 6¾	39	34	30	—	—
12 x 12	190	161	133	106	92
	79	72	65	—	—
12 x 10	58	53	—	—	—
12 x 8	45	40	—	—	—
12 x 6½	36	28	25	—	—
10 x 10	112	100	89	77	66
	54	49	—	—	—
10 x 8	41	33	—	—	—
10 x 5¾	26	21	—	—	—
8 x 8	67	58	48	40	35
	31	—	—	—	—
8 x 6½	27	24	—	—	—
8 x 5¼	21	17	—	—	—

LIGHT BEAMS			
Nominal dimensions, inches	Weight, lbs. per foot	Nominal dimensions, inches	
12 x 4	22	19	16½
10 x 4	19	17	15
8 x 4	15	13	—
6 x 4	16	12	—

JOISTS			
Nominal dimensions, inches	Weight, lbs. per foot	Nominal dimensions, inches	
12 x 4	14	—	—
10 x 4	11½	—	—
8 x 4	10	—	—
6 x 4	8½	—	—

JUNIOR BEAMS			
Nominal dimensions, inches	Weight, lbs. per foot	Nominal dimensions, inches	
12 x 3	11.8	—	—
11 x 2½	10.3	—	—
10 x 2¾	9.0	—	—
9 x 2¾	7.5	—	—
8 x 2¼	6.5	—	—
7 x 2½	5.5	—	—
6 x 1½	4.4	—	—

STANCHIONS			
Nominal dimensions, inches	Weight, lbs. per foot	Nominal dimensions, inches	
6 x 6	27½	25	22½
	20	18	15½
5 x 5	18½	16	13½
4 x 4	13	10	—

H-BEAMS			
Nominal dimensions, inches	Weight, lbs. per foot	Nominal dimensions, inches	
8 x 8	34.3	—	—
6 x 6	25	—	—
6 x 6	20	—	—
5 x 5	18.9	—	—
4 x 4	13	—	—

SUBWAY COLUMNS				
Nominal dimensions, inches	Weight, lbs. per foot			
	40	36	32	28
5¼ x 9½	40	36	32	28

BEARING PILES				
Nominal dimensions, inches	Weight, lbs. per foot	Nominal dimensions, inches		
14 x 14½	117	102	89	73
12 x 12	74	53	—	—
10 x 10	57	42	—	—
8 x 8	36	—	—	—

STANDARD BEAMS				
Nominal dimensions, inches	Weight, lbs. per foot	Nominal dimensions, inches		
24 x 7½	105.9	—	—	—
24 x 7	100	90	79.9	—
20 x 7	95	85	—	—
20 x 6¼	75	65.4	—	—
18 x 6	54.7	—	—	—
15 x 5½	50	42.9	—	—
12 x 5¼	50	40.8	—	—
12 x 5	31.8	35	—	—
10 x 4½	35	25.4	—	—
8 x 4	23	18.4	—	—
7 x 3½	15.3	—	—	—
6 x 3½	17.25	12.6	—	—
5 x 3	10	—	—	—
4 x 2½	9.5	7.7	—	—
3 x 2½	7.5	5.7	—	—

STANDARD CHANNELS				
Nominal dimensions, inches	Weight, lbs. per foot	Nominal dimensions, inches		
18 x 4	58	51.9	45.8	42.7
15 x 3½	55	50	40	33.9
12 x 3	30	25	20.7	—
10 x 2½	30	25	20	15.3
9 x 2½	20	15	13.4	—
8 x 2¼	18.75	13.75	11.5	—
7 x 2	14.75	12.25	9.8	—
6 x 2	15.5	10.5	8.2	—
5 x 1¾	9	6.7	—	—
4 x 1½	7.25	6.25	5.4	—
3 x 1½	6	5	4.1	—

CAR BUILDING CHANNELS				
Nominal dimensions, inches	Weight, lbs. per foot	Nominal dimensions, inches		
13 x 4	50	40	35	31.8
12 x 4	50	45	40	35
4 x 2½	13.8	—	—	—
3 x 1½	9	7.1	—	—

SHIP BUILDING CHANNELS				
Nominal dimensions, inches	Weight, lbs. per foot	Nominal dimensions, inches		
12 x 3½	37	32.9	30.9	—
10 x 4	41.1	33.6	28.6	—
10 x 3½	28.3	24.9	—	—
10 x 3¼	25.3	21.9	—	—
9 x 3½	25.4	23.9	—	—
8 x 3½	22.8	21.4	—	—
8 x 3	19.3	18.7	—	—
7 x 3½	22.7	19.1	—	—
6 x 3½	18	—	—	—
6 x 3¼	15.3	—	—	—
6 x 3	16.3	15.1	—	—
6 x 2½	12	—	—	—
7 x 4	18.8	—	—	—
7 x 3	17.6	—	—	—

JUNIOR CHANNELS				
Nominal dimensions, inches	Weight, lbs. per foot	Nominal dimensions, inches		
12 x 1½	—	—	—	10.6
10 x 1½	—	—	—	8.4
10 x 1½	—	—	—	6.5

EQUAL ANGLES				
Nominal dimensions, inches	Weight, lbs. per foot	Gauge		
8 x 8	1½	1	¾	¾
6 x 6	1	¾	¾	¾
5 x 5	¾	¾	¾	¾
4 x 4	¾	¾	¾	¾
3½ x 3½	¾	¾	¾	¾
3 x 3	½	¾	¾	¾

UNEQUAL ANGLES

Nominal dimensions, inches	Weight, lbs. per foot	
9 x 4	5/8	1 1/2
8 x 6	1 1/8	1 7/8
8 x 4	1	7/8
7 x 4	3/4	5/8
6 x 4	3/4	5/8
5 x 3 1/2	3/4	5/8
4 x 3 1/2	5/8	1/2
4 x 3	5/8	1/2
3 1/2 x 3	5/8	1/2
3 1/2 x 2 1/2	1/2	3/8
3 x 2 1/2	1/2	3/8
3 x 2	1/2	3/8

SHIP BUILDING BULB ANGLES

10 x 3 1/2	32.3	29.9	27.2	24.8	22.4
9 x 3 1/2	23.8	21.6	19.4		
8 x 3 1/2	24.3	20	16		
7 x 3 1/2	21.1	17.1	13.6		
6 x 3 1/2	17.4	13.9	10.7		
5 x 2 1/2	9.8	7.3			
3 x 2	3.8				

CAR BUILDING BULB ANGLES

5 x 4 1/2	19.1
5 x 3 1/2	13
4 x 3 1/2	14.3
4 x 3 1/4	11.9

ZEES

6 1/2 x 3 1/2 x 1/2	21.1
6 x 3 1/2 x 3/8	15.7
5 x 3 1/2 x 1/2	17.9
5 1/2 x 3 3/8 x 1/8	16.4
5 1/2 x 3 1/2 x 3/8	14.0
5 x 3 1/2 x 1/8	11.6
4 1/2 x 3 1/2 x 1/2	15.9
4 1/2 x 3 3/8 x 3/8	12.5
4 1/2 x 3 1/2 x 1/8	10.3
4 x 3 1/2 x 1/4	8.2
3 x 2 1/2 x 1/2	12.6
3 x 2 1/2 x 3/8	9.8
3 x 2 1/2 x 1/4	6.7

EQUAL TEES¹

4 x 4 x 1/2	13.5
3 x 3 x 3/8	7.8
3 x 3 x 5/16	6.7

UNEQUAL TEES¹

5 x 3 1/2 x 1/2 (fl) x 1 3/32 (st)	13.6
5 x 3 x 3/8 (fl) x 1 3/32 (st)	11.5
4 x 4 1/2 x 3/8	11.2
4 x 3 x 3/8	9.2
4 x 2 1/2 x 3/8	8.5
3 x 2 1/2 x 5/16	6.1

MISCELLANEOUS CAR BUILDING SECTIONS

Center Sill Section

12 x 3 1/4 - 7 x 1 5/32	40.3
12 15/16 x 6 27/32 - 4 1/16 x 1 5/32	41.2
12 7/8 x 6 27/32 - 4 x 1 3/32	36.2
12 15/16 x 6 27/32 - 3 15/16 x 1 1/2	31.3

W Side Plate Section

7 1/16 x 1/4	9.9
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Side Post Section

8 x 3/16	5.1
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Side Plate Section

3 3/8 x 1/4	8.3
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¹ Any Standard, Wide Flange or Junior Beam 6 inches or over in depth listed in the above table can be split to form Tees.

LIST 1—SPECIFICATIONS PERMISSIBLE FOR GENERAL USE

Tensile strength	Specification designation and grade	Specification title
MEDIUM GRADES		
Ship hulls:		
60,000-72,000 psi	ABS-1043, Section C3	Structural steel for hulls.
Railroad cars and locomotives:		
60,000-72,000 psi	AAR-E-M-110-43, Grade A	Steel, structural, shapes, plates and bars.
60,000-62,000 psi	AAR-E-M-110-43, Grade B	Steel, structural, shapes, plates and bars.
65,000-65,000 psi	ASTM-A112-42, for locomotives	Structural steel for locomotives and cars.
60,000-65,000 psi	ASTM-A 112-42, for cars	Structural steel for locomotives and cars.
Bridges, buildings and general uses:		
60,000-72,000 psi	ASTM-A7-42	Steel for bridges and buildings.
60,000-72,000 psi	AREA-1241	Structural steel.
60,000-72,000 psi	AASHTO-M184-C	Structural steel for bridges and buildings.
HIGH-STRENGTH STRUCTURAL GRADES		
80,000-85,000 psi	ASTM-A24-C2	Structural silicon steel.
80,000-85,000 psi	AREA-1241	Structural silicon steel.
80,000-85,000 psi	AASHTO-M184-C	Structural silicon steel.
70,000 psi minimum	ASTM-A242-42	Low-alloy structural steel. (See note 2.)
65,000 psi minimum	ASTM-A242-42	Low-alloy structural steel. (See note 2.)
65,000 psi minimum	ASTM-A242-42	Low-alloy structural steel. (See note 2.)

NOTE 1

ABS—American Bureau of Shipping Rules For Building And Claring Steel Vessels.
 ASTM—American Society for Testing Materials, Standard Specifications.
 AAR—Association of American Railroads, Manual of Standard And Recommended Practice.
 AREA—American Railway Engineering Association, Specifications for Steel Railway Bridges.
 AASHTO—American Association of State Highway Officials, Standard Specifications for Highway Materials And Methods of Sampling and Testing.

NOTE 2

Structural steel shapes conforming to all the requirements of ASTM-A242-42 (except the chemical composition limits set forth in paragraph 4 (c) of that specification) are also permissible.

LIST 2—PERMISSIBLE SPECIFICATIONS FOR GOVERNMENT USE ONLY

Tensile strength	Specification designation and grade	Specification title
COLD FLANGING (COP, COLD FRESHING) GRADES		
60,000 psi maximum	Army 67-114-1, Class A	Steel, plates, shapes, sheets, strips and rectangular bars for welded structures.
45,000-55,000 psi	Army 67-114, Class A	Steel, structural (for) ordnance material.
60,000 psi minimum	Navy 4631, Grade F	Steel: Shapes and bars for hull construction.
55,000-65,000 psi	Federal QQ-S-731, Grade C	Steel, structural (for) ships.
MEDIUM GRADES		
60,000-72,000 psi	Army 67-114, Class B	Steel, structural (for) ordnance material.
55,000 psi minimum	Navy 4631, Grade O	Steel: Shapes, and bars for hull construction.
60,000 psi minimum	Navy 4631, Grade M	Steel: Shapes and bars for hull construction.
60,000 psi minimum (Welding Quality)	Federal QQ-S-731, Grade A	Steel, structural (for) ships.
60,000 psi minimum (Net Welding Quality)	Federal QQ-S-731, Grade B	Steel, structural (for) ships.
60,000-72,000 psi	Federal QQ-S-741, Type I, Class I	Steel, structural (including welding) and rivets (for) bridges and buildings.
60,000-72,000 psi (Copper-bearing)	Federal QQ-S-741, Type I, Class 2	Steel, structural (including welding) and rivets (for) bridges and buildings.
60,000-72,000 psi (Welding Quality)	Federal QQ-S-741, Type II, Class 1	Steel, structural (including welding) and rivets (for) bridges and buildings.
60,000-72,000 psi (Welding Quality Copper-bearing)	Federal QQ-S-741, Type II, Class 2	Steel, structural (including welding) and rivets (for) bridges and buildings.
HIGH STRENGTH GRADES		
80,000 psi maximum	Army 67-114-1, Class B, Grade 1	Steel, plates, shapes, sheets, strips and rectangular bars, for welded structures.
100,000 psi maximum	Army 67-114-1, Class B, Grade 2	Steel, plates, shapes, sheets, strips and rectangular bars for welded structures.
140,000 psi maximum	Army 67-114-1, Class C	Steel, plates, shapes, sheets, strips and rectangular bars for welded structures.
60,000-65,000 psi	Army 67-114, Class D	Steel, structural (for) ordnance material.
60,000 psi maximum	Navy 4631, Grade HT	Steel: shapes and bars for hull construction.
85,000 psi maximum	Navy 47623, Class 1, Condition a	Steel, corrosion resistant, structural shapes.

NOTE 1: The applicable issue of any of the specifications in List 2 shall to the issue in effect on the date of invitation to bid, or on the date of the purchase order or contract, or such subsequent issue acceptable to the producer as the procuring agency may substitute in the contract.

Subchapter C—Director, Office of War Utilities

PART 4501—COMMUNICATIONS

[Utilities Order U-2 as Amended Sept. 2, 1943]

GENERAL CONSERVATION ORDER FOR TELEPHONE

INDUSTRY

- (a) Definitions.
- (b) General.
- (c) Restrictions on replacements.
- (d) Regrading, disconnections and substitutions.
- (e) Limitations on additions.
- (f) Engineering and planning.
- (g) Non-applicability to certain replacements and additions.
- (h) Reports.
- (i) Records.
- (j) Exemption of armed services.
- (k) Appeals.
- (l) Violations.
- (m) Communications.

§ 4501.1 *Utilities Order U-2—(a) Definitions.* For the purpose of this order:

NOTE: Paragraph (a) (1) amended Sept. 2, 1943.

(1) "Operator" means any individual, partnership, association, business trust, corporation, receiver, or any form of enterprise whatsoever, whether incorporated or not, the United States, the District of Columbia, any state or territory of the United States, any political, corporate, administrative or other division or agency thereof, to the extent engaged in rendering telephone communication service within, to, or from the United States, its territories or possessions.

(2) "Exchange line plant" means all that portion of an operator's local wire or cable distribution system which extends from the central office main frame, exclusive of poles, crossarms, insulators, and non-metallic conduit, and associated hardware and guys, and exclusive of drop and block wires.

(3) Without regard to whether or not the expenditures therefor are for any reason required to be recorded in the operator's accounting records in accounts other than maintenance and repair:

(i) "Maintenance" means the minimum upkeep necessary to continue a facility in sound working condition.

(ii) "Repair" means the restoration of a facility to sound working condition when the same has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts or the like.

(iii) Neither maintenance nor repair shall include the improvement of any plant, facility or equipment, by replacing material which is still usable with material of a better kind, quality or design.

(4) "Drop and block wires" means the portion of a customer's circuit (whether aerial or underground) extending from the inside wire (usually at the station protector or connecting block), or from the station equipment when no inside wire is involved, to the point of connection with the general overhead or underground system. This includes such circuit, carried by means of wire or small cables, extending to the cable terminal

in cases where connection is made with a general cable system, or to the point of connection with the aerial wire plant in cases where connection is made with a general wire system, and also includes brackets, bridle rings, insulators, knobs, span clamps, screws, sleeves, strand, tubes, and other material used in the installation of drop and block wires; and the pipes or other protective covering for underground service connections.

(5) "Station installations" means the wires (or small cables) from the station apparatus to the point near the entrance to the building where the drop or block wire or cable terminates, or to the junction boxes where the house cable or other cable terminates; the wires (or small cables) used to connect station apparatus in the same building, such as main stations with extension stations, and stations of intercommunicating systems; the wires (or small cables) used to connect private branch exchange switchboards or their distributing frames with terminal stations located in the same building, and the clamps, cleats, connecting blocks, ground wire, ground rods, nails, station protectors, screws, and other material used in the installation of station apparatus and inside wires. The cables referred to above are the small cables used in station installations instead of wires, such as those run from wall outlets or floor terminals to the station apparatus. Inside wires (or small cables) installed specifically to serve as trunk, battery, or generator circuits from a private branch exchange to the point of connection with the permanent house or outside cables or wires shall be considered as a part of the station installation. The term "station installations" does not include the telephone instrument or other "station apparatus."

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

(b) *General.* (1) All operators shall conserve scarce and critical materials by the employment of all practical methods such as: the use of such types of equipment and facilities as will reduce the use of such materials to a practical minimum and meet necessary service requirements, the substitution of less scarce materials, when such substitution can be made without serious loss of efficiency, the reuse of existing telephone equipment and facilities.

In order to make maximum use of existing facilities and at the same time to avoid as far as practicable the use of scarce and critical materials to provide additional exchange central office call carrying capacity and exchange inter-office trunks in the event of any future substantial increase in local telephone usage, all operators shall limit the number of main telephone stations (i. e., the total number of stations and P. B. X. trunks exclusive of extension stations and P. B. X. stations) connected to any central office to 105 per cent of the number of main stations that the central office was designed to serve under pre-

war engineering and operating practices or such other percentage as may be specifically approved by the War Production Board (except this limitation need not be applied in the case of a single-office exchange where the central office is designed to serve less than 1000 main telephone stations): *Provided, however,* That where the number of main stations now connected to a central office already exceeds the 105 per cent limit specified above, the number already connected need not be reduced so long as the service is satisfactory.

(2) (i) All operators shall discontinue the further installation or reconnection of residence extensions, residence private branch exchange telephones or the employment of additional main lines or stations on party lines in substitution therefor and the further installation of jacks and plugs in connection with residence service. Jacks already in place may be reconnected provided that the customer shall have not more than one telephone and one bell in his residence.

(ii) In cases of practicing physicians and surgeons certain residence extension telephone service may be provided. The operator may install or reconnect one extension telephone, or as an alternative install two jacks for use with a portable telephone, where it is determined that the relocation of the main line telephone will not substantially meet his requirements for service and that the installation of facilities to provide extension service is essential to the subscriber in the proper discharge of his duties and responsibilities for public health, welfare or security. In addition the operator may establish a connection with an answering bureau, if no additional facilities are required in the answering bureau.

(iii) Temporary installation of one residence extension may be made when essential in cases of serious illness.

(iv) The installation and reconnection in residence quarters of telephones connected to private branch exchanges serving hotels, apartment houses, etc., may be made to the extent that no more than one telephone shall be provided in any single residence quarters.

(3) All operators shall discontinue the placing of open copper wire in exchange line plant.

(4) All operators shall discontinue the further installation of dial private branch exchange systems and dial private intercommunicating systems. This does not, however, prohibit the installation by an operator of such systems of less than 100 lines where such equipment is already in the stocks of operators; the installation of additions to such existing systems; or, moves of such systems for the same subscriber within the same exchange area, or to a contiguous exchange area of the same operator, where effected

in accordance with the limitations of paragraph (e) of this order.

(5) Service, involving exchange central office equipment and/or exchange line plant, installed or reconnected on and after the 15th day of April, 1943 shall be on an interim basis only, that is, subject to regrading and disconnection as provided in paragraph (d). Exchange central office equipment and/or exchange line plant or telephone sets made available through normal disconnections shall be used to take care of current applications for service of the kind included in paragraph (e) (1) (i) before such facilities are used currently to complete applications for service in other categories. Idle facilities may be reserved where necessary to meet promptly the known or fairly anticipated service requirements of the kind included in paragraphs (e) (1) (i) and (e) (1) (ii).

(6) [Revoked, Sept. 2, 1943.]

(7) Except where necessary to meet the needs for Schedule A business service and for essential public pay stations, all operators shall limit the further installation of drop and block wires along any pole line in exchanges serving more than 1,000 main telephone stations to one pole-to-pole span from the point of connection with the existing plant (except where this span is less than 75 feet, in which case the length along the pole line shall be limited to two spans) and in exchanges serving less than 1,000 main stations to two pole-to-pole spans from the point of connection with the existing plant. However, the drop wire may be extended beyond the limit specified to a messenger strand attachment in the next adjacent span, and to a single pole outside the line when such attachment is necessary to provide clearance over a street or to clear a tree or other obstacle.

(c) Restrictions on replacements. (1) All operators shall limit the replacement of equipment and facilities (except poles, crossarms, insulators and non-metallic conduit, associated hardware and guys and station installations) to the essential requirements of maintenance, repair or protection of existing service, except:

(i) Where necessary to provide a permanent installation in lieu of one temporarily made to meet an exigency;

(ii) A substitution of facilities necessitated either by decreased service demands or by the provisions of paragraph (d).

(iii) A substitution of telephone sets necessary to effect a change in the "class" or "grade" of service, provided such change is not otherwise prohibited by this order. The "classes" of service involved are business, residence, semi-public, residence coin; the "grades" of services involved are individual, two-party, four-party, multi-party.

(d) Regrading, disconnections and substitutions. (1) To the extent necessary to meet minimum needs for service

of the kind included in paragraphs (e) (1) (i) and (e) (1) (ii), all operators shall make available additional exchange central office equipment and/or exchange line plant in the following order in so far as practicable:

(i) By regrading existing service whenever current installations of central office equipment will permit, except where regraded service will not meet the minimum service needs of residence subscribers of the kind included in paragraph (e) (1) (i) or of business subscribers. In so far as practicable such service shall be regraded in the reverse order of the dates of connection at the existing locations (i. e., the most recently connected service shall be regraded first), except that service furnished on an interim basis shall be regraded before other service.

(ii) By disconnection of service furnished on an interim basis other than that of the kind included in paragraphs (e) (1) (i) and (e) (1) (ii). In so far as practicable disconnection of such service shall be in the reverse order of the dates of connection at the existing locations, except that residence service shall be disconnected before business service.

(2) [Revoked Sept. 2, 1943.]

(e) Limitations on additions. (1) All operators shall limit additions of exchange central office equipment and exchange line plant to such as are essential to the maintenance or protection of existing service, except that, when no additional facilities may be recovered or made available by the methods described in paragraph (d) above, additions may be made to the extent necessary:

(i) To meet the known or fairly anticipated demands for service essential to persons engaged in direct defense or charged with responsibility for public health, welfare or security including, but not limited to, those in the service categories shown in Schedule A attached; where their employment in direct defense or their responsibilities for public health, welfare, or security require such service for the proper discharge of such duties: *Provided*, That such additions shall not be made for residence service except in accordance with paragraphs (e) (1) (iii) and (e) (1) (iv).

(ii) To provide for the installation of public pay stations to meet essential public demands.

(iii) To provide service requested by producers of substantial quantities of food where such service is essential to such producers' operations: *Provided*, however, That in no single case shall there be used more than 100 pounds of steel or iron wire in the case of grounded circuits nor more than 200 pounds in the case of metallic circuits for each such subscriber connected.

(iv) To provide cable terminals required in existing exchange line plant to make available for use facilities not otherwise usable for known demands.

(f) Engineering and planning. Except in respect to poles, crossarms, insulators and non-metallic conduit, and associated hardware and guys, all operators shall:

(1) Engineer all replacements and additions to exchange plant so as to limit the margins for expected growth of service requirements of the kind described in paragraphs (e) (1) (i), (e) (1) (ii), to a period not in excess of one-half the period for which provision would be normally made, but in no event to exceed a period of three years.

(2) Engineer all replacements or additions to toll plant so as to limit the margins for expected growth of service requirements to a period not in excess of one-half the period for which provision would be normally made, but in no event to exceed a period of three years; provided, however, that this requirement shall not require the limitation of the margins of such growth to a period less than one year, and provided, further, that conductors in cables designed or suitable for use with carrier current systems may be provided (but not equipped) in such numbers that, when fully utilized by present or immediately contemplated carrier current system technique, they will provide for margins for expected growth of one-half the normal provision for such growth, even though such provision exceeds a three-year period.

(g) Non-applicability to certain replacements and additions. The terms of paragraphs (b), (c), (e) and (f) shall not prohibit:

(1) Wire communications projects approved by the War Production Board on Forms WPB-617 (PD-200), WPB-2774 (UF-30), WPB-1636 (PD-685), or other appropriate form.

(2) The completion of projects in accordance with the provisions of General Conservation Order L-50 as amended September 7, 1942, the physical installation of which projects was started on or before the 25th day of March, 1943.

(h) Reports. All operators affected by this order shall execute and file with the Office of War Utilities such reports as the Director, Office of War Utilities, shall from time to time require; subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(i) Records. Each operator affected by this order shall keep and preserve for not less than two years accurate and complete records concerning his use of steel or iron wire and number of main telephone stations connected under the provisions of paragraph (e) (1) (iii) subject to the inspection of the duly authorized representatives of the War Production Board.

(j) Exemption of armed services. The restrictions of paragraphs (b) (3), (b) (4) and (c) shall not apply to facilities for the official use of the armed services of the United States.

(k) Appeals. Any appeal from the provisions of this order shall be made by filing WPB-2117 Form (PD-761), giving all information required by said form.

(l) Violations. Any person who willfully violates any provision of the order or who, in connection with this order,

wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

(m) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: Communications Division, Office of War Utilities, War Production Board, Washington 25, D. C., Ref.: U-2.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727)

Issued this 2d day of September, 1943.

J. A. KRUG,
Director, Office of War Utilities.

SCHEDULE A

TYPES OF PERSONS TO BE ACCORDED PREFERENCE IN OBTAINING SERVICE IF THE USE OF A TELEPHONE IS NECESSARY TO PERFORM THEIR DUTIES IN DIRECT DEFENSE OF PUBLIC HEALTH, WELFARE OR SECURITY

NOTE: Caption amended Sept. 2, 1943.

1. Official Army, Navy, Marine Corps, Coast Guard civilian defense services.
2. Official Federal, State, county and municipal government services.
3. Official agencies of foreign governments.
4. (a) Public or private organizations directly serving the public safety, health or welfare, such as: hospitals, clinics, sanitoria; physicians, surgeons, dentists, nurses, nurses' registries, veterinarians, ambulance services, manufacturers or distributors (wholesale and retail) of drugs, surgical, medical, hospital or dental supplies or equipment; mortuaries, burial service organizations, the American Red Cross and similar agencies.
- (b) Common carriers, pipe line companies, all types of public utilities.
- (c) Press associations, newspapers, radio broadcasting stations.
- (d) Philanthropic and eleemosynary organizations recognized as such by the Bureau of Internal Revenue, including their fund-raising offices; United Service Organizations and other similar organizations; religious establishments and their officiating clergy; Christian Science Practitioners; public and private schools; and food processing, food distribution (wholesale and retail) and food storage organizations.
5. Business concerns furnishing material, equipment or facilities under prime or sub-contracts to the armed services of the United States (and their suppliers); persons rendering special services in connection with construction of defense projects as shall be authorized pursuant to Preference Rating Order P-10-h, or other appropriate form, such as contractors, engineers, architects, etc.; and labor unions having bona fide collective bargaining agreements with business concerns identified in this Category 5.
6. The business or management offices of new housing developments.

[F. R. Doc. 43-14391; Filed, September 2, 1943; 11:44 a. m.]

Chapter XI—Office of Price Administration

PART 1341—CANNED AND PRESERVED FOODS

[MPR 428,¹ Amdt. 1]

CIDER VINEGAR

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 8 is amended to read as follows:

Sec. 8 *Notification of change in maximum price.* With the first delivery after September 6, 1943, of an item of cider vinegar, in any case where a seller has determined or shall determine pursuant to this regulation a maximum price different from his maximum price under the General Maximum Price Regulation, he shall:

(a) Supply each wholesaler and retailer who purchases from him with written notices set forth below:

Notice to Wholesalers and Retailers

Our OPA ceiling price for (*describe item by brand, grade, and bulk quantity or container type and size*) has been changed by the Office of Price Administration. We are authorized to inform you that if you are a wholesaler or retailer pricing this item under Maximum Price Regulation No. 421, 422, or 423, you must refigure your ceiling price for this item on the first delivery of it to you from your customary type of supplier containing this notification on or after September 7, 1943. You must refigure your ceiling price following the rules in Section 6 of Maximum Price Regulation No. 421, 422 or 423, whichever is applicable to you.

For a period of 60 days after making such change in the maximum price of an item, and with the first shipment after the 60-day period to each person who has not made a purchase within that time, each processor and secondary packer shall accompany with each bulk quantity and include in each case or carton containing the item the written notice set forth above:

(b) Notify each purchaser of the item from him who is a distributor other than a wholesaler and retailer of such change in maximum price by written notice attached to or written on the invoice issued in connection with his first transaction with such purchaser after September 6, 1943, as follows:

Notice to Distributors Other Than Wholesalers and Retailers

Our OPA ceiling price for (*describe item by brand, grade, and bulk quantity or container type and size*) has been changed from \$----- to \$----- under the provisions of Maximum Price Regulation No. 428. You are required to notify all wholesalers and retailers for whom you are the customary type of supplier, purchasing the item from you after September 6, 1943, of any allowable change in your maximum price. This notice must be made in the manner

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

¹ 8 F.R. 10358.

prescribed in Section 8 (a) of Maximum Price Regulation No. 428."

This amendment shall become effective September 7, 1943.

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

Issued this 1st day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14337; Filed, September 1, 1943; 4:22 p. m.]

PART 1346—BUILDING MATERIALS

[MPR 276¹ Amdt 2]

ASPHALT TILE

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.*

Paragraphs (g) and (h) of § 1346.315 are amended to read as follows:

(g) The proposed change of any style number or designation listed herein shall be reported to the Office of Price Administration, Building Materials Branch, Washington, D. C., at least 10 days prior to the use of any such changed style number or designation. If a change in product results, or if a new product is being produced by the manufacturer, a maximum price therefor must be established under § 1499.154, and sections therein referred to, of Maximum Price Regulation No. 188 (Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel).

(h) Any decrease in the quality of any asphalt tile product subject to this regulation below that in effect by each manufacturer during March 1942 shall be deemed to result in a new or changed article for which a maximum price must be established under § 1499.154, and sections therein referred to, of Maximum Price Regulation No. 188.

This amendment shall become effective September 7, 1943.

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

Issued this 1st day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14338; Filed, September 1, 1943; 4:22 p. m.]

PART 1381—SOFTWOOD LUMBER

[MPR 94,² Amdt. 6]

WESTERN PINE AND ASSOCIATED SPECIES OF LUMBER

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

¹ 7 F.R. 10009, 10471, 10618.
² 7 F.R. 10848; 8 F.R. 859, 1138, 4118, 7352, 8009, 8768.

has been filed with the Division of the Federal Register.*

Section 1381.524 (a) (1) is amended to read as follows:

(1) Ponderosa pine, Idaho white pine, sugar pine, or lodgepole pine lumber produced in Arizona, California, Idaho, Montana, New Mexico, Oregon, or Washington; or white fir, Western White spruce, or Engelmann spruce lumber produced in Arizona, California, Idaho, Montana, New Mexico, or those parts of Oregon and Washington east of the crest of the Cascade Mountains. (A mill which has received permission to price its lumber under Maximum Price Regulation No. 94, as provided in section 2 (b) of Revised Maximum Price Regulation No. 26,² will be deemed to meet this condition.)

This amendment shall become effective September 7, 1943.

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

Issued this 1st day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14339; Filed, September 1, 1943; 4:20 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5D,³ Amdt. 1]

GASOLINE RATIONING REGULATIONS FOR THE PANAMA CANAL ZONE

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

Ration order 5 D is amended in the following respects:

1. Section 1394.9006 is amended to read as follows:

§ 1394.9006 *Persons entitled to basic rations.* The owner or the person who is entitled to the use of a registered passenger automobile or a registered motorcycle and who is otherwise authorized to purchase gasoline in the Canal Zone under Article III of the 1936 Treaty between the United States and the Republic of Panama, may obtain a basic ration, for use with such automobile or motorcycle during the period from October 1, 1943, to September 30, 1944, inclusive.

2. Section 1394.9007 (b) is amended to read as follows:

(b) Coupons in Basic Class E books shall be valid for transfer of gasoline to a consumer at any time during October 1, 1943, to September 30, 1944, inclusive.

3. Section 1394.9008 (b) is amended to read as follows:

(b) Pursuant to such application, a basic ration shall be issued immediately by the Chief, License Bureau; who shall remove from any Class A book issued subsequent to October 1, 1943, all expired coupons and one currently valid coupon for each full eight days which

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

² 8 F.R. 7570, 9519, 10568, 11508.

³ 7 F.R. 8550.

have elapsed in the valid period during which such book is issued.

4. Section 1394.9003 (c) is amended to read as follows:

(c) No more than one basic ration may be issued for a vehicle except as provided in § 1394.9038 and no person may obtain more than one basic ration for the same vehicle, during the period from October 1, 1943, to September 30, 1944.

This amendment shall become effective October 1, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1-L, 7 F.R. 7200, 7201; Supp. Dir. 1-Q, 7 F.R. 9121)

Issued this 1st day of September 1943.

GLEN E. EDGERTON,
Rationing Administrator
for the Canal Zone.

Approved:

WALLACE M. COHEN,
Acting Regional Administrator,
Region IX.

[F. R. Doc. 43-14340; Filed, September 1, 1943; 4:20 p. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17,² Amdt. 34]

SHOES

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

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

SEC. 2.11a *Transfer of obsolete or single shoes.* (a) Any person (other than a shoe distributor or manufacturer) who has one or more pairs, or any establishment that has twenty-five or more pairs, of new shoes that were manufactured prior to January 1, 1939; and any person or establishment that has any new single shoes that cannot be mated, may apply to the District Office for permission to transfer them ration-free to a person engaged in the business of repairing or making shoes, or to a shoe findings distributor or a dealer in scrap material.

(b) The application shall be in writing but need not be on any prescribed form, and shall contain or be accompanied by:

(1) A list of the shoes desired to be transferred, describing them by type, color, and size and, in the case of pairs, evidence that they were manufactured before January 1, 1939;

(2) The name and address of the proposed buyer, and the business in which he is engaged;

(3) The price proposed to be paid for the shoes;

(4) A statement by the buyer of the purpose for which the shoes will be used and that he will not transfer them as complete shoes.

² 8 F.R. 1749, 2040, 2487, 2943, 3315, 3371, 3953, 4129, 3948, 4716, 5539, 5678, 6579, 6567, 6046, 6687, 7198, 7261, 8061, 8062, 9422, 9567, 9884, 10269, 10762, 11445.

(c) The District Office, if satisfied that the shoes proposed to be transferred meet the requirements of this section and that the shoes will be used only as parts for the repair or manufacture of other shoes, may authorize the shoes to be transferred without the surrender of ration currency. The authority for the transaction shall be in writing and shall specify the quantity of shoes affected, the name and address of the transferor and transferee, and the purpose for which the shoes may be used. Shoes acquired by a person under such authority may not be transferred by him as complete shoes, but the parts of the shoes may be used for the repair of or manufacture of other shoes or may be transferred to other persons for such purposes.

This amendment shall become effective September 6, 1943.

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

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

Issued this 1st day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14334; Filed, September 1, 1943; 4:18 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 6]

DISTRIBUTION OF MILK IN THE TERRITORY OF PUERTO RICO

Preamble: Under Amendment No. 26 to Maximum Price Regulation No. 183, effective May 3, 1943, the maximum price of milk in Puerto Rico varies in each of three zones wherein the milk may find its point of use.

Due to a decrease in production, milk which usually found its point of use in the lower price zones is now being transferred to certain municipalities of Zone I which is a higher price zone, thus creating a scarcity of milk in many municipalities within the lower price zones. In addition, the Armed Services are now purchasing substantial quantities of milk formerly available for civilian consumption.

In order to control the distribution of this essential commodity and avert the diversion of milk from lower price zones to municipalities within a higher price zone, Restriction Order No. 6 provides that transfers of milk from Zone II or Zone III to San Juan, Santurce, Rio Piedras, Catano, Bayamon, Guaynabo, Toa Alta or Toa Baja shall only be permitted upon the written authorization of the Territorial Director. In permitting such transfers, the Director is to be guided by the situation prevailing in May, 1943, before the occurrence of harmful diversions in the flow of milk from one zone to another.

§ 1407.302 *Distribution of milk in the Territory of Puerto Rico.* Under the authority vested in the Office of Price Administration and the Administrator by Executive Order 9125 issued by the President on April 7, 1942, Executive Order 9280 issued by the President on December 5, 1942, Executive Order 9322 issued by the President on March 26, 1943 as amended by Executive Order 9334 issued by the President on April 19, 1943, Directive 1 of the War Production Board issued January 24, 1942, Supplementary Directive 1-J of the War Production Board issued July 1, 1942 and revised October 27, 1942, Food Directive No. 3 issued by the Secretary of Agriculture on February 15, 1943, Food Directive No. 9 issued by the War Food Administration on July 13, 1943, and under the authority vested in me by Second Revised General Order 20 issued by the Price Administrator on August 3, 1943, this Restriction Order No. 6 (Distribution of Milk in the Territory of Puerto Rico), which is annexed hereto and made a part hereof, is hereby issued:

AUTHORITY: § 1407.302 issued under Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807 as amended by E.O. 9334, 8 F.R. 5423; WPB Dir. 1, 7 F.R. 562; WPB Supp. Dir. 1-J, 7 F.R. 8731; Food Dir. 3, 8 F.R. 2005; Food Dir. 9, 8 F.R. 9600; Second Rev. Gen. Order 20, 8 F.R. 9823.

Article I—Scope of Restriction Order No. 6

SECTION 1.1. Territorial limitation. This order shall apply to the Territory of Puerto Rico.

SEC. 1. Scope of restrictions. No provision of this order shall be construed to limit or restrict the quantity of milk which may be obtained by or for the Army, Navy, Marine Corps, Coast Guard, War Shipping Administration, Maritime Commission, Veterans' Administration, or the Food Distribution Administration, or by or for governmental agencies or other persons to the extent to which they acquire milk for export to, or consumption or use in, any foreign country, or by or for such other governmental agencies as the Secretary of Agriculture from time to time may designate.

Article II—Definitions

Sec. 2.1. Definitions. For the purposes of this order:

(a) "Director" means the Director of the Office of Price Administration for Puerto Rico or any person duly authorized to act in his place.

(b) "Distributor of Milk" means any person not excluding a producer, but excluding a puesto or store, who is in the business of selling milk delivered to stores, to volume customers and to consumers.

(c) "Milk" means cow's milk produced, processed, distributed and sold for consumption in fluid form as whole milk.

(d) "Person" means any individual, partnership, corporation, association or entity including a producer, distributor or store.

(e) "Producer of Milk" means any person who sells the milk which he produces to distributors and stores.

(f) "Store" means any person including a puesto, booth, stall or stand, except a distributor, who sells milk at retail.

(g) "Transfer" means ship, transport, introduce, transfer, deliver or in any way change the physical location of the commodity.

(h) "Zone I" means the following municipalities:

Aguadilla.	Ponce.
Bayamon.	Rio Piedras.
Catano.	San Juan.
Ceiba.	Toa Alta.
Fajardo.	Toa Baja.
Guaynabo.	Vieques.
Naguabo.	

(i) "Zone II" means the following municipalities:

Adjuntas.	Isabela.
Aguada.	Jayuya.
Aguas Buenas.	Lajas.
Arecibo.	Luquillo.
Barceloneta.	Manati.
Caguas.	Mayaguez.
Camuy.	Moca.
Carolina.	Naranjito.
Cayey.	Rio Grande.
Ciales.	Santa Isabel.
Dorado.	Trujillo Alto.
Guayanilla.	Utua.
Gurabo.	Vega Alta.
Hatillo.	Vega Baja.
Humacao.	Yauco.

(j) "Zone III" means the following municipalities:

Albonito.	Lolza.
Anasco.	Las Piedras.
Arroyo.	Maricao.
Barranquitas.	Maunabo.
Cabo Rojo.	Morovis.
Cidra.	Orocovis.
Coamo.	Patillas.
Comerio.	Penuelas.
Corozel.	Quebradillas.
Culebras.	Rincon.
Guanica.	Sabana Grande.
Guayama.	San German.
Hormigueros.	Salinas.
Juana Diaz.	San Lorenzo.
Juncos.	San Sebastian.
Lares.	Villalba.
Las Marias.	Yabucoa.

Article III—Restrictions

SEC. 3.1. Transfers of milk restricted.

(a) Notwithstanding the terms of any contract, agreement or commitment, regardless of when made, no person shall on or after September 15, 1943, accept the transfer of or transfer milk from Zone II or Zone III to San Juan, Santurce, Catano, Rio Piedras, Bayamon, Guaynabo, Toa Alta and Toa Baja, unless such person has obtained a written authorization therefor from the Director, and no person shall knowingly buy, sell, deliver or in any way handle milk so transferred, without the required authorization.

SEC. 3.2 Who may request authorization of transfer. (a) A store or distributor who seeks to obtain transfers of, or to transfer, milk from Zone II or Zone III to San Juan, Santurce, Catano, Rio Piedras, Bayamon, Guaynabo, Toa Alta and Toa Baja may apply to the Director for authorization to make or accept such transfer.

SEC. 3.3 Issuance of authorization.

(a) The Director, if satisfied that the authorization requested for acceptance of transfers or for the transfer of milk from Zone II or Zone III to San Juan, Santurce, Rio Piedras, Catano, Bayamon, Guaynabo, Toa Alta and Toa Baja, will not result in a scarcity of milk in Zone II or Zone III or in given municipalities within such zones, may issue the authorization requested.

(b) In determining an applicant's petition for authorization, to accept transfers of, or to transfer milk from Zone II or Zone III to San Juan, Santurce, Rio Piedras, Catano, Bayamon, Guaynabo, Toa Baja and Toa Alta, the Director shall consider whether the applicant accepted or made such transfers of milk during May 1943, whether the producers from whom the milk is to be obtained supplied milk in May 1943 which found its point of use in San Juan, Santurce, Rio Piedras, Catano, Bayamon, Guaynabo, Toa Baja and Toa Alta, or whether an increase in production would warrant the issuance of the authorization requested.

SEC. 3.4. Criminal prosecution. (a)

Any person who willfully performs any act prohibited, or willfully fails to perform any act required, by the terms of this order, or who otherwise knowingly furnishes false information to any agent, employee or officer of the Office of Price Administration, or conceals or covers up any material fact or makes or causes to be made any false or fraudulent statement or representation in any matter within the jurisdiction of the Office of Price Administration, may upon conviction be fined not more than \$10,000 and imprisoned for not more than one year, or both, and shall be subject to such other penalties or action as may be prescribed by law.

Effective date. Restriction Order No. 6 shall become effective on September 15, 1943.

Issued this 1st day of September 1943.

JORGE CORDOVA,
Acting Director for Puerto Rico.

Approved:

WALLACE M. COHEN,
Acting Regional Administrator,
Region IX.

[F. R. Doc. 43-14335; Filed, September 1, 1943; 4:19 p. m.]

PART 1408—GLASS AND GLASS CONTAINERS
[MPR 175, Amdt. 1]

ROUGH ROLLED, FIGURED, WIRE AND HEAT ABSORBING ROLLED GLASS

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.*

Paragraph (g) (2) of § 1408.12 is amended to read as follows:

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

¹7 F.R. 5188, 5310, 8948.

(2) If any change in tolerance is made from that in effect for each manufacturer on October 1, 1941, the resulting product shall be deemed to be a new product and must be priced in accordance with section 1499.154, and sections therein referred to, of Maximum Price Regulation No. 188 (Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel).

This amendment shall become effective September 7, 1943.

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

Issued this 1st day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14341; Filed, September 1, 1943; 4:23 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 97 Under SR 15 to GMPR]

ZIMMERMAN TRUCKING SERVICE, INC.

Order No. 97 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation; Docket No. GF3-3278.

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

§ 1499.1397 *Adjustment of maximum prices for contract carrier services of Zimmerman Trucking Service, Inc., of Knightstown, Indiana.* (a) Zimmerman Trucking Service, Inc., of Knightstown, Indiana, may sell and deliver contract carrier services to the Container Corporation of America, Chicago, Illinois; Safe-Way Food Company, Forest Park, Illinois; Northwestern Steel & Wire Company, Sterling, Illinois; Arcady Farms Milling Company, Chicago, Illinois; Vitality Mills, Inc., Chicago, Illinois; Darling & Company, Chicago, Illinois; Garton Food Company, Indianapolis, Indiana; and Indiana Farm Bureau Co-operative Association, Indianapolis, Indiana, at rates not to exceed those set forth in pages (3) through (10) of its schedule of "Commodity Rates" annexed to its application for adjustment.

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

(c) This Order No. 97 § 1499.1397 may be revoked or amended by the Price Administrator at any time.

(d) This order No. 97 § 1499.1397 shall become effective September 2, 1943.

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

Issued this 1st day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14336; Filed, September 1, 1943; 4:18 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 11; Amdt. 78]

FUEL OIL RATIONING REGULATIONS

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

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

1. Section 1394.5151 (a) (9) is deleted.

2. Section 1394.5402 (d) is amended to read as follows:

(d) The allowable ration for the three month period referred to in paragraph (c) of this section for non-occupational use of a boat or, elsewhere than in Areas A and B, for the occupational use of a boat for pleasure cruising, guiding or fishing parties, or sight-seeing shall not exceed the number of gallons equal to 4 times the manufacturer's rated horsepower of the motor or motors propelling such boat, or 125 gallons, whichever is less.

This amendment shall become effective on September 1, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong.; WPB Directive No. 1, 7 F.R. 562; Supp. Directive No. 1-O, as amended, 7 F.R. 8416; E. O. 9125, 7 F.R. 2719).

Issued this 1st day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14362; Filed, September 2, 1943; 11:29 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 24]

ALUMINUM SULPHATE

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 4.10 (d) (1) is amended to read as follows:

(1) "War grade" iron-free aluminum sulphate" means aluminum sulphate containing less than .003 percent of iron by weight and produced directly from bauxite.

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

7 F.R. 8460, 8609, 8637, 9316, 9396, 9492, 9427, 9430, 9621, 9784, 10153, 10081, 10530, 10531, 10780, 10707, 11118, 10379, 11071; 8 F.R. 165, 237, 437, 303, 374, 435, 459, 444, 637, 608, 977, 1203, 1316, 1235, 1282, 1031, 1036, 1859, 2194, 2432, 2593, 2761, 2371, 2720, 2942, 2993, 2887, 3106, 3521, 3023, 3733, 3848, 3948, 4255, 4137, 4350, 4724, 4850, 5578, 6064, 6252, 6960, 7588, 6137, 9059, 9219, 9448, 9332, 10032, 10304, 10435, 11360, 11687, 11750, 11814.

* 8 F.R. 9280, 10432, 10508, 10433, 10568, 10668, 10731, 10759, 10763, 10939, 10674, 10934, 10758, 11174, 11182, 11247, 11216, 11470, 11572, 11764, 11873.

This amendment shall become effective September 1, 1943.

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

Issued this 1st day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14363; Filed, September 2, 1943; 11:29 a. m.]

Chapter XVIII—Office of Economic Stabilization

PART 4001—WAGES AND SALARIES

APPLICABILITY OF REGULATIONS

Section 4001.20 of the regulations relating to stabilization of wages and salaries, issued by the Economic Stabilization Director on August 23, 1943, is corrected as of that date to read as follows:

§ 4001.20 *Applicability.* These amended regulations supersede as of their effective date the regulations promulgated by the Director of Economic Stabilization, with the approval of the President, dated October 27, 1942 (7 F.R. 8748), as amended and are applicable to all salary and wage adjustments within the authority of the Commissioner, the Board, or the War Food Administrator, as the case may be, which are made after that date.

FRED M. VINSON,
Economic Stabilization Director.

SEPTEMBER 2, 1943.

[F. R. Doc. 43-14361; Filed, September 2, 1943; 11:36 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard; Department of the Navy

PART 10—AIR RAID AND BLACK-OUT REGULATIONS FOR VESSELS, HARBORS, PORTS, AND WATERFRONT FACILITIES

Pursuant to Executive Order No. 9074 (7 F.R. 1587) and in accordance with the provisions of Public Law 127, 78th Congress, approved July 9, 1943, there are hereby promulgated the following air raid and black-out regulations for the protection and security of vessels, harbors, ports, and waterfront facilities superseding on the effective date hereof the regulations previously issued in this part:

- | | |
|------|--|
| Sec. | Effective date. |
| 10.1 | Area in which regulations apply. |
| 10.2 | Responsibility for execution of regulations. |
| 10.3 | Air raid warning signal. |
| 10.4 | Duties on blue signal. |
| 10.5 | Duties on red signal. |
| 10.6 | General rules for all vessels. |
| 10.7 | Special rules for vessels under way. |
| 10.8 | Special rules for vessels at anchor. |
| 10.9 | |

Sec.

- 10.10 Special rules for vessels moored to piers or docks.
 10.11 General rules for piers and docks.
 10.12 Rules for piers and docks on red signal.
 10.13 Penalty for violation of regulations.

§ 10.1 *Effective date.* These regulations shall be effective at 12:01 a. m. September 1, 1943.

§ 10.2 *Area in which regulations apply.* These regulations shall apply to all vessels, harbors, ports, and waterfront facilities, including those located on the inland navigable waters of the United States as well as those on the sea coasts, located in the Eastern Defense Command, which includes the states of Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida east of the Apalachicola River, and the District of Columbia, and located in the Southern Defense Command, which includes the states of Alabama, Tennessee, Mississippi, Louisiana, Arkansas, Oklahoma, Texas, New Mexico, and Florida west of the Apalachicola River.

§ 10.3 *Responsibility for execution of regulations.* The responsibility for the execution of these regulations shall rest upon the master or senior officer present on board a vessel, and the operator of a waterfront facility. During the time an air raid warning alarm is in effect, the master or senior officer present on board a vessel shall comply immediately with all special instructions or orders issued by officers of the Army, Navy, or Coast Guard.

§ 10.4 *Air raid warning signals.* The air raid warning signals and the all clear signals shall be the signals prescribed by the Commanding General, Eastern Defense Command, U. S. Army, and the Commanding General, Southern Defense Command, U. S. Army, for the areas included in their respective commands, and such modifications thereof as may hereafter be prescribed for such areas by them. The signals at this time are as follows:

(a) *Yellow signal.* This is a confidential preliminary caution signal not to be given by audible public alarm. It indicates the possibility of an air raid in the district so warned. This signal shall be transmitted by civilian defense authorities only to such key persons and facilities, essential industries, railroads, and places within such warning districts as such authorities deem essential to initiate proper steps to insure timely black-out or air raid precautions.

(b) *Mobilization and black-out (blue) signal.* This is an audible warning signal indicating the probability of an air raid in the district so warned. This signal will be a long note (approximately two minutes), at steady pitch of sirens, horns, or whistles.

(c) *Air raid (red) signal.* This is an audible public warning signal indicating the proximity of enemy aircraft and the imminence of an air raid in the district so warned. This signal (approximately two minutes) will be a series of short blasts of horns and whistles or a warbling

or fluctuating sound of varying pitch of a siren.

(d) *All clear (white) signal.* This signal is a public signal indicating all clear in the district so warned. This signal may be transmitted by radio, telephone, police, by turning on street lights which have been extinguished on the Blue signal or other available means. This signal may also be given by horns, whistles, or sirens, as specified by local civilian defense authorities: *Provided, however,* That such audible signal shall not be the same as the mobilization and black-out (Blue) signal and the air raid (Red) signal and shall not resemble said signals so as to be confused therewith.

(e) *Order of signals.* Ordinarily, a yellow signal shall precede a blue signal and a blue signal shall precede a red signal. However, if sufficient time is not available for these signals to be separated by at least five (5) minutes, the yellow signal and/or the blue signal may be omitted, so that a blue signal may be given without a prior yellow signal and a red signal may be given without a prior yellow and/or blue signal. A blue signal shall follow every red signal, after an interval of not less than five (5) minutes and may in turn be followed by a white signal or by another red signal. Upon the sounding of a blue signal, persons and vehicles should give consideration to movement to places of safety in anticipation of an air raid (Red) signal. The same action shall be required upon a blue signal whether it precedes or follows a red signal. The sequence of signals in such case would be blue, red, blue, red, blue. A white signal may follow a yellow signal or a blue signal, but will not follow a red signal without an intermediate blue signal. A white signal shall not be given within ten (10) minutes of a preceding blue signal. The all-clear (White) signal will not be given until the probability of attack no longer exists.

§ 10.5 *Duties on blue signal.* During the period in which the black-out (Blue) signal is in effect, preparations shall be made so that the following regulations can be immediately instituted upon the sounding of the air raid (Red) signal. Except as otherwise specifically provided in these regulations, lights on vessels and waterfront facilities essential to the war effort are not required to be extinguished or blacked out during the period and in the area of the black-out (Blue) signal, provided that such lights comply with the following conditions:

(a) That such lights comply with dim-out regulations in effect in such areas or, in the absence of such regulations, that they do not materially contribute to sky-glow, and

(b) That such lighting can be extinguished or blacked out, as provided by the regulations below, within one (1) minute from the sounding of the air raid (Red) signal.

§ 10.6 *Duties on red signal.* Except as otherwise specifically provided, the following regulations herein shall be observed upon the sounding of the air raid (Red) signal and at all times that the air raid (Red) signal is in effect.

§ 10.7 *General rules for all vessels.* Upon the sounding of the air raid (Red) signal all vessels, whether under way, anchored, or moored, shall comply with Rules 1 to 14, inclusive, and all vessels in dry-dock shall comply with Rule 15, all as follows:

RULE 1: All bulkheads, watertight doors, ports, and side ports shall be secured to insure the watertight integrity of the vessel.

RULE 2: All vessels shall immediately black-out ship, except for running lights if under way, and anchor lights if anchored, and shall shield and screen all permitted lights in such manner that they may not be observed from above and so that no reflection appears upon the water.

RULE 3: Smoking, striking matches, using lighters, or otherwise showing unshielded lights shall not be permitted.

RULE 4: All possible precautions shall be taken to prevent smoke or exhaust vapor from being observed from above.

RULE 5: Crew members shall take predetermined posts. Fire stations shall be manned, hoses stretched, fire extinguishers and sand made available for immediate use and suitable personnel stationed at all fire protection points.

RULE 6: A sufficient number of crew members shall be on board to handle fire fighting equipment and to move the vessel if this becomes necessary.

RULE 7: The crew, passengers, and any shore personnel on board the vessel shall be warned, by the sounding of the general alarm, or in other appropriate manner.

RULE 8: Life-boats shall be rigged overside, and all persons aboard shall don lifebelts and refrain from unnecessarily moving about the ship. This rule shall not apply to ferry boats or tugs, but on such vessels every reasonable precaution shall be taken.

RULE 9: No vessel shall anchor in any position which may obstruct the channel or any aids to navigation. Wherever possible, channels and fairways shall be kept clear of anchored vessels.

RULE 10: Wherever possible, vessels shall anchor at a distance of not less than 100 yards from the nearest vessel. Effort shall be made to avoid congestion at any anchorage. Sufficient space must be allowed to permit each vessel to swing free and clear from other anchored vessels with changes in the tide.

RULE 11: Except in cases of emergency, or where specially authorized to do so by Army, Navy, or Coast Guard Officers, no vessel shall get under way until the all clear (White) signal, or the black-out (Blue) signal following the air raid (Red) signal has been sounded.

RULE 12: Any vessel which requires immediate assistance because of air raid damage shall use the following signals:

By day:

(a) International code signal "NC".

(b) Five short blasts of the ship's whistle at 30 second intervals: The ship's siren shall not be used.

By night:

(a) International code signal "NC" by Morse lights.

(b) Five short blasts of the ship's whistle at 30 second intervals: The ship's siren shall not be used.

RULE 13: Vessels permitted to proceed shall do so at a reasonable speed, keeping closely to the right of the channel and maintaining a good lookout to insure against colliding with unlighted vessels. Whistles and other sound signals shall not be given unless necessary in cases of emergency to avoid collision.

RULE 14: The anti-aircraft gun crew shall be ready to go into action as directed by military authorities.

RULE 15: Vessels in dry-dock shall black-out completely, and all fire-stations thereon shall be manned.

§ 10.8 Special rules for vessels under way. Upon the sounding of air raid (Red) signal, vessels under way shall comply with the following Rules 16 to 24, inclusive:

RULE 16: Vessels proceeding in the channel shall swing to the right, stop, and come to anchor, if this is feasible. If possible, vessels shall anchor clear of the channel and clear of all aids to navigation.

RULE 17: Vessels proceeding in bays, sounds, or lakes shall stop and come to anchor to the right of the course the vessel was steering. If possible, vessels shall anchor clear of any moored vessels and all aids to navigation. If anchoring is not feasible, such vessels shall reduce speed in order to prevent a lengthy discernible wake being observed by attacking planes, and shall steer a zig-zag course if possible.

RULE 18: Vessels proceeding in a river or harbor in which anchoring is not feasible shall moor to the bank or to the nearest wharf. If such mooring is not feasible, they shall continue on their course at reduced speed.

RULE 19: In lieu of observing Rules 16, 17, or 18, ferryboats may proceed to their nearest slip at reduced speed if the same can be reached within 15 minutes.

RULE 20: In lieu of observing Rules 16, 17, or 18, tugs without tows shall proceed to the nearest suitable berth or may tie up to any anchored vessel or to any wharf, pier, or dock, proceeding always to the right of the channel or their course, if feasible.

RULE 21: In lieu of observing Rules 16, 17, or 18, tugs with tows shall come to anchor to the right of and outside the channel or fairway if feasible. If anchoring is not feasible, such tugs and tows shall proceed at steering speed until such time as they reach a position which will permit them to anchor.

RULE 22: Vessels of all types approaching the entrance to harbors, bays, sounds, and lakes during the time an air raid (Red) signal is in effect shall maneuver clear of such entrance and proceed in a direction away from the channel.

RULE 23: In addition to the requirements of Rule 2, the visibility of navigation lights shall be reduced to insure their not being seen horizontally from a distance of over one mile.

RULE 24: While blacked out no vessel shall overtake or pass any other vessel proceeding in the same direction, except in an emergency.

§ 10.9 Special rules for vessels at anchor. Upon the sounding of the air raid (Red) signal, vessels at anchor shall comply with the following Rules 25 to 27, inclusive:

RULE 25: Anchored vessels shall immediately black-out as provided by Rule 2, except that dimmed and shielded anchor lights shall be maintained.

RULE 26: All loading or discharging activities shall cease immediately. Longshoremen working on a lighter at such vessel shall board the vessel.

RULE 27: Sufficient steam shall be maintained to enable the ship to be moved whenever necessary. Steam shall also be maintained for the operation of windlass, steering engine, and steam fire smothering lines.

§ 10.10 Special rules for vessels moored to piers or docks. Upon the sounding of the air raid (Red) signal, vessels moored

to piers or docks shall comply with the following Rules 28 to 33, inclusive:

RULE 28: All cargo handling shall cease. Vessels moored to piers or docks shall be made fast in such manner that mooring lines may quickly be let go, if necessary.

RULE 29: Sufficient steam shall be maintained in the boilers to maneuver the vessel as required. If steam cannot be maintained lines of sufficient strength shall be stretched to the shore and to the outer-end of the wharf so that the vessel may be warped from her berth if required. If steam is not required for immediate use, deck and steam lines shall be closed with the exception of windlass, capstans, steering engine, and steam fire smothering lines.

RULE 30: The ship's officers and crew aboard shall cooperate with the air raid warden organizations on the pier or dock.

RULE 31: The hatch foreman shall:

(a) Arrange to cover open hatches after directing all men below decks to leave the hold to proceed to the head of the pier or dock, and shall with the assistance of the dockman, check the evacuation of these men.

(b) Notify the head foreman or assistant foreman of the evacuation of his men.

(c) See that accessibility to hatch ladders is maintained; when ladders are blocked off by cargo, two approved type portable ladders shall be provided.

RULE 32: The deckman, with the assistance of the hatch foreman, shall see that any cargo already lifted is landed; that the apron is clear; and that the winch levers are in neutral with power turned off.

RULE 33: The head foreman or assistant foreman shall station himself at the head of a gangplank or other predetermined post and see that all longshoremen are checked off, and shall as quickly as possible notify the ship's officer on watch of such evacuation.

§ 10.11 General rules for piers and docks. Operators of piers and docks shall comply immediately with the following Rules 34 to 36, inclusive:

RULE 34: All operators of piers and docks shall appoint a chief air raid warden for each pier or dock, or group of piers and docks, who shall be a person employed thereon in a supervisory capacity. The chief air raid warden of the pier or dock and other persons regularly employed on a pier or dock shall be designated to act as air raid wardens by the operator and shall be trained pursuant to the procedure used by civilian defence authorities within their local area. These air raid warden organizations shall cooperate and coordinate their activities with the air raid warden organizations of such longshoremen groups as may be employed on the pier or dock as well as with any local air raid warden organizations, and shall act in cooperation with and under the direction of the local air raid warden service. Air raid wardens may become members of the United States Citizens Defense Corps.

RULE 35: The chief air raid warden of the pier or dock shall

(a) Assign specific duties and posts to each person acting as an air raid warden on the pier or dock.

(b) Hold drills at reasonable intervals.

(c) See that windows, skylights, doorways, and openings are provided with black-out material that will completely prevent any light from showing outside the pier or dock.

(d) Arrange the location of equipment upon the facility in such manner as will permit fire apparatus to enter freely if required.

(e) Communicate with the Captain of the Port to arrange the mooring of vessels in such manner as will permit floating fire

fighting equipment to have access thereto if required.

RULE 36: The head foreman or assistant head foreman of the longshoremen on a pier or dock shall be the chief air raid warden of his personnel, shall be trained as an air raid warden, and shall in turn be responsible for the training of his longshoremen as air raid wardens. Such longshoremen air raid organizations shall cooperate with and coordinate their activities with the pier or dock organizations and local organizations.

§ 10.12 Rules for piers and docks on red signal. The following Rules 37 to 39, inclusive, shall be complied with at all piers and docks immediately upon the sounding of the air raid (Red) signal:

RULE 37: (a) Air raid wardens and the full force of guards on the pier or dock shall immediately take up their predetermined posts covering the roof, sides, entrances and exits to the pier or dock.

(b) Drivers of vehicles on the pier or dock and their helpers shall assemble with the air raid wardens for such assignment as may be deemed advisable.

(c) The pier or dock shall be blacked out, after notifying the master or senior officer of any vessel moored thereat, and the contracting stevedores. (Upon the blue signal, notice should be given of intention to black-out.)

(d) It shall be the duty of the chief air raid warden for the pier or dock to supervise compliance with the foregoing provisions of this rule and to report any non-compliance to the operator of the pier or dock.

RULE 38: (a) All persons on the pier or dock not specifically assigned to duty shall proceed at once to designated shelter areas.

(b) Aisle space and accessibility to all fire extinguishing equipment and fire apparatus shall be maintained.

(c) It shall be the duty of air raid wardens to supervise compliance with the foregoing provisions of this rule and to report violations to the chief air raid warden. They shall also:

(d) Give warnings when lights are showing.

(e) Use their flashlights only in accordance with prevailing black-out regulations.

(f) Report falling bombs, fires, and presence of gas to predetermined control centers.

RULE 39: (a) All stevedoring gear shall be removed from the apron, center aisle, and side aisle; and all doors (except those opposite the gangplank) shall be closed.

(b) Longshoremen handling cargo on the pier or dock shall assemble immediately for such assignment as may be deemed advisable by the chief air raid warden.

(c) The chief air raid warden of the longshoremen shall make a check-up of his men at the head of the pier or dock.

(d) Tractor and other vehicle drivers shall pull their loads and stevedoring equipment to the side aisles, or to the head of the pier or dock, turn off their motors and lights, and assist the air raid wardens in such manner as is deemed advisable by the chief air raid warden.

(e) It shall be the duty of the chief air raid warden of the longshoremen group to supervise compliance with the foregoing provisions of this rule and to report violations to the chief air raid warden of the facility.

§ 10.13 Penalty for violation of regulations. Whoever willfully shall violate any of the provisions of the regulations contained in this part shall be guilty of a misdemeanor and upon conviction thereof shall be liable to a fine of not to exceed \$5000 or to imprisonment for not

more than one year, or both, in accordance with the provisions of Public Law 127, 78th Congress, approved July 9, 1943.

Dated: September 2, 1943.

L. T. CHALKER,
Rear Admiral, U. S. Coast Guard,
Acting Commandant.

Approved:

FRANK KNOX,
Secretary of the Navy.

[F. R. Doc. 43-14346; Filed, September 2, 1943;
11:09 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Subtitle A—Office of the Secretary of the Interior

[Order No. 1865]

ESTABLISHMENT OF SOUTHWESTERN POWER ADMINISTRATION

There is hereby created in the Department of the Interior an agency to be known as the Southwestern Power Administration. The agency shall be in charge of an Administrator to be appointed by the Secretary of the Interior and the Administrator shall perform the duties assigned to him under the direction and supervision of the Secretary, through the Division of Power of the Department. He shall maintain the office of the Administration in the area of its operations.

The Administrator shall carry out the functions and duties assigned to the Secretary of the Interior by Executive Order No. 9366 of July 30, 1943 (8 F. R. 10699), as supplemented by Executive Order No. 9373 of August 30, 1943 (8 F. R. 12001), with respect to the disposition of electric power from the Denison Dam Project and the Norfolk Dam Project and the operation and disposition of power from the Grand River Dam Project. The Administrator on behalf of the Secretary shall take possession of the Grand River Dam Project and manage and operate said project in accordance with the terms and objectives of Executive Orders No. 9366 and 9373 and Executive Order No. 8944 (6 F. R. 5947). The Administrator will make plans and arrangements for the disposition of electric power from the Denison Dam Project and the Norfolk Dam Project in accordance with the terms and objectives of Executive Orders No. 9366 and 9373 and Executive Order No. 9353 (8 F. R. 8587). The marketing of power by the Administrator shall be in such manner as to realize the fullest coordination of the three projects, consistent with the maximum public benefit.

The Administrator is authorized to take such action as is necessary for the proper fulfillment of his duties and responsibilities hereunder, subject to the provisions of Order No. 1820 which order shall govern the relationship between the Administrator and the Division of Power.

This order shall become effective September 1, 1943.

HAROLD L. ICKES,
Secretary of the Interior.

AUGUST 31, 1943.

[F. R. Doc. 43-14393; Filed, September 2, 1943;
11:42 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[No. 3668]

PARTS 72, 75—TRANSPORTATION OF EXPLOSIVES

MISCELLANEOUS AMENDMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 13th day of August, A. D. 1943.

It appearing, That pursuant to section 233 of the Transportation of Explosives Act approved March 4, 1921 (41 Stat. 1445), and Part II of the Interstate Commerce Act, the Commission has formulated and published certain regulations for transportation of explosives and other dangerous articles;

It further appearing, That in applications received we are asked to amend the aforesaid regulations as set forth in provisions made part hereof;

And it further appearing, That amendments involved in said applications, having been considered and found to be in accord with the best-known practicable means for securing safety in transit:

It is ordered, That the aforesaid regulations for transportation of explosives and other dangerous articles be, and they are hereby, amended as follows:

Part 3—Regulations Applying to Shippers (CFR Part 75)

Superseding and amending paragraphs (e) and (f), section 106, order August 16, 1940, to read as follows (packing carbon bisulfide):

(e) Specification 17E. Metal drums (single-trip) not over 5 gallons capacity each, with openings not exceeding 2.3 inches in diameter.

(f) Specification 5, 5A, or 17C (single-trip). Metal barrels or drums not over 55 gallons capacity each, with openings not exceeding 2.3 inches in diameter.

Superseding and amending paragraphs (a) (3), (a) (5), (b) (2), and (c) (7), section 110, orders August 16, 1940, and March 31, 1941, to read as follows (packing inflammable liquids):

(a) (3) Specification 5, 5A, 5B, 5C, or 5G. Metal barrels or drums, with openings not exceeding 2.3 inches in diameter.

(a) (5) Specification 17C. Metal drums (single-trip), with openings not exceeding 2.3 inches in diameter.

(b) (2) Containers as specified in section 110 (a), except that full removable head drums are authorized when permitted by specification, and also the following:

(c) (7) Specification 5 or 5A. Metal barrels or drums, with openings not exceeding 2.3 inches in diameter. Bung labels required as prescribed in section 110 (c) (13). (Paragraph (c) (7) (a) remains in force.)

Amending section 113, order August 16, 1940, as follows (packing paint, etc.) (add):

(h) Because of the present emergency add until further order of the Commis-

sion, paint (other than aluminum, bronze and gold paint), enamel, varnish, shellac and lacquer, with flash point above 20° F. may be shipped in fiberboard containers, specification 12L, except that in lieu of the 4 foot drop prescribed by paragraph 5 (a) of specification 12L, the drum must be able to withstand two drops from a height of 2 feet, on a solid concrete floor, the first drop to be made diagonally on bottom chime and the second drop to be flat on top.

Amending paragraph (b), section 188, order August 16, 1940, as follows (packing phosphoric anhydride) (add):

NOTE: Because of the present emergency and until further order of the Commission, metal cans not over 6 pounds capacity each are authorized.

Superseding and amending paragraph (b), section 214, order August 16, 1940, to read as follows (packing zirconium, metallic, wet or sludge):

(b) Specification 15A or 15B. Wooden boxes with inside metal cans, specification 2A, of screw-cap type, or tightly and securely closed by push-in covers held in place by soldering at least at four points. Inside containers must not exceed 10 pounds net weight each. Gross weight of such outside packages must not exceed 150 pounds each.

Superseding and amending paragraphs (d) and (i), section 249, order August 16, 1940, to read as follows (packing alkaline corrosive liquids, n. o. s.):

(d) Specification 5 or 5A. Metal barrels or drums, with openings not exceeding 2.3 inches in diameter.

(i) Specification 5 or 5A. Metal barrels or drums, capacity 10 gallons or less, with openings not exceeding 2.3 inches in diameter.

Superseding and amending paragraph (c), section 255, order August 16, 1940, to read as follows (packing dimethyl sulfate):

(c) Specification 5. Metal barrels or drums not over 15 gallons each, with openings not exceeding 2.3 inches in diameter, inclosed in strong crates made of lumber at least 3/4 inch thick.

Superseding and amending item of table, paragraph (q) (1), section 303, order August 16, 1940, to read as follows (packing compressed gases):

Name of gas	Maximum permitted filling density, Note 1	Required type of tank car, Note 2
Hydrogen..	Note 5.....	Note 7. 100-107A.

Amending paragraph (c), section 339, order August 16, 1940, as follows (packing aniline oil) (add):

Metal barrels or drums under this paragraph must not have openings exceeding 2.3 inches in diameter.

Superseding and amending paragraphs (b) and (c), section 345, order August 16, 1940, to read as follows (packing liquid sodium or potassium cyanide):

(b) Specifications 5, 5A, or 5B. Metal barrels or drums without galvanizing in-

side, with openings not exceeding 2.3 inches in diameter.

(c) Specifications 17E or 37D (single-trip) metal drums with welded side seams, with openings not exceeding 2.3 inches in diameter.

Amending paragraph (b), section 346, order July 14, 1942, as follows (packing methyl bromide) (add):

NOTE: Because of the present emergency and until further order of the Commission, metal cylinders under this paragraph, of not over 254 pounds water capacity (nominal), are authorized.

Superseding and amending paragraph (c), section 347, order August 16, 1940, to read as follows (packing motor fuel antiknock compound and tetraethyl lead):

(c) Specification 5 or 5A. Metal barrels or drums, with openings not exceeding 2.3 inches in diameter.

Amending section 349, order August 16, 1940, as follows (packing poisonous liquids, n. o. s.):

(n) Specification 1A. Boxed glass carboys with capacity not over 5 gallons. Must be closed, and when reused must be reconditioned and tested, as provided in the specification. Use of this container will be permitted because of the present emergency and until further order of the Commission.

Appendix—Shipping Container Specifications (CFR Part 72)

Superseding and amending head and 1st subparagraph of paragraph 22, specification 3A, order August 16, 1940, to read as follows:

22. *Additional type.* Cylinders made of steel commercially known as 4130X or NE-8630 with yield point over 70 percent of tensile strength are also authorized under the following restrictions:

(1) 4130X chemical analysis: Carbon 0.25 to 0.35 percent; manganese, 0.40 to 0.60 percent; phosphorus, not over 0.040 percent; sulphur, not over 0.050 percent; silicon, 0.20 to 0.35 percent; chromium, 0.80 to 1.10 percent; molybdenum, 0.15 to 0.25 percent. NE 8630 chemical analysis: Carbon 0.28 to 0.33 percent; manganese, 0.70 to 0.90 percent; phosphorus, not over 0.040 percent; sulphur, not over 0.040 percent; silicon, 0.20 to 0.35 percent; chromium, 0.40 to 0.60 percent; nickel, 0.40 to 0.70 percent; molybdenum, 0.15 to 0.25 percent.

Amending order August 16, 1940, as follows (add):

SPECIFICATION 12L—HEXAGONAL FIBERBOARD CONTAINERS

GENERAL

1. *Compliance.* Required in all details.

MATERIAL

2. *Corrugated fiberboard.* Both outer facings waterproofed; corrugated sheets at least 0.009 inch thick; each facing at least 0.016 inch thick; all parts securely glued together throughout all contact areas.

CONSTRUCTION

3. *Parts and dimensions.* As follows:

(a) *Maximum authorized rated (marked) capacity.* Five gallons, with minimum outage not less than rated capacity plus 2 percent, nor greater than 2 percent plus one quart.

(b) *Calculated strength (Mullen or Cady test).* Sidewall including inner liner: 800-pound test (minimum). Multiple top and bottom heads: 500-pound test (minimum).

4. *Assembly.* Samples and detailed specification of proposed container, with results of preliminary tests, must be submitted to the Bureau of Explosives for consideration and approval. Changes in construction (drum and closure) differing from specification thus filed must be approved by the Bureau of Explosives before authorized for use.

TESTS

5. *Type tests.* Samples taken at random, filled with (1) the heaviest material which is to be shipped and (2) the lightest material which is to be shipped, closed as for use, must withstand tests without leakage as follows:

(a) Drum must be able to withstand a drop from height of 4 feet on a solid concrete floor, so as to strike diagonally on its (1) top chime, (2) drum closure, (3) end, or any other weak point. No single drum shall be expected to withstand more than one drop.

(b) Drums tested as in subparagraph (a) must stand for a period of 24 hours on each end without leakage (1) on end on which it was dropped and (2) on opposite end.

(c) Compression test by applying weight or pressure not less than 1,000 pounds on the top of drum.

(d) The tests described above must be made by the manufacturer or the shipper on samples taken at random of each type and size of container at start of production or of usage and must be repeated every four months or less during production or usage; results of such tests must be retained until subsequent tests are made.

MARKING

6. *On each container.* As follows:

(a) ICC-12L. This mark shall be understood to certify that the container complies with all specification requirements.

(b) Name or symbol (letters) of maker; this must be registered with the Bureau of Explosives and located just above, below, or following the mark specified in (a).

It is further ordered, That this order amending the aforesaid regulations shall be effective on and after August 13, 1943, and shall remain in full force and effect and be observed until further order of the Commission;

And it is further ordered, That a copy of this order be served upon all the parties of record herein; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

(Sec. 233, 41 Stat. 1445, sec. 204, 49 Stat. 546, sec. 4, 52 Stat. 1232, sec. 20, 54 Stat. 922, 56 Stat. 176; 18 U.S.C. 383, 49 U.S.C. 304)

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary

[F. R. Doc. 43-14263; Filed, September 1, 1943; 10:24 a. m.]

[No. 3668, Ex Parte MC-3 and MC-13]

PARTS 71-85 AND 197—TRANSPORTATION OF EXPLOSIVES

MOTOR CARRIER SAFETY REGULATIONS

At a session of the Interstate Commerce Commission, Division 3, held at its

office in Washington, D. C., on the 27th day of August A. D. 1943.

In the matter of regulations governing the transportation of explosives and other dangerous articles by motor vehicle.

In the matter of regulations for transportation of explosives and other dangerous articles.

In the matter of need for establishing reasonable requirements to promote safety of operation of motor vehicles used in transporting property by private carriers.

It appearing, That by an order herein of April 20, 1943, the regulations for transportation of explosives and other dangerous articles by land and water in rail freight, express and baggage services, and by motor vehicle (highway) and water, including specifications for shipping containers, which embody Part 7, regulations applying to shipments made by way of common and contract carriers by public highway, were made applicable to common, contract and private carriers subject to section 233 of the Transportation of Explosives Act, and/or Part II of the Interstate Commerce Act, and also to every common, contract, and private carrier of property by rail or highway engaged in intrastate commerce; and

It further appearing, That by another order herein of April 20, 1943, the regulations prescribed by the Commission as Part 7 of the Motor Carrier Safety Regulations, Revised, governing the transportation of explosives and other dangerous articles by common and contract carriers by motor vehicle in interstate or foreign commerce, also were made applicable to private carriers of property by motor vehicle in interstate or foreign commerce and to common, contract, and private carriers with respect to such transportation in interstate commerce; and

It further appearing, That by an order herein of June 14, 1943, the effective date of the two said orders was postponed to January 1, 1944, insofar as those orders applied to the transportation of inflammable liquids by private carriers by motor vehicle in interstate commerce and by common, contract, and private carriers by motor vehicle in intrastate commerce; and established provisions relating to the transportation of chlorine and anhydrous ammonia in intrastate commerce; and

It further appearing, That the transportation in intrastate commerce of inflammable liquids by common, contract, and private carriers should be excepted from the requirements of the said orders; and

It further appearing, That upon further consideration, it is found desirable to limit the effectiveness of the said orders of April 20, 1943, to the duration of the present war and for six months thereafter, insofar as the transportation in intrastate commerce of explosives and other dangerous articles, other than inflammable liquids, is concerned;

It is ordered, That the two said orders of April 20, 1943, as amended by the order of June 14, 1943, and the rules and regulations prescribed or made effective thereby shall continue in force and effect until the further order of the

Commission, except in the following particulars:

(a) With respect to the extension of said rules and regulations to common, contract, and private carriers transporting in intrastate commerce, inflammable liquids named and described in Parts 2 and 3, respectively, of Regulations for the Transportation of Explosives and Other Dangerous Articles by Land and Water in Rail Freight, Express and Baggage Services, and by Motor Vehicle (Highway) and Water, effective January 7, 1941, as amended, such carriers shall not be subject to the provisions of said orders on and after the date of this order;

(b) With respect to the extension of said rules and regulations to the transportation in intrastate commerce of explosives and other dangerous articles named and described in Parts 2 and 3, respectively, of the regulations above referred to, except inflammable liquids, by common, contract, and private carriers subject to section 233 of the Transportation of Explosives Act and/or Part II of the Interstate Commerce Act, as amended, and by common, contract, and private carriers operating solely in intrastate commerce, the effectiveness of the said orders is limited to the duration of the war and six months thereafter.

It is further ordered, That nothing herein contained shall be deemed to affect the postponement to January 1, 1944, of the effectiveness of the orders of April 20, 1943, with respect to the transportation of inflammable liquids by private carriers in interstate commerce;

It is further ordered, That this order shall be effective forthwith and shall continue in effect until the further order of the Commission;

It is further ordered, That a copy of this order be served upon all the parties of record herein, and that notice of this order be given to the general public by depositing a copy of it in the office of the Secretary of the Commission at Washington, D. C., and by filing a copy with the Director, Division of the Federal Register, The National Archives.

(Sec. 233, 41 Stat. 1445; sec. 204, 49 Stat. 546, 54 Stat. 921; 18 U.S.C. 383, 49 U.S.C. 304)

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-14381; Filed, September 2, 1943; 11:39 a. m.]

[Service Order 143-A]

PART 95—CAR SERVICE

REICING OF GREEN FRUITS AND VEGETABLES IN CERTAIN WESTERN CITIES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 1st day of September, A. D. 1943.

Upon further consideration of the provisions of Service Order No. 143 (8 F.R. 10942) of August 4, 1943, and good cause appearing therefor:

It is ordered, That:

§ 95.315 of Service Order No. 143 (8 F.R. 10942) of August 4, 1943, prohibiting reicing of fresh or green fruits or vegetables at Belen, New Mexico; Big Spring, Texas; Dalhart, Texas; Del Rio, Texas; Denver, Colorado; Laramie, Wyoming; or Pueblo, Colorado, is hereby vacated and set aside.

Announcement of vacation of suspension. Each of the railroads affected by this order or its agents shall publish, file, and post a supplement to each of its tariffs affected, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the vacation of the suspension made by Service Order No. 143 (8 F.R. 10942) of August 4, 1943, and stating that the provisions in said tariffs which were in effect prior to 12:01 a. m. August 5, 1943, will be applied on and after the effective date of this order.

It is further ordered, That this order shall become effective at 12:01 a. m., September 2, 1943, and that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-14382; Filed, September 2, 1943; 11:39 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Mines.

ANTONELLI FIREWORKS CO., INC., ET AL. ORDER REVOKING LICENSES AND DIRECTING THEIR SURRENDER

In the matter of licensees: Antonelli Fireworks Co., Inc., Spencerport, New York; Amerigo Antonelli, 131½ Clifton Street, Rochester, New York; Domenick Barbollo, 14 Clifton Street, Rochester, New York; Domenic Colaveta, Big Ridge Road, Spencerport, New York; Anthony DeRitis, 230 Arbutus Street, Rochester, New York; John DeRitis, 27 Eddy Street, Rochester, New York; Joseph DeRitis, 351 Jefferson Avenue, Rochester, New York; Isaia Lanni, 524 State Street, Rochester, New York; Mike Mariano, 411 Tremont Street, Rochester, New York; Nick Micceche, 29 Lime Street, Rochester, New York, et al.

Having reason to believe on the grounds of facts of which I have knowledge or reliable information that the Antonelli Fireworks Co., Inc., Amerigo Antonelli, Domenick Barbollo, John DeRitis and Joseph DeRitis, licensees under

the Federal Explosives Act, are disloyal or hostile to the United States; that licenses under the Federal Explosives Act were issued to other persons, including Domenic Colaveta, Anthony DeRitis, Isaia Lanni, Mike Mariano, and Nick Micceche, in connection with work for the Antonelli Fireworks Co., Inc.; and that Frank Bianchi, Angelo Costanza, Beatrice De Filippo, and Bennie Piteo, employed by the Antonelli Fireworks Co., Inc., have been in charge of explosives or ingredients of explosives for that company and are disloyal or hostile to the United States.

Now, therefore, by virtue of the authority vested in me by the Federal Explosives Act and the regulations thereunder, *I hereby order,* That all licenses issued to the Antonelli Fireworks Co., Inc., Amerigo Antonelli, Domenick Barbollo, John DeRitis and Joseph DeRitis, and to all other officers, agents and employees of the Antonelli Fireworks Co., Inc., including Domenic Colaveta, Anthony DeRitis, Isaia Lanni, Mike Mariano, and Nick Micceche, be and they are hereby revoked and that all such licenses together with all certified or photographic copies thereof shall be surrendered upon demand to my authorized representative;

That none of the licensees whose licenses are revoked by this order shall hereafter engage in any transactions in or operations involving explosives or ingredients of explosives as defined in section 2 of the regulations under the Federal Explosives Act except with the written permission of the Director of the Bureau of Mines or his authorized representative. Explosives and ingredients of explosives now on hand and explosives and ingredients of explosives heretofore purchased by, although not yet delivered to the licensees, may and shall be disposed of under the direct supervision of and in accordance with written instructions from one of my authorized representatives.

Failure to comply with any of the provisions of this Order will constitute a violation of the Federal Explosives Act punishable by a fine of not more than \$5,000 or by imprisonment for not more than one year, or both by such fine and imprisonment.

Dated at Washington, D. C., this 17th day of August 1943.

R. R. SAYERS,
Director.

[F. R. Doc. 43-14345; Filed, September 2, 1943; 9:44 a. m.]

INTERSTATE COMMERCE COMMISSION.

[Special Permit 54 Under Service Order 133]

FORT WORTH AND DENVER CITY RAILWAY CO.

ICING OR REICING OF VEGETABLES

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.313, 8 F.R. 8554) of Serv-

ice Order No. 133 of June 19, 1943, permission is granted for:

The Forth Worth and Denver City Railway Company to retop ice ART 18835 and ART 19244 containing peas from Alamosa, Colorado, destined United States Army, El Paso, Texas.

The waybills shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 23d day of August, 1943.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 43-14374; Filed, September 2, 1943; 11:40 a. m.]

[Special Permit 55 Under Service Order 133]

SAN LUIS VALLEY SOUTHERN RAILWAY CO.

ICING OR REICING OF VEGETABLES

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.313, 8 F.R. 8554) of Service Order No. 133 of June 19, 1943, permission is granted for:

The San Luis Valley Southern Railway Company to retop ice at Iceville, Colorado, not to exceed 500 cars containing green vegetables.

The waybills shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 24th day of August, 1943.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 43-14375; Filed, September 2, 1943; 11:40 a. m.]

[Special Permit 56 Under Service Order 133]

MISSOURI PACIFIC RAILROAD COMPANY

ICING OR REICING OF VEGETABLES

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.313, 8 F.R. 8554) of Service Order No. 133 of June 19, 1943, permission is granted for:

The Missouri Pacific Railroad Company (Guy A. Thompson, Trustee) to retop ice ART

No. 175—4

18570 containing cauliflower from Alamosa, Colorado, consigned to G. A. March Company, St. Louis, Missouri, now on hand in that city.

The waybill shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of August, 1943.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 43-14376; Filed, September 2, 1943; 11:40 a. m.]

[Special Permit 57 Under Service Order 133]

COMMON CARRIERS BY RAILROAD

ICING OR REICING OF VEGETABLES

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.313, 8 F.R. 8554) of Service Order No. 133 of June 19, 1943, permission is granted for:

Any common carrier by railroad to retop ice, but not in excess of three tons of ice, ART 72501 containing cauliflower consigned to the United Fruit and Produce Company, St. Louis, Missouri, now on hand in that city.

The waybill shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of August, 1943.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 43-14377; Filed, September 2, 1943; 11:40 a. m.]

[Special Permit 58 Under Service Order 133]

SOUTHERN PACIFIC CO. AND TEXAS & PACIFIC RAILWAY CO.

ICING OR REICING OF VEGETABLES

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.313, 8 F.R. 8554) of Service Order No. 133 of June 19, 1943, permission is granted for:

The Southern Pacific Company or The Texas and Pacific Railway Company to retop ice at El Paso, Texas, NWX 1164 containing lettuce from Salinas, California, consigned to Ben E. Keith Company, Dallas, Texas.

The waybill shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of August, 1943.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 43-14378; Filed, September 2, 1943; 11:40 a. m.]

[Special Permit 59 Under Service Order 133]

WABASH RAILROAD COMPANY

ICING OR REICING OF VEGETABLES

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.313, 8 F.R. 8554) of Service Order No. 133 of June 19, 1943, permission is granted for:

The Wabash Railroad Company to retop ice at Moberly, Missouri, ART 16394 and ART 17463 containing cauliflower consigned to Schenberg Price and Company, Chicago, Illinois.

The waybills shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 26th day of August 1943.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 43-14379; Filed, September 2, 1943; 11:41 a. m.]

[Special Permit 60 Under Service Order 133]

UNION PACIFIC RAILROAD COMPANY

ICING OF REICING OF VEGETABLES

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.313, 8 F.R. 8554) of Service Order No. 133 of June 19, 1943, permission is granted for:

The Union Pacific Railroad Company to retop ice at Laramie, Wyoming, SFRD 32259 and retop ice at Kansas City, Missouri, SFRD 24132 containing lettuce consigned to Schenberg Price and Company, Chicago, Illinois.

The waybills shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Rail-

roads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of August, 1943.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 43-14380; Filed, September 2, 1943;
11:41 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 1980]

SUDDEUTSCHE APPARATE-FABRIK GESELLSCHAFT M. B. H.

Re: Interests of Sudddeutsche Apparat-fabrik Gesellschaft m. b. H. in an agreement with International Telephone Development Company, Inc.

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

1. That Sudddeutsche Apparat-fabrik Gesellschaft m. b. H. is a corporation organized under the laws of and having its principal place of business in Germany and is a national of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of Sudddeutsche Apparat-fabrik Gesellschaft m. b. H.;

3. That the property described as follows: Property identified in Exhibit A attached hereto and made a part hereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

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

Hereby vests in the Alien Property Custodian the property described 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 here-

of, 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 August 10, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patents:

Patent number	Date	Inventor	Title
2,130,384	9-20-38	Franz Fischer.....	Rectifier.
2,134,131	10-25-38	Erich Kipphan.....	Electric rectifier.
2,156,054	4-25-39	Ottmar Geisler & H. Herrmann.....	Dry rectifier.
2,173,905	9-26-39	Walter Kalbskopf.....	Voltage-compensating transformer.
2,189,905	2-13-40	Walter Kalbskopf.....	Rectifier device.
2,196,677	4-9-40	Walter Kalbskopf.....	Converter.
2,213,843	9-3-40	Walter Kalbskopf.....	Voltage multiplier.
2,217,402	10-8-40	Ottmar Geisler.....	Photocell.
2,259,372	10-14-41	Ottmar Geisler.....	Light sensitive device.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Sudddeutsche Apparat-fabrik Gesellschaft m. b. H. by virtue of an agreement dated July 8, 1938 (including all modifications thereof and supplements thereto, if any) by and between Sudddeutsche Apparat-fabrik Gesellschaft m. b. H. and International Telephone Development Company, Inc., relating, among others, to patent number 2,130,384, issued September 20, 1938, inventor Franz Fischer, for Rectifier.

[F. R. Doc. 43-14278; Filed, September 1, 1943;
10:30 a. m.]

[Amendment of Vesting Order 1061]

FRIEDRICH WILHELM HERZOG

Re: Real properties situated in McIntosh County, North Dakota, and certain bank accounts, owned by Friedrich Wilhelm Herzog.

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

1. Finding that Friedrich Wilhelm Herzog is a citizen of Germany, whose last known address is Schenkenschanz, Bei Kieve, Rheinland, Germany, and is a national of a designated enemy country (Germany);

2. Finding that said Friedrich Wilhelm Herzog is the owner of the property hereinafter described in subparagraph 3;

3. Finding that the property described as follows:

a. Real property situated in McIntosh County, North Dakota, particularly described as the South East Quarter (SE ¼) of Section Twenty One (21) and the North East Quarter (NE ¼) of Section Twenty Eight (28) all in Township One Hundred Thirty Two (132) North, of Range Seventy One (71) West of the 5th P. M. containing Three Hundred Twenty (320) acres more or less according to the U. S. Government Survey thereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property;

b. Real property situated in McIntosh County, North Dakota, and particularly described as Lots Seven (7), Eight (8) and Nine (9) of Block Fifteen (15) in the City of Ashley, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property;

c. All right, title, interest and claim of any name or nature whatsoever of Friedrich Wilhelm Herzog in and to all obligations, contingent or otherwise and whether or not matured, owing to him by McIntosh County Bank, Ashley, North Dakota, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to sue for and collect such obligations, and including particularly:

(1) The account in said bank held in the name of Rev. F. W. Herzog and due and owing to, and held for, Friedrich Wilhelm Herzog, and

(11) The account in said bank held in the name of Christ. Doekter, Agent for F. W. Herzog and due and owing to, and held for, Friedrich Wilhelm Herzog,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

4. Determining that the property described in subparagraph 3-c hereof is necessary for the maintenance or safeguarding of other property (namely that hereinbefore described in subparagraphs 3-a and 3-b) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive Order;

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

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated,

sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

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

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on August 20, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-14122; Filed, August 30, 1943;
10:55 a. m.]

[Amendment of Vesting Order 392]

HERMAN P. LOTTMANN AND LENA
LOTTMANN

Re: Certain real and personal property owned by Herman P. Lottmann and Lena Lottmann, his wife.

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

1. That Herman P. Lottmann and Lena Lottmann, his wife, who returned to Germany on the neutral exchange ship *S. S. Serpa Pinto*, are residents of Germany, and are nationals of a designated enemy country (Germany);

2. That Herman P. Lottmann and Lena Lottmann, his wife, are the owners of the property described in subparagraphs 3 and 4 hereof;

3. That the property described as follows:
(a) Real property situated in the Borough and County of Richmond, City and State of New York, particularly described as follows:

All that lot or parcel of land in the Second Ward of the Borough of Richmond, in the County of Richmond, in the City and State of New York, known and distinguished as plot No. 14 (fourteen) in Block No. 19 (nineteen), Section 2 (two) on a certain map entitled "Map of Deere Park, Section No. 2 (two) Second Ward, Borough of Richmond, City of New York, November 1925, North, Allison & Ettlenger, Civil Engineers and City Surveyors, Hugot Building, Staten Island, N. Y." and filed in the office of the County of Richmond on February 6, 1925, as Map No. 1349.

Being the same property conveyed to Edward J. McCormick by deed recorded in the Office of the Clerk of the County of Richmond, New York, in Liber 765, Page 693,

together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

(b) All right, title, interest and estate, both legal and equitable, of said Herman P. Lottmann (Lottman) and Lena Lottmann (Lottman), and each of them, in and to a certain contract of sale entered into between Home Owners Loan Corporation as the seller, and Herman P. Lottmann (Lottman) and Lena Lottmann (Lottman), his wife, as the purchasers, dated June 8, 1939, wherein in consideration of certain payments the seller agrees to convey title to certain real estate, and all the right, title, interest and estate, both legal and equitable, of said Herman P. Lottmann (Lottman) and Lena Lottmann (Lottman), and each of them, in and to the real property covered by said contract, which real estate is more particularly described as follows:

All that certain lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Second Ward of the Borough of Richmond, County of Richmond, and City and State of New York, known and designated as and by the Plot #5 in Block 19 on a certain map entitled "Map of Deere Park, Section No. 2, Second Ward, Borough of Richmond, City of New York, November 1925, North, Allison & Ettlenger, Civil Engineers & City Surveyors, Hugot Building, Staten Island, N. Y.", and filed in the Office of the Clerk of the County of Richmond on February 6, 1926, as Map #1559, which said plot is bounded and described according to said map, as follows:

Beginning at a point on the southerly side of Emerson Avenue, distant 400 feet easterly from the corner formed by the intersection of said southerly side of Emerson Avenue with the easterly side of Ocean Terrace; running thence southerly along the easterly side of Plot #4, 100 feet to the northerly side of Plot #14; thence easterly along said northerly side of Plot #14; and parallel with the southerly side of Emerson Avenue, 100 feet to the westerly side of Plot #6; thence northerly along said westerly side of Plot #6, and parallel with the first mentioned course, 100 feet to the southerly side of Emerson Avenue; and thence westerly along said southerly side of Emerson Avenue, 100 feet to the point or place of beginning.

(c) All right, title and interest, of said Herman P. Lottmann and Lena Lottmann, and each of them, in and to certain personal property being certain household and personal effects presently located on the premises known as 44 Emerson Avenue, Deere Park, Dongan Hills, Staten Island, New York, which premises are more fully described in subdivision (b) of subparagraph (3) of this Order; and

(d) All right, title and interest, of said Herman P. Lottmann and Lena Lottmann, and each of them, in and to certain personal property being one Oriental rug and one Chinese rug, presently in storage at the "New Method Service Company, Inc.", Stapleton, Staten Island, New York,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany); and

4. That the property described as follows:

(a) All right, title and interest, of said Herman P. Lottmann and Lena Lottmann, and each of them, in and to forty-two (42) German Konversionskasse Für Deutsche Auslandsschulden Bonds in the face amount of 31,000 Reich Marks,

(b) All right, title and interest, of said Herman P. Lottmann and Lena Lottmann,

and each of them, in and to certain currencies in the possession of Robert H. Smith, Chief, New York Office, Division of Investigation and Research, Office of Alien Property Custodian, being South American currency in the following described amounts and denominations; 69 Wienta Pesos, 15 Cinco Pesos and 1 Un Peso; and certain United States currency in the sum of \$1,020,

(c) Bank account in the Staten Island National Bank and Trust Company, St. George, Staten Island, New York, which bank account is due and owing to, and held for, said Herman P. Lottmann or Lena Lottmann, or both of them,

(d) All right, title, interest and claim, of any name or nature whatsoever, of said Herman P. Lottmann and Lena Lottmann, and each of them, in and to all indebtedness, contingent or otherwise and whether or not matured, owing to them or either of them by A. & M. Bauer of Edgewood, New York, including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness, and the right to enforce and collect such indebtedness,

(e) All right, title and interest of said Herman P. Lottmann and Lena Lottmann, and each of them, in and to certain insurance policies more particularly described as follows:

(1) These certain life insurance policies numbered N 1,113,283 and N 1,192,535, issued in the name of Herman P. Lottmann, by the Aetna Life Insurance Company of Hartford, Connecticut,

(2) These certain life insurance policies No. 89,671,630, issued in the name of Herman P. Lottmann and No. 99,733,521 issued in the name of Lena Lottmann, by the Prudential Insurance Company of America, Newark, New Jersey,

(3) That certain fire insurance policy No. 1037, issued by the Baltimore American Insurance Company of New York,

(4) That certain fire insurance policy No. 634639, issued by the Standard Fire Insurance Company, Hartford, Connecticut,

(5) That certain liability policy No. HP 853249, issued by the Travelers Insurance Company, Hartford, Connecticut,

(6) That certain automobile insurance policy No. A-54132, issued by the Interboro Mutual Indemnity Insurance Company, 270 Madison Avenue, New York, New York, and

(7) All right, title and interest, of said Herman P. Lottmann and Lena Lottmann, in and to certain monies held by the Staten Island Edlcon Corporation, Staten Island, New York, as evidenced by Certificate of Deposit, No. 23353, issued by said corporation,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany), and determining that the property described in this subparagraph

(4) is necessary for the maintenance or safeguarding of other property [namely, that hereinbefore described in subparagraph (3)] belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this Order) pursuant to section 2 of said Executive Order;

and determining that to the extent that either or both of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany), and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests all such property in the Alien Property Custodian, subject to recorded liens, encumbrances, and other

rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

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

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., August 27, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-14355; Filed, September 2, 1943;
11:03 a. m.]

[Amendment of Vesting Order 769]

ROBERT MAYER AND AENNE SCHMICH

Re: Certain real property in California together with money credited to the account of Robert Mayer, owned by Aenne Schmich.

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

1. Finding that Aenne Schmich is a citizen of Germany, whose last known address is Ortenaustasse 7, Mannheim, Germany, and that she is a national of a designated enemy country (Germany);

2. Finding that said Aenne Schmich is the owner of real and personal property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

a. Real property situated in the City of Redondo Beach, County of Los Angeles, State of California, known as 115 Ruby Street, Redondo Beach, California, and particularly described as Lots 1 and 2 in Block 190, of the City of Redondo Beach, County of Los Angeles, State of California, as per map recorded in Book 39, Page 1 et seq., Miscellaneous Records of said County, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property; and

b. All right, title, interest and claim of any name or nature whatsoever of said Aenne Schmich in and to all obligations, contingent

or otherwise and whether or not matured, owing to her by Robert Mayer, including but not limited to all security rights in and to any and all collateral for any or all such obligations, and the right to enforce and collect such obligations, and including particularly the obligation arising on account of the delivery by her to Robert Mayer of certain moneys which were credited to the account of Robert Mayer, President, J. Kahn & Company, Dallas, Texas, on the books of said company,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

4. Determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely that hereinbefore described in subparagraph 3-a) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this Order) pursuant to Section 2 of said Executive Order;

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

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

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

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., August 27, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-14354; Filed, September 2, 1943;
11:03 a. m.]

[Amendment of Vesting Order 1090]

FLORENCE BECCADELLI DI BOLOGNA

Re: Real property situated in Edgewater Park, New Jersey, and claim, held in trust by Florence Beccadelli di Bologna (Princess di Camporeale), as Trustee for Alexander Kingsland and Anna Beccadelli di Bologna (Princess di Castelcicala).

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

1. Finding that Florence Beccadelli di Bologna (Princess di Camporeale), Alexander Kingsland and Anna Beccadelli di Bologna (Princess di Castelcicala), are citizens of Italy whose last known addresses are 24 via Pagani, Rome, Italy, and are nationals of a designated enemy country (Italy);

2. Finding that the property described in subparagraph 3 hereof is held by Florence Beccadelli di Bologna (Princess di Camporeale) as Trustee for Alexander Kingsland and Anna Beccadelli di Bologna (Princess di Castelcicala);

3. Finding, that the property described as follows:

a. Real property situated in Edgewater Park, Township and County of Burlington, State of New Jersey, particularly designated in the tax map of the Township of Burlington as Lot No. Five (5) in Block No. Five (5) on Park Avenue, Edgewater Park, New Jersey, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property;

b. All right, title, interest and claim of any name or nature whatsoever, of Florence Beccadelli di Bologna (Princess di Camporeale), Trustee, Alexander Kingsland and Anna Beccadelli di Bologna (Princess di Castelcicala), and each of them, in and to any and all obligations (contingent or otherwise and whether or not matured) owing to them, or any of them, and held to their credit, by William H. Carey, 15 Exchange Place, Jersey City, New Jersey, in excess of the sum of \$427.10 alleged to be due and payable to the said William H. Carey for advances and expenses paid by him in connection with the property described in subparagraph 3-a hereof, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to enforce and collect such obligations,

is property within the United States owned or controlled by nationals of a designated enemy country (Italy);

4. Determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that hereinbefore described in subparagraph 3-a) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this Order) pursuant to Section 2 of said Executive Order;

5. Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Italy);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances, and other rights of

record held by or for persons who are not nationals of designated enemy countries, 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 special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

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

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., August 27, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-14353; Filed, September 2, 1943;
11:03 a. m.]

[Amendment of Vesting Order 1092]

THEODOR WILLE & CO., INCORPORATED

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

1. Finding that Theodor Wille & Cia. Ltda., whose principal place of business is in Santos, Brazil, and Hans U. Uebele, whose last known address is Brazil, are named in the Proclaimed List of Certain Blocked Nationals, promulgated pursuant to Proclamation No. 2497 of the President of July 17, 1941;

2. Finding that Theodor Wille & Cia. Ltda. is acting for and on behalf of Henschel & Sohn A. G., Kassel, Germany, J. N. Volth, Heidenheim, Germany, and Heward Stwerke A. G., Kiel, Germany, who are persons within a designated enemy country (Germany) and are nationals of a designated enemy country (Germany); and determining that said Theodor Wille & Cia. Ltda. is a national of such designated enemy country (Germany);

3. Finding that Hans U. Uebele is acting for and on behalf of a designated enemy country (Germany) or persons within Germany and is a national of such designated enemy country (Germany);

4. Finding that Olga Jurksheit, whose last known address was represented to the undersigned as being within Germany, is a national of a designated enemy country (Germany);

5. Finding that 500 shares of \$10 par value common capital stock of Theodor Wille & Co., Incorporated, a New York corporation,

New York, N. Y., are registered in the name of and owned by Theodor Wille & Cia. Ltda. of Santos, Brazil;

6. Finding that said Theodor Wille & Co., Incorporated is a business enterprise within the United States and that said 500 shares constitute all of the outstanding capital stock of said business enterprise and are evidence of ownership and control thereof;

7. Determining, therefore, that said Theodor Wille & Co., Incorporated is a national of a designated enemy country (Germany);

8. Finding that the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of Olga Jurksheit and Hans U. Uebele, and each of them, in and to all obligations, contingent or otherwise and whether or not matured, owing to them, or either of them, by said Theodor Wille & Co., Incorporated, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to sue for and collect such obligations, and including particularly such obligations represented on the books and records of said Theodor Wille & Co., Incorporated as accounts payable.

is an interest in the aforesaid business enterprise held by nationals of an enemy country and is also property within the United States owned or controlled by nationals of a designated enemy country (Germany);

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

10. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

11. Deeming it necessary in the national interest,

hereby (i) vests in the Alien Property Custodian the 500 shares of stock referred to in subparagraph 5 hereof and the property described in subparagraph 8 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and (ii) undertakes the direction, management, supervision and control of Theodor Wille & Co., Incorporated to the extent deemed necessary or advisable from time to time by the undersigned.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

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

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

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 27, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-14353; Filed, September 2, 1943;
11:04 a. m.]

[Amendment of Vesting Order 1451]

MARIO AND MARIA CAGNACCI

Vesting Order Number 1451 of May 11, 1943, is hereby amended as follows and not otherwise:

By deleting the word "entitles" appearing in the second paragraph of Exhibit A attached to said Vesting Order and by substituting therefor the word "entitled"; by deleting the letter "L" appearing after the words "CAL. PLAT NO." in said paragraph and substituting therefor the number "1".

All other provisions of such Vesting Order Number 1451 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on August 27, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-14349; Filed, September 2, 1943;
11:05 a. m.]

[Amendment of Vesting Order 1544]

REAL PROPERTY OF JOHANNA OOSTENDORP, JR.

Re: Real property and bank account owned by Johanna Oostendorp, Jr.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the undersigned after investigation:

1. Finding that Johanna Oostendorp, Jr., is a resident of Germany, whose last known address is Gelsenkirchen Baer, Hermann Lonnsterstrasse No. 4, and is a national of a designated enemy country (Germany);

2. Finding that Johanna Oostendorp, Jr. is the owner of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

a. Real property situated at 1877 East 97th Street, Cleveland, Ohio, particularly described in Exhibit "A", attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property.

b. All right, title, interest and claim of any name or nature whatsoever of Johanna Oostendorp, Jr., and every other national of a designated enemy country, in and to any and all obligations, contingent or otherwise, and whether or not matured, owing to Johanna Oostendorp, Jr. by The Cleveland

Trust Company, Bedford, Ohio, including but not limited to all security rights in and to any and all collateral for any and all such obligations, and the right to enforce and collect such obligations, and including particularly savings account No. 21734 in the Bedford Branch, The Cleveland Trust Company, Bedford, Ohio, which is due and owing to and held for Johanna Oostendorp, Jr., and in the name of Johanna Oostendorp, Jr., Reverend Father Peter H. Schaefer, Attorney-in-fact,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

4. Determining that the property described in subparagraph 3-b hereof is necessary for the maintenance and safeguarding of other property (namely, that hereinbefore described in subparagraph 3-a) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

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

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

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

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on August 27, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

All that certain lot situated in the City of Cleveland, County of Cuyahoga and State of Ohio, particularly described as follows:

All of sub lot No. Thirteen (13), excepting therefrom the rear or easterly-5 feet thereof, in the Logan Company's re-subdivision of part of sub lot No. 4 in W. S. Streater's subdivision of part of Original One Hundred Acre Lot No. 401, as shown by the recorded plat of said re-subdivision and subdivision in Volume 40 of Maps, page 20 of Cuyahoga County Records.

Said part of sub lot No. 13 has a frontage of $56\frac{3}{100}$ feet on the easterly side of East 97th Street and extends back $154\frac{2}{100}$ feet on the northerly line, $154\frac{2}{100}$ feet on the southerly line and has a rear line of about $55\frac{9}{100}$ feet, according to said plat.

[F. R. Doc. 43-14348; Filed, September 2, 1943; 11:05 a. m.]

[Vesting Order 2024]

ESTATE OF ELSE RAAB

In re: Estate of Else Raab, deceased; File D-28-3468; E. T. sec. 5443.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Ben H. Brown, Public Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

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

Nationals and Last Known Address

Irmgard Zohlen, Germany.
Lieselott Wagner, Germany.
Ingeborg Raab, Germany.
Walter Raab, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Irmgard Zohlen, Lieselott Wagner, Ingeborg Raab and Walter Raab, and each of them, in and to the estate of Else Raab, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate special account or accounts pending further determination of the

Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

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

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: August 21, 1943.

LEO T. CROWLEY,

Alien Property Custodian.

[F. R. Doc. 43-14360; Filed, September 2, 1943; 11:01 a. m.]

[Vesting Order 2038]

ESTATE OF WILHELMINA E. OELSNER

In re: Estate of Wilhelmina E. Oelsner, deceased; File D-28-2313; E. T. sec. 3434.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Edwin T. Dickerson, Executor, acting under the judicial supervision of the Orphans' Court of Baltimore City, Maryland;

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

Nationals and Last Known Address

Ida Krauthan, Germany.
Lena Werner, Germany.
Elizabeth Kratsch, Germany.
Margaret Kratsch, Germany.
Alfred Kratsch, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Ida Krauthan, Lena Werner, Elizabeth Kratsch, Margaret Kratsch and Alfred Kratsch and each

of them in and to the Estate of Wilhelmina E.-Oelsner, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

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

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: August 26, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-14359; Filed, September 2, 1943;
11:01 a. m.]

[Vesting Order 2042]

ESTATE OF STEFANO DAMELE

In re: Estate of Stefano Damele, also known as Steve Damele, deceased; File D-38-1123; E. T. sec. 2515.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Edward Fassio, Executor, acting under the judicial supervision of the Circuit Court of Multnomah County, Oregon;

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

Nationals and Last Known Address

Maria Franzone Damele, Italy.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Maria Fran-

zone Damele in and to the Estate of Stefano Damele, also known as Steve Damele, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

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

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: August 28, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-14358; Filed, September 2, 1943;
11:01 a. m.]

[Vesting Order 2043]

ESTATE OF WILLIAM JUZEK

In re: Estate of William Juzek, deceased; File D-17-202; ET sec. 5135.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Robert Junzek, as Administrator, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

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

Nationals and Last Known Address

Mary Mikulanda, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Mary Mikulanda, in and to the Estate of William Juzek, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

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

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: August 30, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-14357; Filed, September 2, 1943;
11:02 a. m.]

[Amendment of Vesting Order 1447]

ERNEST O. AZZI

Re: Real property, bank account and account payable owned by Ernest O. Azzi.

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

1. Finding that Ernest O. Azzi is a resident of Italy, whose last known address is Cardoso, Italy, and is a national of a designated enemy country (Italy);

2. Finding that said Ernest O. Azzi is the owner of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

a. Real property situated at 417 West Main Avenue, Spokane, Washington, and particularly described as the West Twenty (20) feet of Lot Three (3) in Block Sixteen (16) of the Resurvey and Addition to Spokane Falls (now Spokane) according to the recorded plat thereof, in Spokane County, Washington, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property.

b. All right, title, interest and claim, of any name or nature whatsoever of Ernest O. Azzi, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to him by Spokane & Eastern Division of the Seattle First National Bank in Spokane, Washington, including but not limited to all security rights in and to any and all

collateral for any and all such obligations and the right to enforce and collect such obligations, and including particularly the bank account in the Spokane & Eastern Division of the Seattle First National Bank in Spokane, Washington, which bank account is due and owing to, and held for, Ernest O. Azzi in the name of E. O. Azzi, and

c. All right, title, interest and claim, of any name or nature whatsoever, of Ernest O. Azzi, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Ernest O. Azzi by Arthur D. Jones & Co., W. 918 Riverside Avenue, Spokane, Washington, and represented on the books of Arthur D. Jones & Co., as an Account Payable, and including but not limited to all security rights in and to any and all collateral, for any and all such obligations and the right to enforce and collect such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Italy);

4. Determining that the property described in subparagraphs 3-b and 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that hereinbefore described in subparagraph 3-a) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this Order) pursuant to section 2 of said Executive Order;

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Italy);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

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

The terms "national" and "designated enemy country" as used herein shall

have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., August 27, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-14350; Filed, September 2, 1943; 11:04 a. m.]

[Amendment of Vesting Order 1133, as Amended]

HENRY C. A. HEIDMANN

Re: Real property located in Brooklyn, New York, and claim, owned by Henry C. A. Heidmann.

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

1. Finding that Henry C. A. Heidmann, whose last known address is 20 Emma Strasse, Bremen, Germany, is a resident of Germany, and is a national of a designated enemy country (Germany);

2. Finding that said Henry C. A. Heidmann is the owner of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

a. Real property situated at 693 Gates Ave., Brooklyn, New York, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. Real property situated at 6213 14th Ave., Brooklyn, New York, particularly described in Exhibit B attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

c. All right, title, interest and claim of any name or nature whatsoever, of Henry C. A. Heidmann, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Henry C. A. Heidmann by, and represented on the books of, Richter & Kaiser, Inc., 186 Remson Street, Brooklyn, New York, as a credit due Henry C. A. Heidmann, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to sue for and collect such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

4. Determining that the property described in subparagraph 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that hereinbefore described in subparagraphs 3-a and 3-b) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this Order) pursuant to Section 2 of said Executive Order;

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

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

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

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 27, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

All that lot or parcel of land lying or being in the Borough of Brooklyn, County of Kings and State of New York, described as follows:

Beginning at the corner formed by the intersection of the northerly line of Gates Avenue with the westerly line of Sumner Avenue; running thence westerly along the northerly line of Gates Avenue, twenty (20) feet; thence northerly on a line parallel with the easterly line of Throop Avenue, one hundred (100) feet; thence easterly on a line parallel with the southerly line of Quincey Street, twenty (20) feet to the westerly line of Sumner Avenue; thence southerly along the westerly line of Sumner Avenue, one hundred (100) feet to the point or place of beginning.

Together with all the right, title and interest of the parties of the first part of, in and to the land lying in front of and adjoining said premises to the centre line thereof.

EXHIBIT B

All that lot or parcel of land lying or being in the Borough of Brooklyn, County of Kings, State of New York, described as follows:

Beginning at a point on the southeasterly side of 14th Avenue, distant one hundred (100) feet southwestwardly from the corner formed the intersection of the southeasterly side of 14th Avenue and the southwesterly side of 62nd Street; running thence

southeasterly parallel with 62nd Street one hundred (100) feet, thence southwesterly parallel with 14th Avenue, twenty (20) feet four (4) inches; thence northwesterly parallel with 62nd Street, part of the distance through a party wall, one hundred (100) feet to the southeasterly side of 14th Avenue and thence northeasterly along the southeasterly side of 14th Avenue twenty (20) feet four (4) inches to the point or place of beginning. Together with all the right, title and interest of the party of the first part of, in and to the land lying in the street or avenue in front of and adjoining said premises to the centre line thereof.

[F. R. Doc. 43-14351; Filed, September 2, 1943; 11:04 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 50 Under Rev. MPR 122]

PENNSYLVANIA ANTHRACITE

PRICES IN YORK AND HARRISBURG COAL TRADING AREAS

Order No. 50 under Revised Maximum Price Regulation No. 122—Solid Fuels Sold and Delivered by Dealers. Pennsylvania anthracite delivered by dealers in the cities of York, Harrisburg and designated townships and boroughs in York, Dauphin, Cumberland and Perry counties, Commonwealth of Pennsylvania—Coal Area III.

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.260 and § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is ordered:

(a) *What this order does*—(1) *Dealers' maximum prices: Area covered.* If you are a dealer in "Pennsylvania Anthracite", this order sets the maximum prices which you may charge and, if you are a purchaser in the course of trade or business, this order sets the maximum prices which you may pay for certain sizes and quantities of "Pennsylvania anthracite" (hereinafter called simply "anthracite") delivered to or at any point in the zones comprising Commonwealth of Pennsylvania—Coal Area III. This area consists of two zones; one is the "York Coal Trading Area", designated Zone 1, and the other is the "Harrisburg Coal Trading Area", designated Zone 2, as follows:

Zone 1.—Zone 1 includes only the following portions of York County in the Commonwealth of Pennsylvania: The City of York; the Boroughs of Dallastown, Dover, Jacobus, Loganville, Manchester, Mount Wolf, New Salem, North York, Seven Valleys, Spring Grove, West York and Yoe; and the Townships of Conewago, Dover, East Manchester, Jackson, Manchester, Newberry, North Codorus, Springetsbury, Springfield, Spring Garden, West Manchester and York.

Zone 2.—Zone 2 includes only the following portions of the Commonwealth of Pennsylvania: The City of Harrisburg, the Boroughs of Paxtang, Penbrook, and Steelton, and the Townships of Lower Paxton, Susquehanna, and Swatara in Dauphin County; the Boroughs of Camp Hill, Lemoyne, Mechanicsburg, New Cumberland, Shiremans-town, West Fairview, and Wormleysburg, and the Townships of East Pennsboro, Hampden, and Lower Allen in Cumberland County; and the Borough of Marysville in Perry County.

(2) *Schedules of prices, charges and discounts.* The applicable prices, au-

thorized charges, and required discounts, from which you shall determine the maximum prices for designated sizes and quantities of anthracite delivered within Zones 1 and 2 are set forth in Schedules I and II, respectively.

(3) *To what sales this order applies.* If you are a dealer in anthracite you are bound by the prices, charges and discounts, and by all other provisions of this Order for all deliveries within Zones 1 and 2.

You shall determine the maximum price for "Direct Delivery" sales, as hereinafter defined, by reference to the appropriate Schedule of this Order covering the Zone to which delivery is made, whether or not you are located in one of the two Zones.

You shall determine your maximum price for a "Yard" sale, as hereinafter defined, by reference to the appropriate Schedule of this order covering the Zone in which the purchaser takes physical possession or custody of the anthracite.

(b) *What this order prohibits.* Regardless of any contract or other obligation, you shall not

(i) Sell or, in the course of trade or business, buy anthracite of the sizes and in the quantities set forth in the Schedules herein at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay or offer less than maximum prices.

(ii) Obtain any price higher than the applicable maximum price by

(i) Changing the discounts authorized herein, or

(ii) Charging for any service which is not expressly requested by the buyer, or

(iii) Charging for any service for which a charge is not specifically authorized by this order, or

(iv) Charging a price for any service higher than the Schedule price for such service, or

(v) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(vi) Using any other device by which a higher price than maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum price as follows:

(1) Use the Schedule which covers your sale. Schedule I applies to sales on a "Direct Delivery" basis and "Yard Sales", within Zone 1. You will find Schedule I in paragraph (d). Schedule II applies to similar sales in Zone 2. You will find Schedule II in paragraph (e).

(2) *For "direct-delivery" sales in each Zone.* (i) Take the dollars-and-cents figure set forth in the applicable Schedule for the size and quantity you are selling.

(ii) Deduct from that figure the amount of the discount which you are required to give by each Schedule.

(iii) If, at your purchaser's request, you actually render him a service for

which this order authorizes a charge, you may add to the figure obtained as above stated no more than the maximum authorized service charge. You must state that charge separately on your invoice. Authorized service charges are set forth in each Schedule.

(3) *For "yard sales" in each zone.* The dollars-and-cents figure set forth in the applicable Schedule for the specified sizes and quantities shall be the maximum Zone price for sales of those sizes and in those quantities at your yard. You shall not impose any charges and you are required to give no discounts in connection with such sales.

(d) *Schedule I.* Schedule I sets forth two tables of maximum prices for sales of specified sizes and quantities of anthracite made at or to any point within Zone I (York Coal Trading Area). The first table of prices applies to "direct delivery" sales and the second table of prices applies to "yard sales".

"DIRECT DELIVERY" SALES

Size	Per net ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more but less than ½ ton)
Egg stove.....			
Nut.....	\$12.50	\$3.40	\$7.75
Pea.....	10.00	3.55	6.65
Buckwheat.....	8.95	4.75	5.55
Rice.....	7.95	4.25	5.50
Barley.....	6.70	3.60	
Screenings.....	3.00	1.00	

Required discounts: If payment is made within ten days after delivery, you shall deduct 50 cents per ton from the "direct delivery" price for the size sold; but no discount need be given on sales of screenings. You may, of course, sell on cash or credit.

Maximum authorized service charges

Special service rendered at buyer's request:	Cents per net ton
"Carry" or "wheel" (except on sales of less than 1 ton).....	50
Carrying upstairs or downstairs for each full floor above or below the ground floor (except on sales of less than 1 ton). This charge shall be in addition to any charge for "carry" or "wheel".....	50

"YARD SALES"

Size	Per net ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more but less than ½ ton)
Egg stove.....			
Nut.....	\$11.05	\$3.80	\$6.65
Pea.....	9.35	4.95	5.55
Buckwheat.....	7.70	4.10	4.55
Rice.....	6.70	3.60	4.50
Barley.....	5.45	3.00	
Screenings.....	2.60	1.00	

(e) *Schedule II.* Schedule II sets forth two tables of maximum prices for sales of specified sizes and quantities of anthracite made at or to any point within Zone II (Harrisburg Coal Trading Area). The first table of prices applies to "direct delivery" sales and the second table of prices applies to "yard sales".

"DIRECT DELIVERY" SALES

Size	Per net ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more but less than ½ ton)
Egg, stove			
Nut	\$11.85	\$6.20	\$.75
Pea	10.15	5.35	.65
Buckwheat	8.75	4.65	.55
Rice	7.75	4.15	
Barley	6.50	3.50	
Screenings	3.00	1.50	

Required discounts: Where payment is made within ten days after delivery, you shall deduct 50 cents per ton from the "direct delivery" price for the size sold; but no discount need be given on sales of screenings. You may, of course, sell on cash or credit.

Maximum authorized service charges

Special service rendered at buyer's request:	Cents per net ton
"Carry" or "wheel" (except on sales of less than 1 ton)	50
Carrying upstairs or downstairs for each full floor above or below the ground floor (except on sales of less than 1 ton). This charge shall be in addition to any charge for "carry" or "wheel"	50

"YARD SALES"

Size	Per net ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more but less than ½ ton)
Egg, stove			
Nut	\$10.60	\$5.55	\$.65
Pea	8.60	4.70	.55
Buckwheat	7.50	4.00	.45
Rice	6.50	3.50	.40
Barley	5.25	2.60	
Screenings	2.00	1.00	

(f) **Commingling.** Unless the buyer requests a sale of commingled sizes, your maximum price for such a sale shall be the maximum price for the smallest of the commingled sizes. If the buyer requests such a sale, and if you separately weigh the sizes to be commingled, your maximum price for the combination shall be the weighted average of the maximum prices for each of the commingled sizes.

(g) **Ex parte 148; freight rate increase.** Since the Ex Parte 148 Freight Rate increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any Schedule Price on account of freight rates.

(h) **Addition of increase in suppliers' maximum prices prohibited.** You may not increase the specific maximum prices established by this order to reflect, in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of

Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(i) **Taxes.** If you are a dealer subject to this order you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the tax imposed by section 620 of the Revenue Act of 1942 if actually paid or incurred by you or by any of your prior suppliers and separately stated and collected from you by your supplier. On sales to the United States or any agency thereof, you need not state this tax separately.

(j) **Adjustable pricing.** You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the anthracite has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(k) **Petitions for amendment.** Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(l) **Right of amendment or revocation.** The Price Administrator may amend, revoke or rescind and the Regional Administrator upon petition may amend this order, or any provision thereof, at any time.

(m) **Applicability of other regulations.** If you are a dealer subject to this order, you are governed by the licensing and registration provisions of sections 15 and 16 of the General Maximum Price Regulation. Sections 15 and 16 provide, in brief, that a license is required of all persons selling at retail commodities for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license, but you may later be required to register. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(n) **Records.** If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, the same records you were required to preserve and keep under § 1340.262 (a) and (b) of Revised Maximum Price Regulation No. 122.

(o) **Posting of maximum prices; sales slips and receipts.** (1) If you are a dealer subject to this order, you shall post all your maximum prices as set forth in the applicable Schedule or Schedules of this order in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you sell subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of the anthracite sold to him, the date of the sale or delivery and the price charged,

separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes, which may be added to, the maximum prices set hereby.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser or if, during December 1941, you customarily gave purchasers such sales slips or receipts.

(p) **Enforcement.** (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this Order are urged to communicate with the Harrisburg District Office of the Office of Price Administration.

(q) **Definitions and explanations.** When used in this Order No. 50, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase" and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling anthracite of the sizes set forth in the Schedules herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(5) The sizes of Pennsylvania anthracite described as egg, stove, nut, pea, buckwheat, rice, barley and screenings shall refer to such sizes of anthracite as they were sold and designated in the Commonwealth of Pennsylvania—Coal Area III during December, 1941.

(6) "Direct Delivery", except with respect to sales in 100 lb. lots, means delivery to the buyer's bin or storage space by dumping or chuting directly from the seller's truck or vehicle or, where such delivery to the buyer's bin or storage space is physically impossible, by discharging at the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck. "Direct Delivery" in 100 lb. lots shall mean depositing in buyer's bin or other storage space designated by buyer.

(7) "Carry" and "wheel" refer to the movement of coal to buyer's bin or storage space in baskets or other containers, or by wheelbarrow or barrel, from seller's truck or vehicle, or from the

point nearest and most accessible to the buyer's bin or storage space at which the coal is discharged from seller's truck in the course of "direct delivery".

(8) "Yard Sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(r) *Effect of order on Revised Maximum Price Regulation No. 122.* To the extent applicable this order supersedes Revised Maximum Price Regulation No. 122.

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

This Order No. 50 shall become effective September 6, 1943.

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

Issued this 1st day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14342; Filed, September 1, 1943; 4:50 p. m.]

CERTAIN EXTERIOR LINSEED OIL PAINTS

[Order A-1 Under MPR 188, Amdt. 11]

MODIFICATION OF MAXIMUM PRICES

Amendment No. 11 to Order No. A-1 under § 1499.159b of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

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

Paragraph (a) (12) is added to read as follows:

(12) *Modification of maximum prices for certain ready mixed exterior linseed oil paints.*

(i) Changes in the formulae of ready mixed exterior linseed oil paints may be made by manufacturers thereof, without a reduction in the maximum prices therefor, provided that the changes are necessitated by War Production Board Conservation Order M-332, issued June 17, 1943 and effective July 1, 1943, and the formulae of such paints, as changed, shall meet at least the following specifications:

(a) The vehicle shall contain not less than 65 per cent by weight of linseed oil.

(b) The non-volatile portion of the vehicle shall consist of a homogeneous mixture of raw, refined, boiled or heat-bodied (polymerized) linseed oil and drier solids.

(c) The non-volatile portion of the vehicle shall pass a 250 per cent kauri reduction test at 25° C.

(d) Brushing, spreading, drying properties, package stability and durability of the paint shall be substantially maintained.

(e) The hiding power (opacity) of the paint shall not be decreased.

(f) The cost of the pigment per gallon of paint shall not be reduced.

(g) The volume of total pigment per gallon of paint shall not be greater than that in the formula in use by the manufacturer prior to any changes under this order, except as provided in subdivision (h) below.

"Volume of total pigment" as used in this subdivision (g) and subdivision (h) below means the sum of the volumes of each pigment ingredient per gallon of paint. The volume of each pigment ingredient per gallon of paint is equal to its weight multiplied by its bulking value.

(h) The volume of total pigment per gallon of paint shall be increased where the volume in the formula in use by the manufacturer prior to any changes under this order is so low that meeting the re-

quirement of subdivision (a) above would result in exceeding the maximum linseed oil content of 3.75 pounds per gallon of exterior paint provided by War Production Board Conservation Order M-332. In such special cases the volume of total pigment per gallon of paint required by the formula as changed shall be increased only to the point where the minimum linseed oil content provided by subdivision (a) above equals the maximum linseed oil content of 3.75, or is not less than 3.55, pounds per gallon of paint.

(i) Each manufacturer changing the formula for any paint under the provisions of the preceding subdivision (i) shall submit a report of the changes in composition and unit costs to the Office of Price Administration in Washington, D. C. An example of such report is set out below:

Ingredients	Formula in lbs.		Yield in gals.		Unit cost per pound or gal.		Total cost of ingredients	
	Before change	After change	Before change	After change	Before change	After change	Before change	After change
<i>Pigment</i>								
Basic carbonate white lead.....	509		9.0		\$9.6825		\$41.25	
Zinc oxide.....	459		8.5		.6725		29.00	
Asbestine.....	169		4.2		.669		.60	
<i>Vehicle</i>								
Raw linseed oil.....	551		71.0		.63		66.03	
Bodied linseed oil (indicate viscosity--)								
Driers.....	23.4		4.0		.60		2.40	
V. M. P. naphtha.....	59.9		5.0		.12		.60	
Calculated yield.....	1,612.3		191.7				149.13	
Manufacturing loss 2 1/2%.....			2.6					
Actual yield.....			69.2					
Material cost per gallon.....							1.41	

Fifteen days after mailing of such report, in the absence of a notification to the contrary from the Office of Price Administration, the formula as changed without a reduction in the maximum price therefor shall stand approved. Such approval shall be subject to revocation at any time.

(iii) This subparagraph (12) may be revoked or amended by the Price Administrator at any time.

This amendment shall become effective September 2, 1943.

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

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

Issued this 1st day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14332; Filed, September 1, 1943; 4:21 p. m.]

[Order 125 Under MPR 183]

NATIONAL TILE CO., INC., ET AL.

ORDER OF REVOCATION

Order No. 125 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel. Maximum

prices for sales of certain ready mixed exterior linseed oil paints.

Order No. 125 under § 1499.158 of Maximum Price Regulation No. 188, issued January 15, 1943, is hereby revoked pursuant to Supplementary Order No. 40.

This order shall become effective September 2, 1943.

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

Issued this 1st day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14333; Filed, September 1, 1943; 4:21 p. m.]

LIST OF INDIVIDUAL ORDERS UNDER PRICE REGULATIONS

The following orders were filed with the Division of the Federal Register on September 1, 1943.

Order Number:	Name
RPS 23, Order 3.....	Hudson Valley Fuel Corp.
RPS 35, Order 1.....	York Mfg. Co.
MPR 39, Order 12.....	Hurley and Katz
RPS 41, Order 22.....	Strong Steel Foundry Co.
MPR 120, Order 235,	Utah Blue Diamond
Corr.	Coal Co.
MPR 120, Order 236,	Duncan-Spangler
Corr.	Coal Co.
MPR 120, Order 237,	James Barquin
Corr.	Coal Co.

Order Number:	Name
MPR 120, Order 238,	Highland Fuel Co.
MPR 157, Order 31...	Suncook Mills
MPR 188, Order 480,	Emergency Equip- ment Co.
MPR 188, Order 618...	Pfanslehl Chemical Co.
MPR 188, Order 619...	Sweeney Mill and Cabinet Co.
MPR 244, Order 37...	Superior Foundry Co.
MPR 244, Order 38...	Rochester-Erie Foundry Corp.
MPR 244, Order 40...	Iroquois Foundry Co.

Copies of these orders may be obtained from the Office of Price Administration.

ERVIN H. POLLACK,
Head, Editorial and Reference Section.
[F. R. Doc. 43-14367; Filed, September 2, 1943;
11:30 a. m.]

Regional, State and District Office Orders.

[Region II Order G-6 Under MPR 329, Amdt. 1]

MILK IN THE LOWER DELAWARE MARKETING AREA

Amendment No. 1 to Order No. G-6 under Maximum Price Regulation No. 329, as amended. Purchases of milk from producers for resale as fluid milk.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 of Maximum Price Regulation No. 329, as amended, *It is hereby ordered*, That two new paragraphs, designated as paragraphs (c) and (d), be added to read as follows:

(c) The maximum price at which a purchaser, in the course of trade or business, may buy or receive from a producer Class I fluid milk (other than the type of milk specified in paragraph (d) hereof) which is thereafter sold as such by such purchaser in that part of the State of Delaware, hereinafter defined as the Lower Delaware Milk Marketing Area, shall be the higher of either of the following:

1. The maximum price established under Maximum Price Regulation No. 329, as amended, or

2. \$3.55 per cwt., f. o. b. purchaser's receiving station or processing plant, for such milk having a butterfat content of 4%, plus or minus \$0.04 for each one tenth of 1% butterfat content in excess of or below 4% as the case may be: *Provided, however*, That in the event the purchaser pays the "cost of transportation" of the milk from the producer's farm to such receiving station or processing plant, such "cost of transportation" shall be deducted from the price. If the milk is transported by any mode of transportation other than common or contract carrier, such "cost of transportation" shall be computed at the lowest available common or contract carrier rates.

(d) The maximum price at which a purchaser, in the course of trade or business, may buy or receive from a producer Grade A Class I fluid milk which is thereafter sold as such by such purchaser in said Lower Delaware Milk Marketing Area shall be the higher of either of the following:

1. The maximum price established under Maximum Price Regulation No. 329, as amended, or

2. The maximum price, as computed in accordance with paragraph (c) (2) above for Class I fluid milk of the same butterfat content, plus \$0.02 per cwt. for each one-tenth of 1% butterfat content above 3.7%, and plus \$0.40 per cwt., if the Grade A Class I fluid milk sold by the producer shows an average monthly bacteria count of 30,000 bacteria or less per cc., or plus \$0.25 per cwt. if such average monthly bacteria count is more than 30,000 but less than 100,000 bacteria per cc. Such average monthly bacteria count shall be made in accordance with the customary local practice as established during the month of January 1943.

It is further ordered that the present paragraph (c) be designated paragraph (e); and

It is further ordered, That paragraph (e) (1), as redesignated, be amended to read as follows:

(e) *Definitions*. When used in this order the terms:

(1) "The Wilmington Milk Marketing Area" means that part of the State of Delaware lying north of the Chesapeake and Delaware Canal. "The lower Delaware Milk Marketing Area" means that part of the State of Delaware lying south of the Chesapeake and Delaware Canal.

This amendment to Order No. G-6 shall become effective August 14, 1943.

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

Issued this 10th day of August 1943.

SYLVAN L. JOSEPH,
Regional Administrator.

[F. R. Doc. 43-14307; Filed, September 1, 1943;
11:45 a. m.]

[Region III Order G-5 Under MPR 165, Amdt 5]

POWER LAUNDRIES IN WAYNE COUNTY, MICH.

Amendment No. 5 to Order No. G-5 under Maximum Price Regulation No. 165, as amended—Services.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1499.114 (d) of Maximum Price Regulation No. 165, as amended, *It is hereby ordered*, That paragraph (h) be amended to read as set forth below.

(h) No additional charges of any kind may be added to the maximum prices established by this order: *Provided, however*, That each of the following laundries, notwithstanding the provisions of paragraphs (a), (b), or (c) hereof, may increase its prices as set forth in Table 2 of Appendix A hereof in an amount not in excess of the percentage increases set forth below.

	Permitted increase (percent)
Duncan Laundry Company, 4630 Crane...	10
Fenwick Laundry Company, 531 E. Forest	10
Fine Arts Laundry Company, 5435 McGraw	5
Grand Laundry, 1250 W. Lafayette	10
LaMeasure Bros., Inc., 1450 21st Street	10

	Permitted increase (percent)
Modern Laundry Company, 3705 E. Jefferson	5
National Laundry Company, 555 Farnsworth	3
Pilgrim Laundry & Dry Cleaning Co., 6200 Petersmith	3
Pioneer Laundry & Cleaning Co., 4255 McGraw	5
Quality Laundry Company, 12000 Cloverdale	8
Royal Laundry, 3748 E. Fort	0
Wash-Rite Laundry, 6837 Chase Road	0

Each invoice or bill shall first be computed without taking into account the above-scheduled permitted increases. The total of such invoice or bill so determined may then be increased by an amount not in excess of the above-scheduled permitted increases, and such increase shall be separately designated on each invoice by the words "Production Cost Increase".

This amendment to Order No. G-5 under Maximum Price Regulation No. 165, as amended, shall become effective August 7, 1943.

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

Issued: August 11, 1943.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 43-14308; Filed, September 1, 1943;
11:45 a. m.]

[Region III Order G-8 Under MPR 329]

MILK IN MASON COUNTY, MICH.

Order No. G-8 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III by § 1351.408 (c) of Maximum Price Regulation No. 329, *It is hereby ordered*:

(a) Any milk distributor in the County of Mason in the State of Michigan may pay producers an amount not in excess of \$3.17 per cwt. for "milk" of 4% butterfat content, plus or minus 5¢ for each 1/10 of 1% butterfat variation over or under 4%.

(b) Each distributor increasing his price to producers for "milk" pursuant to the provisions of this order shall, within five days after such action, notify the Regional Office of the Office of Price Administration, Union Commerce Building, Cleveland, Ohio, by letter or postcard, of his price established pursuant to the provisions of this order, together with a statement of his previous price.

(c) *Definitions*. (1) "Milk distributor" is defined to mean an individual, corporation, partnership, association, or any other organized group of persons or successors of the foregoing who purchases "milk" in a raw and unprocessed state for the purpose of resale as fluid milk in glass, paper, or other containers.

(2) "Producer" means a farmer, or other person or representative, who owns, superintends, manages, or otherwise controls the operations of a farm on which "milk" is produced. For the purposes

of this order, farmers' cooperatives are producers when (1) they do not own or lease physical facilities for receiving, processing, or distributing milk, and (2) they do own or lease physical facilities for receiving, processing or distributing milk, but they act as selling agents for producers, whether members of such cooperative or not.

(3) "Milk" means liquid cow's milk in a raw, unprocessed state, which is purchased for resale for human consumption as fluid milk. "In a raw, unprocessed state" means unpasteurized and not sold and delivered in glass or paper containers.

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

This order shall be effective as of July 1, 1943.

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

Issued: August 11, 1943.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 43-14316; Filed, September 1, 1943; 11:47 a. m.]

[Region V Order G-4 Under MPR 165]

POWER LAUNDRIES IN TULSA, OKLAHOMA

Order No. G-4 under Maximum Price Regulation No. 165, as amended—Services.

For the reasons set forth in the opinion issued simultaneously herewith and under authority vested in the Regional Administrator, Region V, Office of Price Administration, by § 1499.114 paragraph (d) of Maximum Price Regulation No. 165, as amended, *It is hereby ordered:*

(a) The maximum prices established by Maximum Price Regulation No. 165 as amended—Services—for power laundries in the Tulsa, Oklahoma, area for the following retail laundry services are established to be as follows:

(1) *Bundle services.* 1. "Wet wash." (All laundry is washed and extracted and returned damp.) Minimum bundle 20 pounds or less for \$1.00 plus 5¢ for each additional pound. If requested, shirts finished for 10¢ each after being weighed in the bundle.

2. "Rough dry." (All laundry is washed and extracted, flat work is finished and returned ready for use. Wearing apparel is starched and dried with starch in.) Minimum bundle 12 pounds or less for \$1.08 plus 9¢ for each additional pound. If requested, shirts finished for 10¢ each after being weighed in the bundle.

3. "Thrift." (All laundry is washed and extracted, flat work finished ready for use; wearing apparel is returned damp.) Minimum bundle 14 pounds or less for \$1.12 plus 8¢ for each additional pound. If requested, shirts finished for 10¢ each after being weighed in the bundle.

4. "Fluff dry" (all laundry is washed and extracted; dried in drying tumblers and returned dry. Nothing is ironed). Minimum bundle 14 pounds or less for 98¢, plus 7¢ for each additional pound. If requested, shirts finished for 10¢ each after being weighed in the bundle.

5. "Economy finish" (all flat work is finished; wearing apparel starched and ironed on presser. Everything finished ready to use except shirts). Minimum bundle 14 pounds or less for \$1.95, plus 14¢ for each additional pound. If requested, shirts finished for 7¢ each after being weighed in the bundle.

6. "Family finish" (all laundry is finished). Minimum bundle 15 pounds. 10¢ per pound. Wearing apparel is taken out of the bundle and re-weighed at 22¢ per pound.

7. "Dry wash" (all laundry is washed and extracted; flat work is finished and ready for use. Wearing apparel dried and folded). Minimum bundle 15 pounds or less for \$1.35, plus 9¢ for each additional pound. If requested, shirts finished for 10¢ each after being weighed in the bundle.

(2) *List services:*

	Cents
Shirts, work and dress.....	15
Shirts, silk and wool.....	25
Shirts, negligee.....	25
Collars.....	5
Undershirts, lightweight.....	8
Drawers, lightweight.....	8
Sox, pair.....	4
Handkerchiefs.....	3
Handkerchiefs, silk.....	5
Night shirts.....	15
B. V. D.....	15
Union suits.....	15
Union suits, wool.....	25
Pajamas.....	25
Ties.....	10
Sweaters.....	25
Pants.....	25
Coats, plain.....	25
Coats, painters.....	30
Unionalls.....	35
Overalls, starched.....	30
Overalls, painters.....	35
Jumpers, starched.....	25
Dresses, plain.....	35
Uniforms, short sleeve.....	15
Uniforms, long sleeve.....	25
Waists, plain.....	15
Waists, fancy.....	25
Brassieres.....	5
Teddies.....	10
Princess slips.....	15
Step-ins.....	10
Stockings.....	5
Ladies' union suits.....	15
Skirts.....	20
Night dresses, cotton.....	15
Night dresses, silk.....	25
Caps.....	5
Ladies' vests.....	10
Aprons, short.....	5
Aprons, long.....	10

In the finished list service there may be imposed a minimum charge of 40¢ for cash and carry customers and a minimum charge of 50¢ for delivery customers.

(b) The following economies may be put into effect as they apply to the above described services without a reduction in price:

1. Starching may be eliminated or only one type of starch offered.

2. Folding of wet wash bundles may be eliminated.

3. Folding of wearing apparel in rough dry bundles may be eliminated.

4. Finishing of handkerchiefs may be eliminated in all bundle services, except Family Finish.

5. Touching up and hand finishing of undergarments may be eliminated.

c. The folding more than once of pillow cases, towels, (hand, face, bath, dish, and kitchen) napkins, and handkerchiefs, after

these items have passed through the flat work iron, may be eliminated.

7. Bath towels and wash cloths may be either fluff dried or ironed, according to the individual laundry equipment.

8. Curtains and furniture covers may be eliminated from family bundles if also eliminated from list.

9. Furnishing of shirt boards, tie-ups, tissue paper, cellophane shirt wrappers, or any individual wrappers now used may be discontinued.

10. Finishing of socks on sock forms may be discontinued and socks may be tumbled dry.

11. Pressing of cotton undershirts may be eliminated. (These may be tumble-dried and folded.)

(c) No additional charges of any kind whatsoever may be added to the maximum prices listed in this order.

(d) All prices established in this order, except prices for finished list services, shall be subject to a cash and carry discount of 20 per cent. Charges for finished list services to a cash and carry customer shall not be subject to a 20 per cent discount unless the total charge, after the discount, is greater than the minimum charge of 40¢ as established in this order.

(e) Prices established in this order shall become the maximum area ceiling prices for the described services on all retail sales of laundry services in the Tulsa area excepting sales by hotels and institutions supplying laundry services for their guests only.

(f) This order is subject to revocation or amendment by the Price Administrator at any time hereafter, either by special order or by any price regulation issued hereafter, or by any amendment or supplement hereafter issued as to any price regulation, the provisions of which which may be contrary hereto.

(g) The laundries in the Tulsa area shall keep this order and the attached opinion in their establishments, together with the statement required by § 1499.108 of Maximum Price Regulation No. 165 as amended—Services, and make them available for inspection by any person during business hours.

(h) Except as specifically provided in this order and for the types of laundry services for which specific provisions are made, the provisions of Maximum Price Regulation No. 165, as amended, are in no way affected and shall continue in full force and effect.

This order shall become effective on the 16th day of August 1943.

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

Issued this 11th day of August 1943.

MAX McCULLOUGH,
Regional Administrator.

[F. R. Doc. 43-14303; Filed, September 1, 1943; 11:44 a. m.]

[Region VII Order G-1 Under Rev. MPR 122]

SOLID FUELS IN ROCKY FORD TRADE AREA,
COLO.

Temporary Order No. G-1 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

Pursuant to the Emergency Price Control Act of 1942, as Amended, § 1340.260, of Revised Maximum Price Regulation No. 122, and for the reasons set forth in an opinion issued simultaneously herewith, *it is hereby ordered:*

(a) *Geographical applicability.* This temporary order shall apply to all of the area contained within the corporate limits of the municipality of Rocky Ford, Colorado, and a distance of five miles beyond at all points, which said area is hereby designated the Rocky Ford Trade Area.

(b) *What this temporary order does.* If you are a dealer in first grade and/or second grade bituminous canon coal produced in Sub-districts 2 and 3 of District 17 in Fremont County, State of Colorado, you will find set forth in this temporary order the maximum prices which during the period fixed by this temporary order you may charge for sales and deliveries made by you from your place of business in the Rocky Ford Trade Area; and if you are a purchaser in the course of trade or business the prices set forth herein are the maximum prices which you may pay any coal dealer in the Rocky Ford Trade Area for the kinds, sizes and quantities of coal specified herein when purchased at his place of business in said Rocky Ford Trade Area.

(c) *Specific maximum prices established by this temporary order.* From and after the effective date of this order, and thereafter up to and including the 15th day of September, 1943, the maximum prices for dealers in the Rocky Ford Trade Area for the kinds and sizes of coal, delivered, specified therein shall be as set forth in the following Table I:

Size	First grade canon district 17 subdistrict 2	Second grade canon district 17 subdistrict 3
	Per ton	Per ton
6" lump.....	\$9.25	\$8.75
3" lump.....	9.05	8.55
6 x 1 1/2 egg.....	8.40	8.15
3 x 1 1/2 nut.....	8.15	8.00
1 1/2 x 1 range.....	7.20	7.20
1 1/2 x 3/4 pea.....	6.95	6.95
1 1/2 x 0 slack.....	6.95	5.95

(d) *Yard sales.* The maximum prices set forth in Table I above are for delivered sales and the prices for yard sales shall be determined by deducting from the applicable delivered price the seller's customary allowance on yard sales.

(e) *Applicability of other regulations.* Except as inconsistent with or contradictory of the terms and provisions of this temporary order, all of the terms and provisions of Revised Maximum Price Regulation No. 122, except paragraph (c) of § 1340.262 thereof, shall apply to all dealers selling and delivering coal in the Rocky Ford Trade Area with like force and effect as though the same were rewritten herein. If you sell fuel of a kind or size not specifically priced by this temporary order, all such sales and deliveries remain subject to the provisions of Revised Maximum Price Regulation No. 122.

(f) *When Federal Transportation Tax may be collected.* If on any purchase of coal made by you, you are required to pay the Federal Transportation Tax im-

posed by section 620 of the Revenue Act of 1942 you may, in addition to the specific maximum prices established in Table I hereof, collect from the buyer the amount of such tax actually incurred and paid by you, or an amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased, provided you state separately on your sales invoice, slip, ticket or other memorandum the amount of such Federal tax so collected by you.

(g) *Period covered by this temporary order.* This temporary order shall be in force and effect from and after the effective date hereof to and including the 15th day of September, 1943, whereupon the same shall ipso facto and without any affirmative act whatsoever on the part of the Regional Administrator cease and determine: *Provided, however,* That this temporary order may be terminated prior to said 15th day of September, 1943, as provided in the following paragraph.

(h) *Right to revoke or amend.* This temporary order may be revoked, modified or amended at any time by the Price Administrator or the Regional Administrator, and it may at any time prior to its termination date be superseded by a permanent order promulgated herein.

(i) *Effective date.* This temporary order shall become effective as of August 9, 1943.

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

Issued this 9th day of August 1943.

CLEM W. COLLINS,
Regional Administrator.

[F. R. Doc. 43-14311; Filed, September 1, 1943; 11:42 a. m.]

[Region VIII Order G-3 Under 18 (c), Amdt. 27]

FLUID MILK IN WASHINGTON

Amendment No. 27 to Order No. G-3 under § 1499.18 (c) as amended of the General Maximum Price Regulation (formerly Order No. 4 under section 18 (c) of the General Maximum Price Regulation as amended). Fluid milk prices at wholesale and retail in the State of Washington.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, *it is hereby ordered,* That Order No. G-3 under § 1499.18 (c) as amended of the General Maximum Price Regulation (formerly Order No. 4 under section 18 (c) of the General Maximum Price Regulation as amended) be amended as set forth below:

(a) Section (1) as amended is hereby further amended by striking out the heading "Chewelah, Springdale, Loon Lake, Marble, Marcus, Blue Creek, Bossburg and Evans" and the schedule of prices thereunder, and by substituting therefor the following:

THE TOWNS OF CHEWELAH, SPRINGDALE, LOON LAKE, MARBLE, MARCUS, BLUE CREEK, BOSSBURG, EVANS, AND KETTLE FALLS.

[Not less than 3.8 percent milk fat]

Quantity	Wholesale price	Retail price
Gallon container.....	\$0.40	\$0.45
Quart container.....	.11	.13

(b) Section (1) as amended is hereby further amended by striking out the heading "The Town of Colville" and the schedule of prices thereunder, and by substituting therefor the following:

THE TOWN OF COLVILLE

[Not less than 3.8 percent milk fat]

Quantity	Wholesale price	Retail store carry-out price	Retail home delivered price
Gallon container.....	\$0.35	\$0.41	\$0.45
Quart container.....	.10	.12	.13
Half-pint container.....	.035		

(c) Section (1) as amended is hereby further amended by adding at the end thereof the following:

THE TOWN OF WILBUR

[Not less than 3.8 percent milk fat]

Quantity	Wholesale price	Retail price
Quart container.....	\$0.11	\$0.13
Half-pint container.....	.035	

(d) Section (1) as amended is hereby further amended by adding at the end thereof the following:

THE TOWNS OF GRAND COULEE, MASON CITY, AND COULEE DAM

[Not less than 3.8 percent milk fat]

Quantity	Wholesale price
Quart container.....	\$0.12
Half-pint container.....	.04

(e) Section 5 (d) is amended to read as follows: The name of any city includes the area within the radius hereinafter specified from the corporate limits of the city:

	Miles
(a) Spokane.....	15
(b) Pasco.....	10
(c) Kennewick.....	10
(d) Everett.....	10
(e) Walla Walla.....	5
(f) Grand Coulee, Mason City, Coulee Dam.....	5
(g) Any other city.....	3

¹ Excluding any part of Whidby or Camano Islands.

This amendment shall become effective upon issuance.

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

Issued this 9th day of August 1943.

L. F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 43-14310; Filed, September 1, 1943; 11:43 a. m.]

[Region VIII Order G-12 Under MPR 329, Amdt. 2]

FLUID MILK IN THE DALLES, OREG.

Amendment No. 2 to Order No. G-12 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 of Maximum Price Regulation No. 329, Order No. G-12 under Maximum Price Regulation No. 329 is hereby amended as follows:

(a) Paragraph (a) (1) is hereby amended by striking from said paragraph the words "Wasco County" and the accompanying maximum price and substituting therefor the following:

Wasco County—except the city of The Dalles.....	\$0.85
The city of The Dalles.....	.90

This amendment shall become effective upon issuance.

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

Issued this 9th day of August 1943.

L. F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 43-14315; Filed, September 1, 1943; 11:47 a. m.]

[Region VIII Order G-19 Under MPR 329]

FLUID MILK IN CERTAIN COUNTIES OF IDAHO AND WASHINGTON

Order No. G-19 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration under § 1351.408 of Maximum Price Regulation No. 329, *It is hereby ordered:*

(a) The adjusted maximum price at which any person whose place of business is located in any of the localities enumerated below may purchase milk from a producer for resale as fluid milk except as provided in paragraph (b) and (c) below shall be as follows:

(1) For purchases of milk from producers f. o. b. the business location of the buyer, the adjusted maximum prices shall be as follows:

Locality:	Maximum price per pound butter fat
Bonner County, Idaho.....	\$0.70-
Boundary County, Idaho.....	.78½
Kootenai County, Idaho.....	.85
Shoshone County, Idaho.....	.85
Adams County, Wash.....	.76
Lincoln County, Wash.....	.80
Spokane County, Wash.....	.85
Stevens County, Wash.....	.75

(2) For purchases of milk f. o. b. the producer's dairy, the adjusted maximum price shall be the price specified in subdivision (1) of this paragraph (a), minus an allowance for transporting the milk purchased from the producer's dairy to

the purchaser's business location, computed as follows:

(i) Where the milk is transported by means of a carrier not operated or controlled by either the producer or the purchaser, the transportation allowance shall be equal to the amount actually paid to the carrier for the transportation service.

(ii) Where the milk is transported by means of facilities operated or controlled by the purchaser, the transportation allowance shall not be less than the amount which the purchaser allowed to the same producer in June, 1943.

(iii) If the minimum transportation allowance cannot be computed under the foregoing subdivision, the transportation allowance shall not be less than \$.04 per pound milk fat or the published tariff for hauling an equal quantity of milk by highway transportation common carrier to the purchaser's receiving point from the shipping point closest to the producing dairy, which ever is greater.

(b) The maximum price at which any person whose place of business is located in the city of Spokane in the state of Washington may purchase milk from producers who have been certified by the United States Army as army shippers shall be as follows:

(1) For purchases of milk from producers f. o. b. the business location of the buyer, the adjusted maximum price shall be \$.90 per pound butterfat.

(2) For purchases of milk f. o. b. the producer's dairy the maximum price shall be the price specified in subdivision (1) of this paragraph (b) minus an allowance for transporting the milk from the producer's dairy to the purchaser's business location computed in the manner specified in subdivision (2) of paragraph (a).

(c) The maximum price at which any person whose place of business is located in any of the localities enumerated in paragraph (a) (1) may purchase milk from a producer who, during June, 1943, sold milk to another purchaser whose place of business is located in any of the above-mentioned localities for resale for human consumption as fluid milk shall be the maximum price established by paragraph (a) of this order for the purchaser to whom the producer sold milk during June, 1943.

(d) *Definitions.* (1) The term "city of Spokane" shall include the territory within a radius of 15 miles from the corporate limits of said city.

(2) All other terms used in this order shall have the same meaning as in Maximum Price Regulation No. 329 unless the context clearly requires otherwise.

(e) Lower prices than those specified in this order may be solicited, offered, or paid.

(f) *Evason.* The price limitations of this order shall not be evaded by direct or indirect methods, by means of, or in connection with, any offer, solicitation, agreement, sale, delivery, purchase, or receipt of or by way of, or in connection with, any commission, service, transportation, or other charge or discount, premium, or privilege, tying agreement, trade understanding, or change in any business trade practice.

(g) *Enforcement.* Purchasers violating any provision of this order are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspensions of licenses provided by the Emergency Price Control Act of 1942, as amended.

(b) This order may be revoked, amended, or corrected at any time.

This order shall become effective August 15, 1943.

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

Issued this 9th day of August 1943.

L. F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 43-14314; Filed, September 1, 1943; 11:48 a. m.]

[Region VIII Order G-27 Under 18 (c), Amdt. 3]

FLUID MILK IN OREGON AND CERTAIN PORTIONS OF WASHINGTON

Amendment No. 3 to Order G-25 under § 1499.18 (c) as amended of the General Maximum Price Regulation. Fluid milk at wholesale and retail in the State of Oregon and certain portions of the State of Washington.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation: *It is hereby ordered,* That Order No. G-25 under § 1499.18 (c) as amended of the General Maximum Price Regulation be amended as set forth below:

(a) Paragraph (a) as amended is hereby further amended by striking from said paragraph the heading "Wasco County in the State of Oregon" and the schedule of prices thereunder and substituting therefor the following:

WASCO COUNTY EXCEPT THE CITY OF THE DALLES IN THE STATE OF OREGON

Quantity	Wholesale price	Retail price
Quart container.....	\$0.1175	\$0.125
Pint container.....	.09	.09
Half-pint container.....	.075	.075

THE CITY OF THE DALLES

Quantity	Wholesale price	Retail price
Quart container.....	\$0.125	\$0.135
Pint container.....	.07	.07
Half-pint container.....	.0775	.075

This amendment shall become effective upon issuance.

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

Issued this 9th day of August 1943.

L. F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 43-14313; Filed, September 1, 1943; 11:49 a. m.]

[Region VIII Order G-38 Under 18 (c)]

FIREWOOD IN YAMHILL, MARION AND LINCOLN COUNTIES, OREGON

Order No. G-38 under § 1499.18 (c) as amended, of the General Maximum Price Regulation. Adjusted maximum prices for firewood in certain areas in Yamhill, Marion and Lincoln Counties in the State of Oregon.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended, of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The maximum prices as established by sections 2 and 3 of the General Maximum Price Regulation or by any previous order issued pursuant to such regulation, or to any Supplementary Regulation thereto, for the sale and delivery of the types of firewood specified below in the areas specified below, are hereby adjusted so that the maximum prices therefor shall be:

Area, Type of Firewood, and Maximum Price Per Cord Delivered to Premises of Buyer

That portion of Lincoln County in the State of Oregon lying between the Pacific Ocean and a line 5 miles east of and parallel to U. S. Highway No. 101, and North of Gleneden Beach to and including DeLake. This area includes the cities of Gleneden Beach, Kernville, Cutler City, Taft, Nelscott Beach, and DeLake: 12" and 16" old growth fir, \$10.00.

That portion of Lincoln County in the State of Oregon lying between the Pacific Ocean and a line five miles east of and parallel to U. S. Highway No. 101, and south of Gleneden Beach to a point three miles south of Depoe Bay and north of DeLake to and including Otis. This area includes the communities of Depoe Bay, Lincoln Beach, Oceanlake, Wecoma Beach, Neotsu and Otis: 12" and 16" old growth fir, \$11.00.

That portion of Yamhill County in the State of Oregon bounded by a line three miles west of and running parallel to U. S. Highway No. 99W, the south bounds of Yamhill County, the Willamette River and State Highway No. 219, and that portion of Marion County in the State of Oregon bounded by the Willamette River, State Highway No. 219 and a road running due east from Fairfield to State Highway No. 219 excluding the City of Newberg, but including the cities of Amity, Whiteson, McMinnville, Lafayette, Dundee, Dayton and St. Paul: #1 old growth fir cordwood in 4' lengths, \$8.75; #1 old growth fir cordwood in 12" or 16" lengths, \$10.00; #2 old growth and second growth cordwood in 4' lengths (fir), \$8.25; #2 old growth and second growth cordwood in 12" or 16" lengths—(fir), \$9.50; oak cordwood in 4' lengths, \$10.00; oak cordwood in 12" or 16" lengths, \$11.75.

(b) No seller shall evade any of the provisions of this Order No. G-38 by changing the customary allowances, discounts or other price differentials unless such change results in a lower price.

(c) This order may be revoked, amended or corrected at any time. This

order shall become effective August 10, 1943.

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

Issued this 10th day of August, 1943.

L. F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 43-14812; Filed, September 1, 1943; 11:49 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 30-174]

UTILITY SERVICE COMPANY

NOTICE OF FILING AND ORDER FOR HEARINGS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of August 1943.

Notice is hereby given that an application has been filed with this Commission pursuant to section 5 (d) of the Public Utility Holding Company Act of 1935 by Utility Service Company for an order that it has ceased to be a holding company. The application states that Utility Service Company has been dissolved as a corporation under the laws of the State of Delaware and has conveyed, transferred, and delivered all its assets, including the securities of certain registered holding companies and of The Marion-Reserve Power Company, a public-utility company, to its sole security holder, Manufacturers Trust Company, an exempt holding company.

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 matter and that said application shall not be granted except pursuant to further order of this Commission:

It is ordered, That a hearing in this proceeding be held at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, at 10:00 A. M., E. W. T., on the 20th day of September in such room as may be designated on such day by the hearing room clerk. At such hearing, cause shall be shown why such application shall be granted.

All persons desiring to be heard or otherwise wishing to participate shall notify the Commission in the manner provided in Rule XVII of the Commission's Rules of Practice on or before September 13, 1943.

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of

the Act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That the Secretary of this Commission shall serve notice of this order by mailing a copy thereof by registered mail to Utility Service Company and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-14386; Filed, September 2, 1943; 11:43 a. m.]

[File Nos. 54-83, 70-586]

STANDARD OIL CO. (NEW JERSEY) AND CONSOLIDATED NATURAL GAS CO.

NOTICE OF FILING AND ORDER CONSOLIDATING AND RECONVENING HEARING AND DESIGNATING NEW TRIAL EXAMINER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 30th day of August 1943.

Notice is hereby given that an application has been filed by Standard Oil Company (New Jersey), hereinafter referred to as "Standard Oil", a registered holding company, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, for approval of a plan for the divestment of its interest in all the voting stocks of four gas utility subsidiaries and one natural gas pipe line subsidiary. All interested persons are referred to said application, which is on file in the offices of the Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Standard Oil owns all of the outstanding voting stock of Hope Natural Gas Company (279,000 shares of \$100 par value common stock), The East Ohio Gas Company (285,000 shares of \$100 par value common stock), Peoples Natural Gas Company (170,000 shares of \$100 par value common stock), The River Gas Company (5,000 shares of \$100 par value common stock), and New York State Natural Gas Corporation (20,900 shares of \$100 par value common stock). Standard Oil proposes to transfer such shares of stock to Consolidated Natural Gas Company in exchange for all of the common stock of the latter company (except directors' qualifying shares) consisting of 2,728,359 shares of common stock (par value \$15 per share). After such acquisition, Standard Oil proposes to distribute to its stockholders the stock of Consolidated Natural Gas Company in the ratio of one share of Consolidated Natural Gas Company's stock for each ten shares of the stock of Standard Oil then outstanding. No fractional shares or scrip for fractional shares are to be issued, but in lieu thereof Standard Oil proposes to distribute to its stockholders

cash for fractional shares based upon the market value (when, as and if issued trading) of Consolidated Natural Gas Company's stock at the time of the declaration of the distribution.

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 in respect of such matters and that the application may not be granted except upon further order of the Commission; and

Consolidated Natural Gas Company having heretofore filed applications or declarations, or both, with this Commission under sections 7 and 10 of the Public Utility Holding Company Act of 1935 regarding the acquisition from Standard Oil of all the outstanding voting stocks of the five subsidiary companies mentioned above and the issue and exchange therefor by Consolidated Natural Gas Company of all of its common stock (except directors' qualifying shares); and

The Commission having heretofore issued its notice of filing and order for hearing in respect of said declaration and application of Consolidated Natural Gas Company, pursuant to which public hearings have been held from time to time and adjourned subject to the call of the Trial Examiner; and

It further appearing to the Commission that the plan filed herein by Standard Oil (File No. 54-83) and the pending applications and declarations of Consolidated Natural Gas Company (File No. 70-586) involve common questions of law and fact and should be consolidated; and

It further appearing that the Trial Examiner heretofore designated to preside at the hearing in this proceeding will be unable to do so;

It is ordered, That said proceedings (File Nos. 54-83 and 70-586) be consolidated and that hearings on such matters under the applicable provisions of the Act and the Rules promulgated thereunder be reconvened and held on September 14, 1943, at 10 o'clock in the forenoon of that day at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On that day, the hearing-room clerk in Room 318 will inform the parties as to the room in which said hearing will be held.

It is further ordered, That notice be given of said reconvened and consolidated hearing to the above-named declarants and applicants by registered mail and to all other interested persons by publication in the FEDERAL REGISTER.

It is further ordered, That Willis E. Monty, an officer of the Commission, be, and he hereby is, designated to preside at such hearing in the place and stead of, and with the same powers and duties as, the Trial Examiner heretofore designated to preside at such hearing.

It is further ordered, That any person desiring to be heard in connection

with these consolidated proceedings or proposing to intervene herein shall file with the Secretary of the Commission, on or before the 10th day of September, 1943, 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 the issues presented by these proceedings, attention will be directed at the reconvened hearing to the following matters and questions:

1. Whether the plan of Consolidated Natural Gas Company and Standard Oil is necessary to effectuate the provisions of section 11 (b) of said Act;

2. Whether said plan is fair and equitable to the persons affected thereby;

3. Whether the fees, expenses and other considerations to be paid or received, directly or indirectly, in connection with the proposed plan and the transactions incidental thereto are for necessary services or purposes, reasonable in amount and properly allocated;

4. Whether the transactions involved comply with all of the requirements of the applicable provisions of the Act and Rules promulgated thereunder;

5. Generally, whether any of the proposed transactions are detrimental to the public interest or the interests of investors or consumers or will tend to circumvent the provisions of the Act or any Rules, Regulations, or Orders of the Commission thereunder;

6. Whether, and, if so, to what extent, the plan should be modified or terms and conditions imposed to assure adequate protection of the interests of investors, consumers and the public interest and compliance with all applicable requirements of the Act.

It is further ordered, That jurisdiction be, and is hereby reserved, to separate, whether for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters which may arise in this proceeding, or to consolidate with this proceeding other filings or matters pertaining to said plan or to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-14387; Filed, September 2, 1943; 11:43 a. m.]

[File Nos. 70-717, 70-704]

UNITED LIGHT AND RAILWAYS CO., ET AL.
ORDER PERMITTING AMENDED DECLARATIONS,
ETC., TO BECOME EFFECTIVE

In the matter of the United Light and Railways Company, Continental Gas & Electric Corporation, Iowa-Nebraska Light and Power Company, Iowa Power and Light Company, Des Moines Electric Light Company, File No. 70-717; and Illinois Iowa Power Company, File No. 70-704.

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

office in the City of Philadelphia, Pa., on the 1st day of September 1943.

The Commission having on August 16, 1943 issued its order herein with respect to, among other things, the issuance and sale by Iowa Power and Light Company of \$17,000,000 principal amount of First Mortgage Bonds, 3¼% Series due 1973, to underwriters selected by competitive bidding, in conformity with Rule U-50 promulgated under the Public Utility Holding Company Act of 1935;

The Commission having in said order reserved jurisdiction to pass upon the facts disclosed by the report with respect to the results of competitive bidding, as required by Rule U-50 (c), to pass upon the sale price of the bonds and the spread between such price and the offering price thereof to the public, and to issue a supplemental order with respect thereto;

Iowa Power and Light Company having made a report to the Commission pursuant to Rule U-50 (c), in the form of an amendment to the applications and declarations herein, specifying the proposals which have been received for the purchase of said bonds pursuant to the invitation for competitive bids and stating that Iowa Power and Light Company has accepted the proposal of a group of underwriters headed by Kidder, Peabody & Co. and White, Weld & Co. to purchase said bonds at a price of 107.56, plus accrued interest from August 1, 1943 to the date of delivery; such bonds are to be offered initially to the public by such underwriting group at 108.5, plus accrued interest from August 1, 1943 to the date of delivery, representing a spread to the underwriters of 0.94; and

The Commission having examined said amendment and having considered the record herein and finding no basis for imposing terms and conditions with respect to the sale of said bonds of Iowa Power and Light Company at such price and with such spread.

It is ordered, That said amendment to the said declarations and applications be and the same is hereby permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-14388; Filed, September 2, 1943; 11:43 a. m.]

WAR FOOD ADMINISTRATION.

MEATS AND LIVESTOCK

DELEGATIONS OF AUTHORITY TO ORDER ADMINISTRATOR, ETC.

Correction

In F. R. Doc. 43-13933 appearing on page 11883 of the issue for Saturday, August 28, 1943, subparagraph (1) of paragraph (d) *Area supervisors* should read:

"(1) To issue or deny permits to Class 3 slaughterers;"

